

LIVINGSTON UNION SCHOOL DISTRICT

October 10, 2019

REGULAR BOARD MEETING
District Board Room
922 B Street, Livingston

Closed Session: 5:30 P.M.
Public Session: 6:00 P.M.

AGENDA

I. CALL OPEN SESSION TO ORDER

Identify Closed Session Items and adjourn to Closed Session. The public may comment on closed session items prior to adjournment into Closed Session. The period for public comments is limited to 15 minutes. The maximum for any one speaker is 3 minutes and are requested to state their name for the record.

II. CLOSED SESSION (DISTRICT OFFICE CONFERENCE ROOM)

- A. Public Employee Performance Evaluation: Superintendent
- B. Conference with Labor Negotiator
District Negotiator: Superintendent, Andrés Zamora
Employee Organization: LETA and CSEA

III. RECONVENE TO OPEN SESSION

The Board will reconvene in the District Board Room at 6:00 P.M.

IV. PLEDGE OF ALLEGIANCE

V. REPORT AND/OR ACTION OF CLOSED SESSION ITEMS

The Board will briefly report and/or take action on items discussed in closed session.

VI. PUBLIC COMMENTS

The public is invited to address the Board at this time on matters not on the agenda but within the Board's jurisdiction. In accordance with the Brown Act, the Board is unable to hold discussion or take action at this time but may refer the issues for further consideration. The period for public comments is limited to 15 minutes. The maximum for any one speaker is 3 minutes and are requested to state their name for the record.

If the public wishes to speak on a specific item listed on the agenda, we ask that you please complete a "Request to be Heard" card and present it to the Superintendent's secretary before your item of interest is presented. The Board President will invite you to speak on the agenda item prior to Board deliberation. In the interest of time and order, each speaker is limited to 3 minutes with a maximum of 15 minutes per agenda item.

VII. CORRECTIONS TO AND APPROVAL OF AGENDA

VIII. REPORTS, SPECIAL PRESENTATIONS, SHOWCASES, AND RECOGNITIONS

- A. Years of Service Recognition
- B. Retirement Recognition(s)
- C. Superintendent's Reports and Updates

IX. CONSENT AGENDA

Items listed under Consent Agenda are considered to be routine administrative functions and are acted on by the Board of Education in one motion and one vote. Any item under the Consent Agenda may be discussed; however, if the item needs further clarification and discussion, it may be removed from the Consent Agenda at the request of a Board Member or the Superintendent, and considered separately. Information concerning the following items has been provided to the Board for study prior to the Board meeting and is available upon request from the Superintendent's office at 922 B Street. It is understood that the Superintendent recommends approval of all consent items, unless otherwise noted.

- A. September 12, 2019 Regular Meeting Minutes
- B. Encumbered Purchase Orders
- C. Designated Personnel Items
- D. 2019-2020 Fundraisers for Campus Park
- E. Gifts, Grants, and Donations
- F. Williams Quarterly Report July 1, 2019 through September 30, 2019
- G. Annual Updates to Comprehensive School Safety Plans

X. ANNUAL LIVINGSTON USD FINANCING CORPORATION BOARD MEETING

The Board will adjourn from the regular meeting and conduct business of the "Livingston Union School District Financing Corporation."

- 1. Public Comments
- 2. Confirmation of Officers
- 3. Statement of Information – Form SI-100
- 4. Annual Financial Report
- 5. Adjournment and Reconvene to Regular Meeting

XI. NEW BUSINESS

A. DISTRICT LCAP UPDATE: LMS ACHIEVEMENT PROGRESS (GOAL 4)

Staff will report on current achievement progress, school climate, and support services at Livingston Middle.

B. DISTRICT LCAP UPDATE: DASHBOARD LOCAL INDICATORS

Staff will provide an update on the current Dashboard Local Indicators for the District.

C. BULLYING PREVENTION MONTH RESOLUTION NO. 5—2019/2020 (LCAP GOAL 4)

The Board will be requested to adopt a resolution in support of national bullying prevention month.

XI. NEW BUSINESS, continued

D. CHARACTER EDUCATION MONTH: RESOLUTION NO. 6—2019/2020

The Board will be requested to adopt a resolution in support of Character Education Month.

E. RED RIBBON WEEK: RESOLUTION NO. 7—2019/2020

The Board will be requested to adopt a resolution in support of Red Ribbon Week, promoting a drug-free community.

F. SET SECOND BOARD MEETING IN DECEMBER: ANNUAL ORGANIZATIONAL MEETING

The Board will be requested to set a second board meeting in December as its annual organizational meeting to comply with changes in law.

G. RECOGNITION OF NEW CSEA EMPLOYEE REPRESENTATION UNIT—LIVINGSTON MAINTENANCE, OPERATIONS, AND TRANSPORTATION (MOT), CHAPTER 787: RESOLUTION NO. 8—2019/2020

The Board will be requested to adopt a resolution recognizing its new CSEA Employee Representation Unit—MOT, Chapter 787.

H. BOARD POLICY REVISIONS: BP/AR 1312.3 “UNIFORM COMPLAINT PROCEDURES”

The Board will be requested to approve board policy revisions.

I. BOARD POLICY REVISIONS: AR 6183 “HOME AND HOSPITAL INSTRUCTION”

The Board will be requested to approve board policy revisions.

J. FIRST READ: BP/AR 6158 “INDEPENDENT STUDY”

First read will be presented to the Board.

K. COMMUNICATION, INFORMATION, AND FUTURE AGENDA ITEMS

Governance team members may report on activities such as school visits, meetings, and conferences. Board members may also propose future agenda items and request special reports.

XII. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's office at 209-394-5421. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. Special Board meetings are posted 24 hours in advance, therefore, above timelines will not apply.

All documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 922 B Street, Livingston, CA during normal business hours.

Posted: October 7, 2019

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item VIII: Reports, Special Presentations, Showcases, and Recognitions

Board Consideration: Action Information/Discussion

Enclosure(s): Calendar of Events and Enrollment Report

- A. Years of Service Recognition:** The Board will recognize employee, Alicia Becerra, an instructional aide at Walnut Child Development Center on 40 Years of Service with Livingston Union School District.

- B. Retirement Recognition(s):** The Board will recognize classified employees, Ida Escola and Mary Padron who retired this school year. Ida Escola retired at the end of September as an instructional aide with the district for 7 years. Mary Padron was a special education aide at Campus Park School for 28 years.

- C. Superintendent’s Reports and Updates:** Superintendent Zamora and staff will verbally report on various “district happenings,” which are not included in written reports and are of importance and of interest to the Board.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item IX: Consent Agenda

Board Consideration: Action Information/Discussion

Enclosure(s): September 12, 2019 Regular Meeting Minutes
Encumbered Purchase Orders

Attachment(s): A - Designated Personnel Items (pg. 2.1)
B - Williams Quarterly Report Summary (pg. 2.2)

A. Regular Board Meeting Minutes: September 12, 2019

B. Encumbered Purchase Orders

C. Designated Personnel Items: See Attachment A (pg. 2.1)

D. 2019-2020 Fundraisers for Campus Park:

1. School Carnival for reward field trips, May 2020, Goal \$2,500
2. Year-Round T-shirt/Sweatshirt Sales for classroom academic incentives, Goal \$500
3. Year-Round Box Top Collection for classroom academic incentives, Goal \$500
4. Year-Round Pencil Sales for attendance incentives, Goal \$100
5. Bean Bag Tournament at Five Rivers for attendance incentives, Goal \$500

E. Gift, Grants and Donations:

1. Merced County After School Student Education: Teamwork for Success (ASSETS) Program Grant for 2019-2020 at all 4 school sites, Total Grant Award \$68,000
2. Apple Store & iTunes gift card awarded to Yamato Colony School from California Education Partners, gift card amount \$100 to be used towards school supplies.

F. Williams Quarterly Report Summary July 1, 2019 through September 30, 2019: No complaints filed. (pg. 2.2)

G. Annual Updates to Comprehensive School Safety Plans:

Districts are required to annually review and update school safety plans. Each school site has updated their plans to reflect changes in position titles, staff rosters, schedules, contact phone numbers and evacuation maps. No substantial changes were made to the plans safety procedures. For the safety and privacy of our schools and staff, these sections of the updates are not publicly disclosed.

Recommended Action:

To approve consent agenda.

ATTACHMENT A

Livingston Union School District Consent Agenda – Personnel Items Board Meeting – October 10, 2019

Public Employees: Classified

A. Employment Approval:

1. Gabriela Gutierrez, Café Monitor, Campus Park, Employment, effective 9/20/19.
2. Jaswinder Sanghera, Café Monitor, Campus Park, Employment, effective 9/20/19.
3. Erick Morales, Campus Supervisor, Livingston Middle School, Employment, effective 9/27/19.

B. Resignations/Releases/Retirements:

1. Mariel Mendoza, CDC Cook, Prusso Child Development Center, effective 9/13/19.
2. Daisy Avila-Elizalde, Yard Duty, Livingston Middle School, effective 9/20/19.
3. Nayely Arroyo, Academic Tutor, Campus Park, effective 9/30/19.
4. Gloria Segura, CDC Aide, Prusso Child Development Center, effective 10/2/19.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item X: Annual Livingston USD Financing Corporation Board Meeting

Board Consideration: Action Information/Discussion

Attachment(s): None

Background

In 1999, the Board approved the formation of the "Livingston Union School District Financing Corporation" and sold Certificates of Participation (COP) in the amount of \$5,090,000 to help finance the construction of the Livingston Middle School.

Corporations are required to meet at least once annually to confirm the designation of the officers and to conduct the official business of the organization as needed and required. The Board of Trustees sits as the Board of Directors of the Corporation.

The Board will begin the meeting as follows:

1. Public Comments

The Board will open the meeting and allow for public comments. In the interest of time and order, the period for public comments is limited to 3 minutes.

2. Confirmation of Officers

In accordance with the bylaws of the corporation, individuals who act as the members of the Board of Trustees of the Livingston Union School District shall constitute the Board of Directors of the Corporation, and each member of the Board of Trustees of the District shall be and remain a member of the Board of Directors of the Corporation for so long as such member remains a member of the Board of Trustees of the District. The President of the Board of Trustees shall be the President or Chief Executive Officer of the Corporation. The Secretary to the Board of Trustees shall be the secretary of the Corporation. Lastly, the Director of Fiscal and Business Services of the District shall be the Chief Financial Officer of the Corporation.

Recommended Action:

To confirm the officers of the Livingston Union School District Financing Corporation as follows: Chief Executive Officer, Vernon Boyd; Secretary, Andrés Zamora; and, Chief Financial Officer, Sara Crawley.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item X: Annual Livingston Union School District Financing Corporation Board Meeting, Continued

Board Consideration: Action Information/Discussion

Attachment(s): Statement of Information-Form SI-100 (pg. 4.1)

3. Statement of Information - Form SI-100

The Statement of Information is filed with the State of California every odd-numbered year and when changes are necessary. This year the corporation is required to file due to changes on the Board. A copy of the form to be filed with the State is attached.

Recommended Action:

To approve the filing of the SI-100 form with the State of California as proposed.

4. Annual Financial Report

For this fiscal year, the COP beginning principal balance is \$1,841,456.65. A principal payment of \$315,806.28 plus \$49,038.98 for interest is scheduled to be made this year. This will leave an ending balance of \$1,525,650.37 for 2019-2020.

Chief Financial Officer, Sara Crawley will recap on the principal balance and payments and answer any questions from the Board.

5. Adjournment and Reconvene to Regular Meeting

The Board will adjourn the meeting of LUSD's Financing Corporation and reconvene to the regular board meeting.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, A: District LCAP Update: LMS Achievement Progress (LCAP Goal 4)

Board Consideration: Action Information/Discussion

Enclosure(s): LMS Achievement Progress Report 2019

Background

It is Livingston Union School District's priority to ensure students leaving eighth grade are prepared and ready to succeed in high school and beyond. In addition to eighth-grade graduation rates, student learning and student achievement are also a focus at Livingston Middle School.

Discussion

Graduation rates have been 94% or higher since spring 2016. In addition to achieving 95% graduation rate, Livingston Middle School staff are also working to enhance student learning, school culture and climate, and increasing student achievement as measured on different assessments including STAR Reading and Summative California Assessment of Student Performance, stakeholder surveys, and Progress "CAASPP".

Staff has submitted a written report on Livingston Middle School's academic and graduation goal update, and support systems in place to assist in obtaining these goals.

Recommended Action

Presented for information and discussion. No action required.



Livingston Middle School

Academic Progress & Graduation Board Update

Jorge Arteaga, Principal -October 10,2019

Every year Livingston Middle administrative staff analyzes and reflects on the school's academic progress and sets goals to improve student performance by developing the goals and actions in the School Plan for Student Achievement (SPSA). These findings are shared with School Site Council (SSC) and are formally adopted in the SPSA. The 2019-2020 SPSA was approved on June 20, 2019. Three of the four goals in the SPSA are focused on student academic achievement. The fourth goal is on enhancing school safety and strengthening student connectedness. Listed below are the two academic goals focused on improving ELA and mathematics.

- By spring of 2020, there will be a 15 Average Scale Point (ASP) increase in Language Arts as measured by the California Assessment of Student Performance and Progress (CAASPP) and a 10% increase in the STAR Reading levels.
- By spring of 2020, there will be a 30 Average Scale Point (ASP) increase in Mathematics as measured by the CAASPP.

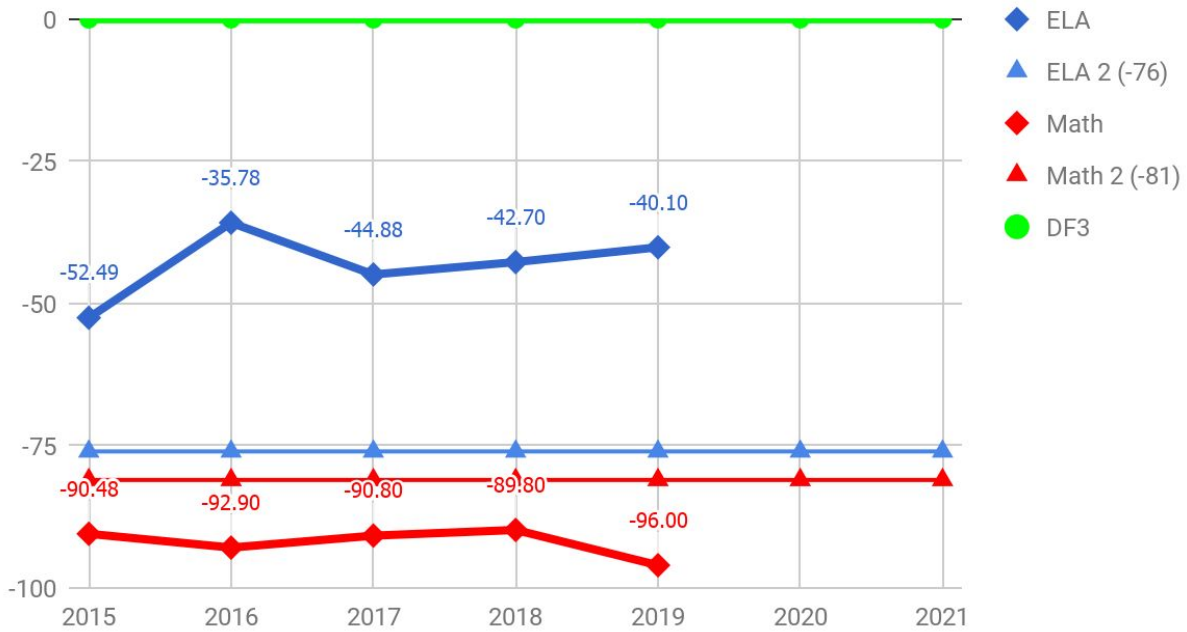
Detailed Information (LMS Academic Goals for 2019-2020)

LMS students take the California Assessment of Student Performance and Progress (CAASPP) yearly. The CAASPP is the state assessment system used to measure academic progress on English Language Arts (ELA) and Mathematics. LMS CAASPP results have remained stagnant since 2015. ELA scores were an average of -42.7 points below "met" in 2018. The unofficial ELA average scale score in 2019 improved by 1.6 average scale points to -40.10 (points below met). The ELA average scale score is with the "Standards Nearly Met" range.

Math scores were an average of -89.8 points below "met" in 2018. The unofficial math average scale score in 2019 decreased by 6.2 average scales points to -96.00 (points below met), and the average scale score is in the "Standard Not Met" range. The math average scale score has to increase by 81 points to be in the "Standard Nearly Met" range.

Improving student academic performance on the CAASPP in Math and English Language Arts is an emphasis at LMS.

LMS CAASPP Distance From Met (DF3)



Increasing student performance on the STAR Reading is also a goal at LMS. The Renaissance Learning STAR Reading assessment is a computer adaptive test used to measure students' reading abilities. In LUSD the STAR is administered three times a year. The STAR results provide grade equivalent scores that are used to evaluate progress and make adjustments to school programs with the goal to improve students' reading levels. The table below summarizes the STAR Test result for the first trimester of this school year (2019-2020). The percentage of students who scored "At or Above Grade GE" (GE stands for grade equivalent) for the whole school is at 14.03% and 72.59% of the students scored "More than 1 GE Below Grade".

All Students								
	6th		7th		8th		Total	Percentage
At or Above Grade GE	41	17.52%	32	11.43%	36	13.69%	109	14.03%
Within 1 GE of Grade	37	15.81%	41	14.64%	26	9.89%	104	13.38%
Within 2 GE of Grade	107	45.73%	126	45.00%	70	26.62%	303	39.00%
More than 1 GE Below Grade	156	66.67%	207	73.93%	201	76.43%	564	72.59%
Total	234	100.00%	280	100.00%	263	100.00%	777	100.00%

Actions Leading to Improvements

This year LMS has established an Instructional Leadership Team (ILT) to help support teacher collaboration and focus on student learning and increase achievement. ILT is continuing its participation with Livingston Union's partnership with California Education Partners (CEP). LMS's ILT is working with a facilitator from CEP and have reviewed the above data and are working to incorporate strategies to improve student reading abilities based on performance on the STAR assessment. The team has set the improvement goal below as a target.

- By June 2020 all students will make a 1.2 G.E. growth on STAR reading.

The students academic performance on the CAASPP and the result on STAR reading do not “paint an optimistic picture”. Multiple factors influence performance on any assessment. Our staff is reflecting and analyzing various data sets and are working on developing strategies to improve LMS students’ performance on these assessments. LMS staff believe that by working together we can accomplish anything as evidenced by the increase in eighth grade graduation rates.

Not too long ago LMS’s graduation rate was below 80 percent. Staff came together made some adjustments and since then the graduation rates have improved to over 94%. The data below summarizes graduation rates from the past and provides an update on the current graduation status.

- LMS’s 2019–2020 Graduation Goal: Graduation rate will be 95% or higher.

There are currently 272 eighth grade students enrolled at Livingston Middle School. Eighth grade students are determined to be at risk when academic graduation requirements are not met, even after attending LUSD’s Summer Academy and/or credit recovery opportunities. The following tables display detailed information regarding LMS’s graduation history.

History on Graduation Rate			
Year	Graduates	Non-Graduates	Graduation Percentage Rate
2019	273	14	94.8%
2018	282	3	98.9%
2017	280	12	95.9%
2016	292	19	94%
2015	222	61	78%
2014	223	47	83%

Currently, 57 students are at-risk of not graduating. The table below identifies students by their student groups. At this point, 18 students are identified as ELs, 8 are in special education, 0 are in home and hospital, 35 are males, 22 are females, and 31 who participated in LUSD’s summer school credit program. Of the 57 at-risk students, 4 students are at the non-eligible to graduate status and 53 students are in the eligible to graduate status.

At-Risk Student Profile									
Student Group	All	EL	Special Education	Home and Hospital	Male	Female	Summer School Credit	Non-Eligible	Eligible to Graduate
Total	57	18/57	8/57	0/57	35/57	22/57	25/31	4/57	53/57

School Safety and Student Connectedness at Livingston Middle School

School safety and student connectedness are important factors in creating a school culture that is conducive to learning for ALL. During the summer, parents and staff shared concern with regard to student behavior and school safety. We are continuing with Positive Behavior Interventions and Supports (PBIS) strategies to support a positive culture. Our focus has been to clearly communicate student expected behavior and to reinforce expectations by being Kind, Firm and Fair, and Consistent (KFC). The Expected Behavior Flow Chart was developed to get all staff on the same page with regards to understanding how to consistently address student misbehavior.

LMS counselors are key in supporting students' social emotional well being. LMS counselors do classroom lessons, promote school wide character building activities, and support student needs as they arise. LMS counselors monitor student academic progress, work with parents to support struggling students in meeting academic needs, and run clubs.

LMS has an active Associated Student Body (ASB) and Athletics Program providing opportunities for students to connect to LMS through participation in extracurricular activities. Through rallies, dances, and/or sports, many students gain school spirit and build connections at LMS. Creating a safe and connected school environment helps students continue to make progress towards graduation.

Challenges for At-Risk Students at Livingston Middle School

Students who are at-risk for not fulfilling graduation requirements at LMS have challenges in obtaining credit in core classes. They face language barriers as English Language Learners or display a deficiency in other skills. Other difficulties these students have may include: engaging in classroom learning, poor grades, and minimal participation in school activities. These difficulties might result in behavior changes and class absences/tardiness.

The Approach to Addressing At-Risk Challenges at Livingston Middle School

At LMS, the goal for students consists of engaging in classroom lessons and school activities during and after the school day. This allows students to participate and integrate into the learning community. Various programs supporting students are in place through a multi-level system of support (intervention, clubs, engaging lessons, and school counselors) that enable them to succeed. Therefore, students choose from different types of opportunities to supplement their skills and increase their connection to the school environment.

Students can also connect by joining clubs, sports and by participating in activities during lunchtime and after school. For academic support, there is homework assistance available in room G3 after school. School counselors are also currently offering classroom guidance classes in areas such as goal-setting, peer relationships, and conflict resolution.

LMS's support systems are aligned to help ALL students improve achievement, positively and productively engage in our school community and support graduation rates.

Support Systems	
Support Systems Administered at LMS	Support Details
Summer Academy	<ul style="list-style-type: none"> ● Opportunity to earn up to 2 Credits ● 25 out of 31 at-risk students earned credit during the 2019 Summer Academy ● Credit was obtained by participation and attendance expectations
Learning Recovery	<ul style="list-style-type: none"> ● Taught by certificated staff ● Classes will be taught during school breaks as to not limit students' access to intervention or homework help during the regular day ● Learning Recovery opportunities will be offered during Thanksgiving, Winter and Spring Breaks
AERIES Grading System	<ul style="list-style-type: none"> ● Grades are updated every 3 weeks (BP 614.6.5(c)) so that parents and students have up to date information on students' progress ● Students now have access to their own portal where they can have access to their progress at any time ● Continued training and support to teachers on the AERIES grading system at our site by technology support teachers ● Additional AERIES training has been provided for parents at round-up days and will be offered during parent conferences
Counseling Support	<ul style="list-style-type: none"> ● Counselors meet with 7th-grade parents and students to address grades and review graduation requirements ● Student Success Plans (SSP) are developed by the counseling office when a student earns a total of three or more "F's" during their middle school career ● Counselors conduct classroom guidance lessons for all 6th-8th-grade students to provide academic and social support(BP 614.6.5(c))
Parent Communication	<ul style="list-style-type: none"> ● Students and parents receive progress reports at the midpoint of each trimester and report cards at the end of each trimester ● Students at risk of not meeting graduation requirements will be monitored by staff-(BP 614.6.5(c)) as of May 1st of a student's eighth-grade year ● The office will mail a certified letter to parents of students who are earning a "D" grade or lower ● Eighth-grade teachers will receive a list of students who are earning an "F" ● Each teacher is responsible for contacting the parents of students who are failing in the teacher's

	classroom and the teacher will document the contact-(BP 6146.5(c))
Parent Conferences (October and March)	<ul style="list-style-type: none"> ● Trimester one progress reports and trimester two report cards are distributed at parent conferences ● Written eligibility updated will be provided to all eighth-grade parents by their teacher and/or a school counselor ● Parents will be notified of summer credit recovery opportunities if available at spring conferences - (BP 6146.5(c)) ● Students with 2 or more credit deficiencies will be invited to the first Learning Recovery Opportunity during Conference Week in October 2018
Homework Help	<ul style="list-style-type: none"> ● Available 2:30-3:30, M-Th in room G3. ● Support by AVID tutors will be added after-school in October 2018 ● Peer-tutors will begin in October 2019 for both sessions
Academic Clinician Support for At-Risk Students (Push-in/In Classrooms)	<ul style="list-style-type: none"> ● Provide assistance with homework ● Provide students with support in English Language Development (ELD) ● Provide students with support on reading comprehension and analysis ● Providing additional support in classes where students are struggling including ELA, History, and Math
Professional Development/Staff learning	<ul style="list-style-type: none"> ● Math PD during the summer and ongoing with the support from Mrs. Pickle ● Professional Learning Communities (PLC) working to align and better understand content. ● English Language Development with the support of Dr. Yacoub. ● Advancement Via Individual Determination(AVID) schoolwide to put structures in place to support all students in making academic progress. ● Incorporating Writing, Inquiry, Collaboration, Organization, and Reading (WICOR) strategies in all classes. ● ILT working with CEP to establish an improvement focus and review progress through the continuous improvement process (Plan, Do, Check, Act) ● Mainstreaming RSP students and establishing a co-teaching model (Support by Victoria Murphy)



Livingston Middle School

101 F Street

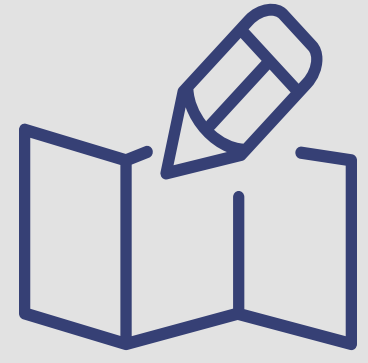
Principal: Jorge Arteaga

Vice Principal: Albert Gonzalez

Enrollment: 797

Grades: 6-8

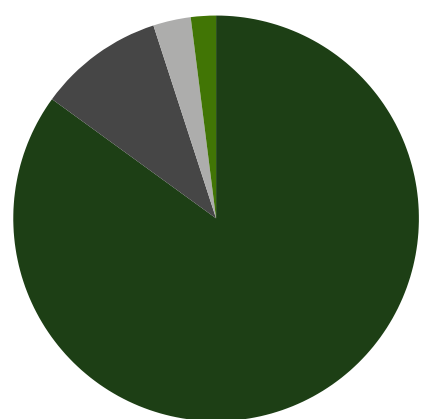
Teachers: 35



Livingston Middle School students receive a comprehensive educational program which includes regular education, special education, migrant education services, English learner and advanced program services. Sixth through eighth grade students also have access to the Advancement Via Individual Determination (AVID) program. All students have the opportunity to participate in after school enrichment activities.

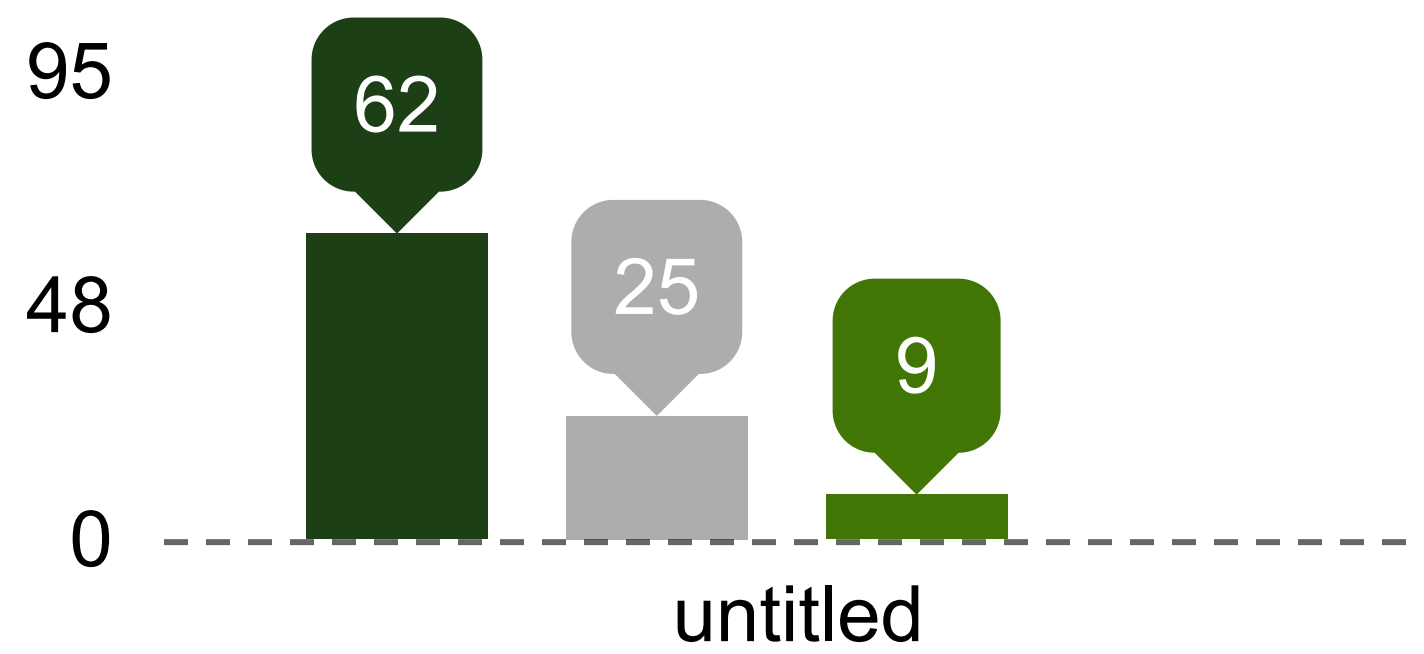
Demographic Data

Ethnicity (Fall 2019)



Hispanic (85%) Asian (10%)
Caucasian (3%) Other (2%)

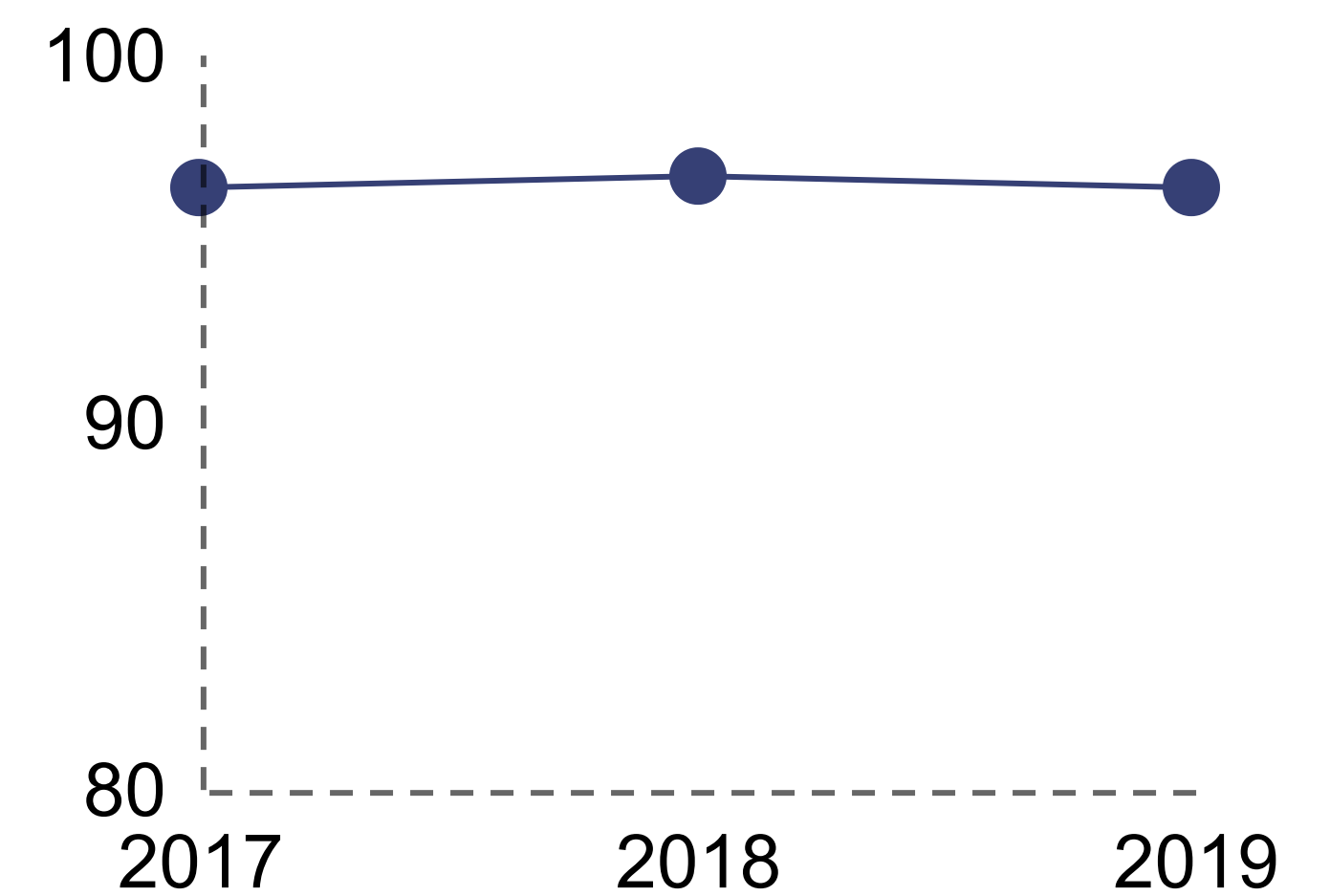
Selected Populations (Fall 2019)



SED English Learners
Special Education Foster Youth

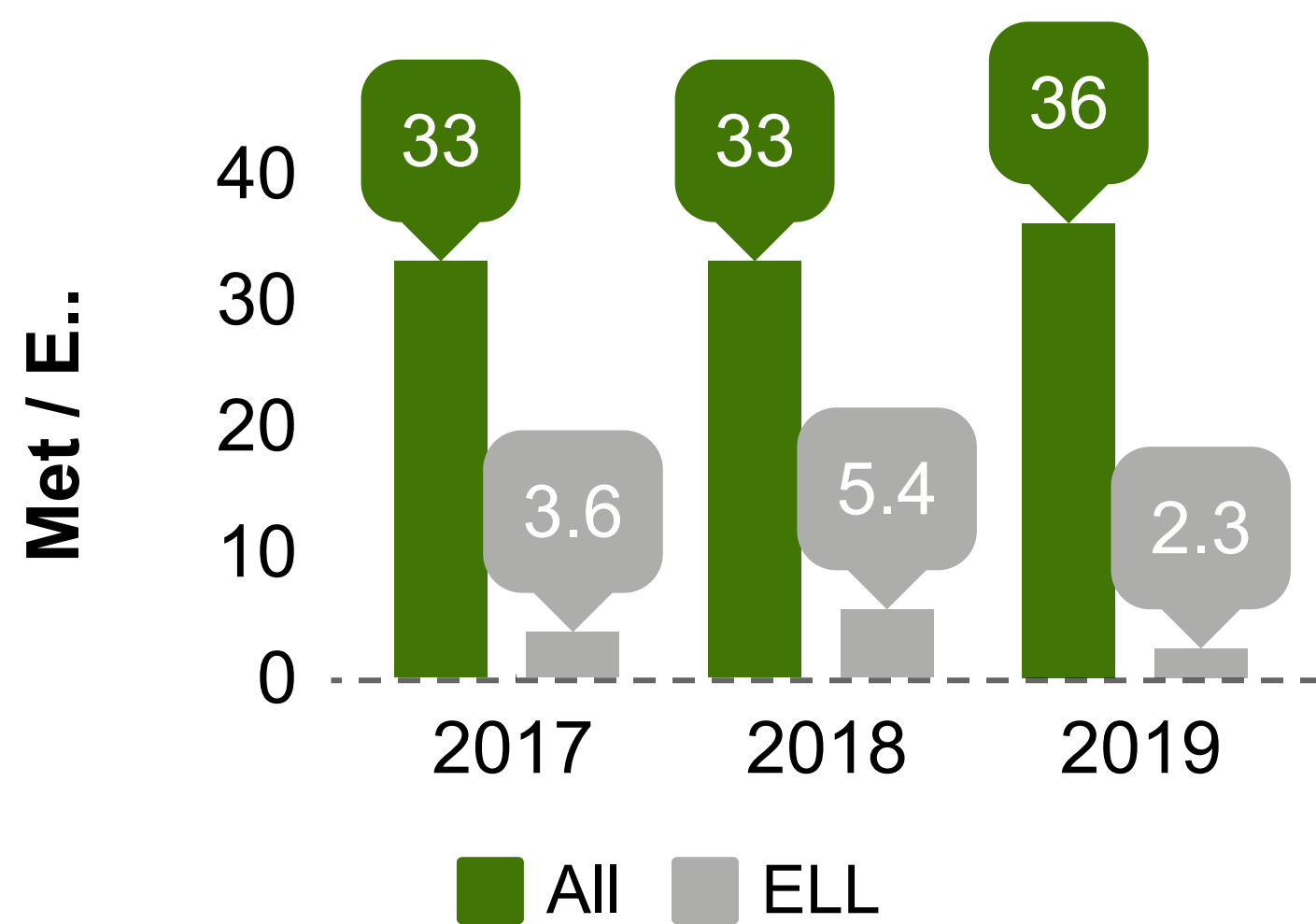
CALPADS and Aeries Data

Average Attendance

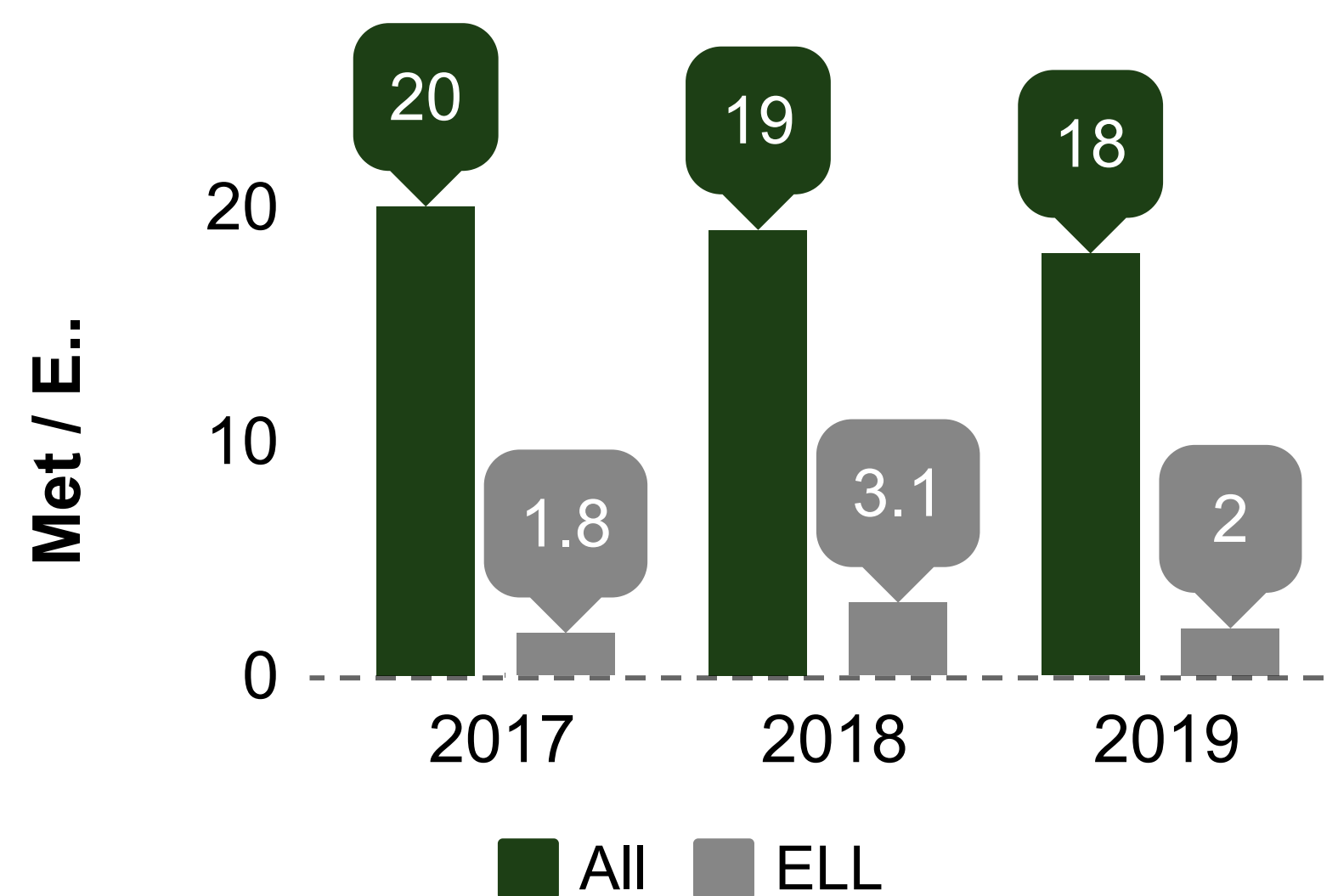


State Indicators

CAASPP--ELA

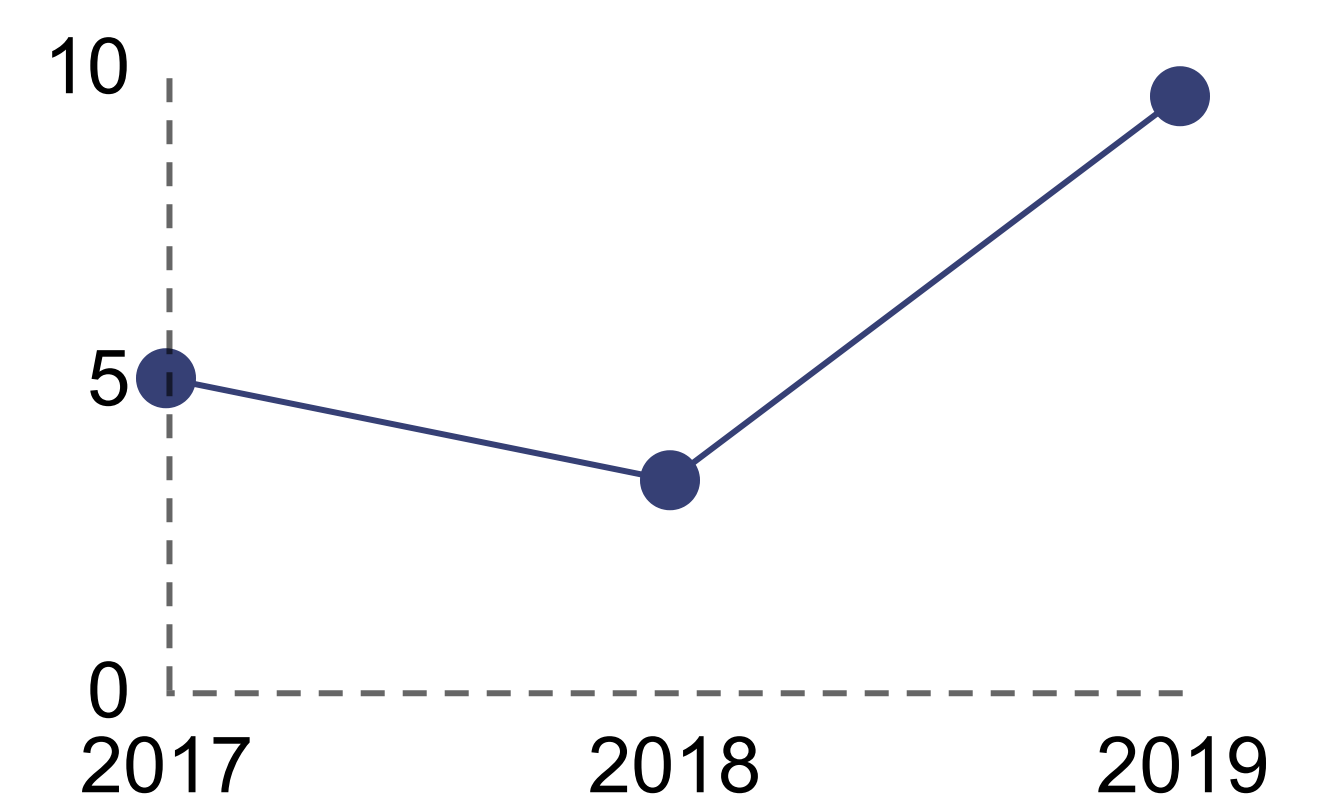


CAASPP--Math



CAASPP and California Dashboard Data

Suspensions (%)



Local Indicators



Students Chronically Absent

6%



Parents Feel Welcomed and Respected

91%



Teachers Feel They Belong to School

86%



Students Feel Connected to School

75%

LUSD Survey Data 2019

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, B: District LCAP Update: Dashboard Local Indicators

Board Consideration: Action Information/Discussion

Attachment(s): CA Dashboard Local Indicator Update – Fall 2019 (pgs. 6.1-6.2)

Background

The California Dashboard, the state's new accountability and continuous improvement system, provides information about how local educational agencies and schools are meeting the needs of California's diverse student population based on a concise set of measures. Both state and local measures are updated annually and reported to the local governing board at a regularly scheduled meeting.

Discussion

Livingston Union School District will be updating the local indicator performance standards for Basic Services and Conditions (Priority 1), Implementation of State Academic Standards (Priority 2), Parent Engagement (Priority 3) and School Climate (Priority 6) and Academic Engagement (Priority 7) to reflect performance and progress in these areas.

At the meeting, Director, Tiffany Pickle, will provide a summary of the updates on the district's local indicators.

Recommended Action

Presented for information only. No action necessary.

LIVINGSTON UNION SCHOOL DISTRICT
California Dashboard Local Indicator Update – Fall 2019
Presented to Board on October 10, 2019

PRIORITY 1

**Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials,
and Safe, Clean and Functional School Facilities**

Appropriately assigned teachers: 98%
Access to standards aligned curriculum: 100%
Number of instances where facilities did not meet standard: 0

PRIORITY 2

Implementation of State Academic Standards

Updated Narrative

Livingston Union School District (LUSD) is in full implementation of English Language Arts and Mathematics Common Core State Standards and uses the standards aligned Smarter Balanced Interim Assessments as well as local benchmarks to measure student progress in these areas. In addition to these assessments, LUSD uses the number of English Learners reclassified as Fluent English Proficient to measure progress in English Language Development. The district is continuing to explore and research materials for K-5 History-Social Science and recently adopted new Social Studies curriculum for grades 6-8. Next Generation Science Standards are being implemented at all grade levels.

PRIORITY 3

Parent Engagement

Building Relationships / Average-- 3.5/5	Building Partnerships for Student Outcomes / Average--3/5	Seeking Input for Decision Making Average-- 3.5/5
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PRIORITY 6

School Climate

Updated Narrative

LUSD provides a local Student Climate Survey to all students in grades 3-8. The data is evaluated at site and district levels and is used to improve school climate with a focus on school safety and student connectedness. Data points include *School Safety and Connectedness* Adult Support and Expectations* Student Beliefs. Data results are reported through the LCAP Annual Update and shared with stakeholders via advisory meetings and regularly scheduled meetings of the local governing board. LUSD has 3 nationally ranked counseling programs.

PRIORITY 7
Academic Engagement

- 1. The locally selected measures or tools used to track the extent to which all students have access to, and are enrolled in, a broad course of study, based on grade spans, unduplicated student groups, and individuals with exceptional needs served.**

Livingston Union School District (LUSD) uses teacher submitted class schedules in grades TK-5 to track access to core subjects and designated English and Spanish language development time. In grades 6-8, the master course schedule feature in the district's Student Information System (SIS) is used to monitor course offerings and rostering.

- 2. A summary of the differences across school sites and student groups having access to, and are enrolled in, a broad course of study, and may include a description of progress over time in the extent to which all students have access to, and are enrolled in, a broad course of study.**

LUSD is comprised of 3 elementary schools and 1 middle school. All students have access to a broad course of study based on class and master schedules. Students with special needs have access to services based on the needs designated in their Individualized Education Plans (IEP) and have access to extended school year based on student need per their IEP.

Identified students from all sites have access to Summer Academy for academic intervention and support. Within the school day, intervention opportunities with support staff are available based on individual needs. In addition, music is offered to all elementary students via a designated elementary music teacher. All middle school students have access to music per the master schedule.

- 3. Identification of any barriers preventing access to a broad course of study for all students.**

Barriers include voluntary attendance and participation in extended day activities and Summer Academy. Some students face scheduling restrictions based on language fluency. Various credit opportunities exist for students with credit deficit to increase access to courses that may otherwise be inaccessible.

- 4. Revisions, decisions, or new actions that will be implemented, or has been implemented, to ensure access to a broad course of study for all students.**

LUSD will be revisiting the criteria for access to accelerated coursework at the middle school level. The District will also be evaluating the middle school master schedule to increase opportunities to a broader course of study for English Language Learners.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, C: Bullying Prevention Month: Resolution No. 5—2019/2020 (LCAP Goal 4)

Board Consideration: Action Information/Discussion

Attachment(s): Resolution No. 5—2019/2020 (pgs. 7.1 – 7.3)

Background

Livingston Union School District "LUSD" promotes a positive school climate and culture. It does not tolerate bullying in its district, as it is clearly stated in LUSD's BP 5131.2 (a), "The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student."

Discussion

LUSD's school sites work diligently to ensure all students feel safe in their school environment. LUSD has invested in staff and school-wide activities to promote a positive school environment that is conducive to learning. As a measure, annual student surveys are taken to assess school climate and culture from the student's perspective.

Attached to the resolution, is a summary of activities and support measures taking place within the District in support of a positive and safe school environment.

Recommended Action

To adopt Resolution No. 5 in support of Bullying Prevention Month.

**RESOLUTION OF THE GOVERNING BOARD OF
LIVINGSTON UNION SCHOOL DISTRICT**

RESOLUTION NO. 5—2019/2020
"National Bullying Prevention Month"

October 2019

WHEREAS, the Livingston Union School District supports the rights of students and staff to attend schools that are safe and free from violence, harassment, bullying and discrimination; and

WHEREAS, providing a safe school environment that ensures both the physical and emotional safety of students and staff, creates the conditions necessary to foster academic achievement; and

WHEREAS, bullying, harassment, discrimination, and violence, and *even* the fear of harm, can create barriers to learning and contribute to low self-esteem, depression, anger, and, in extreme cases, school violence or suicide; and

WHEREAS, a safe school is one where teaching and learning are not distracted; disruptions are minimized; drugs, violence, bullying, and fear are not present; students are not discriminated against; expectations for behavior are clearly communicated; and consequences for infractions are consistently and fairly applied; and

WHEREAS, school districts and county offices of education have a responsibility to ensure a safe school environment that is free of intimidation and harassment; and

WHEREAS, the most effective approach to creating safe school environments requires a comprehensive, coordinated effort including school-wide, district-wide, and community-wide strategies where all institutions, organizations, and individuals must accept responsibility for their critical roles and collaborate to establish a positive environment for teaching and learning; and

WHEREAS, the Month of October is National Bullying Prevention Month, which is a campaign in response to the need to raise awareness of bullying that provides schools and communities with an opportunity to educate students, parents, and others about their role in bullying prevention;

THEREFORE, BE IT RESOLVED that the Governing Board of the Livingston Union School District hereby supports the goals of National Bullying Prevention Month and will work with a broad spectrum of local community stakeholders, parents, students, teachers, and staff to develop, implement, and monitor policies and programs that foster and support a positive school climate free from bullying, harassment, discrimination, and violence.

Passed and Adopted at a regular meeting of the Governing Board of the Livingston Union School District held on October 10, 2019.

Ayes:

Absent:

Noes:

Abstain:

Vernon Boyd, President

Yolanda Correia, Trustee

Anne Land, Trustee

Rigo Espinoza, Trustee

Kanwaldeep Bains, Trustee

Andrés Zamora, Superintendent/Secretary

Livingston Union Focuses on a Bullying Free School Environment

October is National Bullying Prevention Month



Bullying Awareness and Prevention have been ongoing in Livingston Union School District “LUSD” and is not focused solely in the month of October. We understand the importance of a safe and nurturing learning environment for all students. This is evident through LUSD’s adopted Board policies on Non-Discrimination, Harrassment and Bullying. Investment in school personnel including counselors and yard duty supervisors is another example emphasizing the importance of a positive school environment.

Counselors at each of the school sites are in the classrooms teaching lessons from Second Step Curriculum. Second Step is a social emotional learning program which consists of a holistic approach in creating a more empathetic school community. Through these lessons, students as early as in Transitional Kindergarten and Kindergarten grades are learning about empathy, kindness, and respect. They continue to learn about these concepts every year onwards up to eighth grade. Counselors also spearhead district wide campaigns including The Great Kindness Challenge, bullying prevention, LGBTQ awareness, suicide prevention, special education awareness, foster and homeless youth awareness, and mental health awareness. School counselors work with staff and parents in increasing awareness on these topics.

In addition to school counselors, school sites administer various activities to promote a more positive climate and culture. Following are some examples:

- Morning announcements with a positive message
- Assemblies including student of the month
- Character Counts
- Friends of Rachel Awaken Assemblies (Livingston Middle School)
- Signs of Suicide Prevention Program (Livingston Middle School)
- Sandy Hook Start with Hello Program (Livingston Middle School)

To help measure the effectiveness of all these efforts, LUSD surveys its students annually. One question the students are asked on the survey is “*Do you feel safe at school?*” The response to this question in the February 2019 survey was that 51% responded, “Yes, all the time” and 35% of students responded, “Yes, most of the time” for a total of 86% of students responded yes.

LUSD continues to emphasize the importance of a positive school climate and culture as it is essential to student learning.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, D: Character Education Month: Resolution No. 6—2019/2020

Board Consideration: Action Information/Discussion

Attachment(s): Resolution No. 6—2019/2020 (pg. 8.1)

Background

One of the greatest challenges parents face is how to help their children grow up to become moral people with values we cherish as members of a civilized society. While instilling values is first and foremost an obligation of families, our schools, faith and youth groups, civic and human services organizations can also play a significant role in supporting families to foster and promote good character in children. Schools can help by offering educational programs and activities that reinforce these values that help children develop good dispositions that will enable them to flourish intellectually, personally, and socially.

For many years now, LUSD has implemented the guidelines of the Character Education program through counseling services, school clubs and in classrooms. Character education is a critical component of education which is embedded in the core curriculum and the school culture on an ongoing basis. Character education should not be another add-on program, but rather a way to strengthen existing program efforts by integrating core elements throughout the curriculum.

Discussion

The month of October has historically been recognized as Character Education Month in California. By endorsing the observance of the State "Character Education Month," the Board is demonstrating its ongoing commitment to teach and reinforce in students basic civic and ethical values.

Recommended Action

To adopt Resolution No. 6, endorsing the observance of "Character Education Month."

**RESOLUTION OF THE GOVERNING BOARD OF
LIVINGSTON UNION SCHOOL DISTRICT**

RESOLUTION NO. 6—2019/2020

"Character Education Month"

October 2019

Whereas, the American heritage and laws reflect a common core of personal and social values that holds the citizens of this democracy responsible for acting morally and ethically, being actively involved in school and community, resolving differences peacefully, and respecting the rights, dignity, and property of others;

Whereas, the Livingston Union School District Board of Education believes that all educators are obliged to awaken youth to the moral and ethical values that build a fundamental strength of character;

Whereas, there are elements of character that are embedded in all curriculum frameworks, particularly the History-Social Science Framework, and further the common core of personal and social morality, a core that includes trustworthiness, respect, responsibility, fairness, caring, citizenship, civic virtue, honesty, and personal responsibility;

Now, Therefore Be it Resolved, that the Livingston Union School District Board of Education endorses the state observance of October 2019 as Character Education Month; and,

Be It Further Resolved that throughout the year, the Board of Education encourages all district schools and staff to intentionally and proactively promote effective character education activities to build students' strength of character.

The Foregoing Resolution was passed and adopted by the Board of Education of the Livingston Union School District this 10th day of October 2019.

Vernon Boyd, President

Yolanda Correia, Trustee

Anne Land, Trustee

Rigo Espinoza, Trustee

Kanwaldeep Bains, Trustee

Andrés Zamora, Secretary/Superintendent

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, E: Red Ribbon Week: Resolution No. 7—2019/2020

Board Consideration: Action Information/Discussion

Attachment(s): Resolution No. 7—2019/2020 (pg. 9.1)

Background

The Red Ribbon Campaign is now the oldest and largest drug prevention program in the nation reaching millions of young people during Red Ribbon Week.

The National Red Ribbon Campaign sponsored by the National Family Partnership was started when drug traffickers in Mexico City murdered Drug Enforcement Administration (DEA) Agent Enrique “Kiki” Camarena in 1985. This began the continuing tradition of displaying Red Ribbons as a symbol of intolerance toward the use of drugs. The mission of the Red Ribbon Campaign is to present a unified and visible commitment toward the creation of a DRUG-FREE AMERICA by embracing Camarena’s belief that one person can make a difference.

Red Ribbon is supported by the Governor, the Attorney General, Parent Teacher Associations, and many organizations throughout the State. Today, the Red Ribbon serves as a catalyst to mobilize communities to educate youth and encourage participation in drug prevention activities.

Discussion

This resolution emphasizes throughout the District and community the importance of educating our youth about the dangers associated with alcohol, tobacco, and substance abuse. Red Ribbon Week provides an opportunity for communities to come together to help stop alcohol, tobacco and other drug use among our young people by delivering a united message and by providing alternative activities. The 2019 Red Ribbon Coalition theme is “Send A Message. Stay Drug Free”

Recommended Action

To adopt Resolution No. 7 proclaiming October 28 – November 1, 2019 as Red Ribbon Week for Livingston Union School District.

**RESOLUTION OF THE GOVERNING BOARD OF
LIVINGSTON UNION SCHOOL DISTRICT**

RESOLUTION NO. 7—2019/2020
"Red Ribbon Week"

October 28 – November 1, 2019

Whereas, drug abuse is one of the major challenges our Nation faces in securing a safe and healthy future for our families and children;

Whereas, the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community wide support;

Whereas, parents, youth, government, business, law enforcement, schools, religious institutions, service organizations, social services, health services, media, and the general public will demonstrate their commitment to drug-free communities by wearing and displaying red ribbons during this nationally proclaimed Red Ribbon Week; and,

Whereas, Livingston Union School District further commits resources to ensure the success of the Red Ribbon Celebration and year-round tobacco, alcohol and other drug prevention efforts;

Now, Therefore, Be It Resolved, that the Governing Board of the Livingston Union School District does hereby support the goals of Red Ribbon Week by identifying October 28 – November 1, 2019 as RED RIBBON WEEK, and encourages its administrators, faculty, students, and parents to choose to live a drug-free life, participate in tobacco, alcohol, and other drug prevention initiatives and activities, making a visible statement that we are strongly committed to a healthy, drug-free life style.

Passed and Adopted at a regular meeting of the Governing Board of the Livingston Union School District held on October 10, 2019.

Ayes:

Absent:

Noes:

Abstain:

Vernon Boyd, President

Yolanda Correia, Trustee

Anne Land, Trustee

Rigo Espinoza, Trustee

Kanwaldeep Bains, Trustee

Andrés Zamora, Superintendent/Secretary

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, F: Set Second Board Meeting in December: Annual Organizational Meeting

Board Consideration: Action Information/Discussion

Enclosure(s): None

Background

Assembly Bill (AB) 2449 took effect January 1, 2019, where newly-elected school board members are seated on the second Friday in December on an election year. The new law also changes the date in which a school district holds its annual organization meeting to on or after the second Friday in December.

Discussion

Moving forward, the district will now be required to hold two (2) meetings in December in order to comply with two requirements. The first December meeting is our regular meeting set on the second Thursday of the month (December 12) to conduct standard business items and meet the Merced County Office of Education's deadline to submit the District's First Interim Financial Report before December 15. The second December meeting will be set on or after the second Friday in December to conduct its annual organizational meeting to comply with the new change in law set by AB 2449 mentioned above.

For 2019, the District is proposing to set the second board meeting on Monday, December 16, 2019 at 6:00 p.m.

Recommended Action

To approve the second board meeting in December as its organizational meeting and set it for December 16, 2019 at 6:00 p.m.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, G: Recognition of New CSEA Employee Representation Unit—Livingston Maintenance, Operations, and Transportation (MOT), Chapter 787: Resolution No. 8—2019/2020

Board Consideration: Action Information/Discussion

Attachment(s): Resolution No. 8—2019/2020 (pg. 11.1 – 11.2)

Background

In May 2019, the California School Employee Association (CSEA) formally notified the District of its Livingston Chapter #385 mutual agreement of a “chapter split” and forming a new CSEA Livingston MOT Chapter #787. Within CSEA, a voluntary “chapter split” means the split of one or more bargaining units from an established chapter into a new chapter, with the earliest recognized chapter retaining its own name and number and the new chapter obtaining a new chapter name and number.

In June, CSEA filed a Unit Modification Petition required by Public Employee Relation Board (PERB). Effective July 1, 2019 CSEA recognizes Livingston Union School District’s Maintenance, Operations, and Transportation Department as Livingston MOT Chapter #787.

Discussion

The Livingston Chapter #385 will continue to represent all classified employees with the exception of the classified employees in the Maintenance, Operations, and Transportation (MOT) department. The new chapter will be known as Livingston MOT Chapter #787, which will consist of all classified employees in the MOT department. The District has a long history of working effectively and collaboratively with all classified staff within one chapter and will continue to seek to balance the needs of the students it serves with the needs of its classified employees as represented by two CSEA chapters.

The Board will have the opportunity to ask questions and discuss any concerns moving forward. By adopting the attached resolution, the Board will formally recognize the Livingston MOT, Chapter #787.

Recommended Action

To adopt Resolution No. 8 recognizing Livingston MOT Chapter #787 as a new employee representation unit of Livingston Union School District.

**GOVERNING BOARD OF
LIVINGSTON UNION SCHOOL DISTRICT**

RESOLUTION NO. 8—2019/2020

“Recognition of New CSEA Employee Representation Unit—
Livingston Maintenance, Operations, and Transportation (MOT), Chapter 787”

Whereas, the bargaining unit members in the Livingston Maintenance, Operations, and Transportation (MOT) Department share a community of interest as “blue collar workers” and have elected to split from the existing Livingston Chapter #385.

Whereas, on June 25, 2019, California School Employees Association (CSEA) filed a unit modification petition with the Public Employment Relations Board pursuant to PERB Regulation 32781, subdivision (a).

Whereas, the petition seeks to divide the classified bargaining unit, Livingston Chapter #385, into two units such that Livingston Chapter #385 would continue to represent all classified employees with the exception of the classified employees in the Maintenance, Operations, and Transportation (MOT) Department, who will now be represented by the bargaining unit recognized by CSEA as Livingston MOT Chapter #787.

Whereas, Government Code Sections 3540 et seq. provides that a public school employer may voluntarily recognize an employee organization as the exclusive representative of the employees in an appropriate unit if the organization has filed a request for such recognition and the request shows that a majority of employees in the appropriate unit wish to be represented by such organization; and

Whereas, Livingston MOT Chapter #787 has requested recognition pursuant to the provisions of Government Code Sections 3540 et seq. and has complied with the appropriate rules and regulations of the Public Employment Relations Board; and

Whereas, Livingston MOT Chapter #787 has agreed to the following representation unit as set forth below:

The Livingston Union School District Board of Trustees hereby grants exclusive recognition to the CSEA, Livingston MOT Chapter #787, for the employees in the representation unit which is comprised of the following positions:

Lead Mechanic	Lead Operations/Transportation
Bus Driver/Mechanic	Bus Driver/Mechanic II
Bus Driver/Maintenance I	Bus Driver/Maintenance II
Bus Driver/Gardener II	Bus Driver/Custodian
Head Gardener	Gardener I

Gardener II
Head Custodian
Day Care Custodian
Day Care Matron

Mechanic I
School Custodian
Secretary-Facilities & Transportation

And excluding all other positions not specifically enumerated above which includes, but is not limited to, Maintenance, Operations and Transportation Director, Food Services Director, day-to-day substitutes and summer school employees.

PASSED AND ADOPTED by the following vote of the members of the Governing Board of the Livingston Union School District of Merced County, State of California, this 10th day of October, 2019.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Dated: October __, 2019

Secretary to the Governing Board

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, H: Board Policy Revisions: BP/AR 1312.3 "Uniform Complaint Procedures"

Board Consideration: Action Information/Discussion

Enclosure(s): BP/AR 1312.3 "Uniform Complaint Procedures (pg. 12.1 – 12.18)

Background

To address prohibited discrimination and violations of state and federal laws governing educational programs, districts are required to adopt uniform complaint procedures (UCP). Complaints subject to UCP include, but not limited to, Title IX, LCAP, student fees, unlawful discrimination in district programs and activities, and Federal Program Monitoring regulations.

Discussion

The enclosed policy and regulation was updated to reflect new laws authorizing the use of uniform complaint procedures to resolve allegations of noncompliance with accommodations for pregnant and parenting students (AB 2289), the development and adoption of an LCFF budget overview for parents/guardians (AB 1808), the development of a school plan for student achievement (AB 716) and specified educational rights of migrant students and immigrant students enrolled in a newcomer program (AB 2121). The policy also updates sections on "non-UCP complaints".

Recommended Action

To approve proposed revisions to Board Policy 1312.3.

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district is primarily responsible to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

[Complaints Subject to Uniform Complaint Procedures](#)

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

1. Any complaint alleging district violation of applicable state or federal law regulations governing any program subject to the UCP which is offered by the district, including ~~which~~ adult education programs, after school education and safety programs, agricultural career technical education; American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical and technical training programs; federal career technical education; child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; special education programs; California State Preschool Programs; Tobacco-Use Prevention education programs; and any other district-implemented state categorical program ~~which is listed in Education Code 64000(a) (5 CCR 4610)~~ that is not funded through the local control funding formula pursuant to Education Code 64000.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5131.62 - Tobacco)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial

UNIFORM COMPLAINT PROCEDURES (continued)

BP 1312.3(b)

assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, [immigration status](#), ethnic group identification, age, religion, marital or parental status, [pregnancy](#), physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, veteran/military status; or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610).

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)

5. Any complaint alleging district noncompliance of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

6. Any complaint alleging ~~that the~~ district ~~has not complied~~ noncompliance with ~~legal~~ [applicable](#) requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 – Budget)

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

UNIFORM COMPLAINT PROCEDURES (continued)

BP 1312.3(c)

8. Any complaint, by or on behalf of any student who is a foster youth, **as defined in education Code 51225.2**, alleging district noncompliance with any ~~legal~~ requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school, district, **or country**; school **or records** transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

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

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

9. Any complaint, by or on behalf of a **student who is a homeless child or youth** as defined in 42 USC 11434a, **a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2**, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district or country ~~the grant of an exemption from Board imposed graduation requirements~~ (Education Code 51225.2)

(cf. 6173 - Education for Homeless Children)

10. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in an elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

11. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

12. Any other complaint as specified in a district policy.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate, for any complaint alleging retaliation, or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep **identity of the complainant**, and/or the subject of the complaint if different from the complainant, confidential when appropriate, and as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

UNIFORM COMPLAINT PROCEDURES (continued)

BP 1312.3(d)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall maintain records each complaint **and subsequent** related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633. All such records shall be destroyed in accordance with applicable state law and district policy.

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
- ~~3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.~~
3. Any complaint alleging fraud shall be referred to the **Legal, Audits and Compliance Branch** of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

~~In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve~~ Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments, **or health and safety violations in any license-exempt California State Preschool Program shall be investigated and resolved in accordance with procedures in AR 1312.4 – Williams Uniform Complaint Procedures.** (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

UNIFORM COMPLAINT PROCEDURES (continued)

BP 1312.3(e)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

33380-33384 California Indian Education Centers

35186 Williams uniform complaint procedures

44500-44508 California Peer Assistance and Review Program for Teachers

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49014 Student fees

49060-49079 Student records, especially:

49069.5 Records of foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52462 Career technical education

52500-52616.24 Adult schools

54000-54029 Economic Impact Aid

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56865 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process; school plan for student achievement

65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNIFORM COMPLAINT PROCEDURES (continued)

BP 1312.3(f)

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6576 Title I Improving the Academic Achievement of the Disadvantaged

6801-7014 Title III language instruction for limited English proficient and immigrant students

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>Family Policy Compliance Office: <https://www2.ed.gov/policy/gen/guid/fpco>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>U.S. Department of Justice: <http://www.justice.gov>

Policy

adopted: May 9, 1984

revised: May 26, 2016

revised: April 13, 2017

revised:

LIVINGSTON UNION SCHOOL DISTRICT

Livingston, California

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other district policies, these ~~general~~ uniform complaint procedures (UCP) shall be used to investigate and resolve ~~only the~~ complaints specified in BP 1312.3.

Compliance Officers

The district designates the individual(s), ~~position(s), or unit(s)~~ identified below as ~~the employee(s)~~ responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), ~~position(s), or unit(s)~~ also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible ~~employee to handle~~ ~~for handling~~ complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The ~~compliance officer(s)~~ ~~individual(s)~~ shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Superintendent
922 B Street
Livingston, CA 95334
(209) 394-5400

Title IX Compliance Officer
Director of Categorical Programs and Special Projects
922 B Street
Livingston, CA 95334
(209) 394-5430

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant ~~and respondent, if applicable~~, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which ~~he/she~~ ~~the compliance officer~~ has a bias or a conflict of interest that would prohibit ~~him/her from~~ the ~~fairly~~ investigation or ~~resolving resolution of~~ the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints ~~receive training~~ and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. ~~Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for~~

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(b)

investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, if possible, one or more of the interim measures. The interim measures may remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP, ~~including information regarding unlawful student fees and local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth and homeless students,~~ to students, employees, parents/guardians of district students, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. ~~(Education Code 262.3, 48853, 48853.5, 49013, 49069.5, 51225.1, 51225.2, 52075; (5 CCR 4622)~~

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

The notice shall include:

1. A statement that the district ~~has~~ is the primarily responsible ~~to ensure~~ for compliance with applicable state and federal laws and regulations, ~~governing educational programs~~ including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy.
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(c)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred.
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process.

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), ~~the person(s)~~, position(s), or unit(s) ~~responsible for~~ designated to receive complaints.
7. A statement that complaints ~~review shall be completed~~ will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the ~~date of~~ receipt of the complaint, unless this time period is extended by written agreement of the complainant.
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that that may be ~~available to him/her~~ under state or federal antidiscrimination laws, if applicable.
10. A statement that copies of the district's UCP are available free of charge.

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(d)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and, may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

District Responsibilities

~~All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)~~

~~For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.~~

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

~~All parties involved in the allegations shall be notified when a complaint is filed, and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)~~

Step 1: Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(e)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing ~~adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization.~~ the programs specified in the accompanying Board policy (item #1 of the section “Complaints Subject to UCP”) may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with the law regarding the prohibition against ~~requiring student to pay~~ student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school ~~or with the Superintendent or designee~~. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they personally suffered unlawful discrimination or ~~by a person~~ who believe that an individual or any specific class of individuals has been subjected to ~~it~~ ~~unlawful discrimination~~. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630).
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.
- ~~6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)~~

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(f)

Step 2: Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

~~The compliance officer shall apply a "preponderance of the evidence" standard in determining the truth of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.~~

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(g)

Step 3: ~~Report of Findings~~ Timeline for Final Decision

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board may consider the matter at its next regular **Board** meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. **When required by law, the matter shall be considered in closed session.** The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

~~In resolving~~ For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Step 4: Final Written Decision

For all complaints, the district's final written decision shall include: ~~on how it will resolve the complaint shall be in writing and sent to the complainant.~~

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(h)

For complaints of retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective actions, including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the ~~notice~~ decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days and procedures to be followed for initiating such an appeal.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment,

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(i)

intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination, based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

For complaints involving retaliation, unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(j)

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. ~~Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint~~

For complaints involving retaliation, unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(k)

students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision **on a complaint regarding any specified federal or state educational program subject to UCP**, may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts **of the district's decision** are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the **original** locally filed complaint and a copy of the district's decision **in that complaint**.

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with the CDE.

Upon notification by CDE that the district's decision has been appealed, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district if not covered by the decision
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's UCP
7. Other relevant information requested by CDE

~~The California Department of Education may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following:~~

- ~~1. The complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision~~
- ~~2. The complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named.~~

UNIFORM COMPLAINT PROCEDURES (continued)

AR 1312.3(l)

- ~~3. The complainant alleges that he/she would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile.~~
- ~~4. The complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order.~~
- ~~5. The complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened.~~
- ~~6. The complainant alleges failure to follow a student's individualized education program.~~

Regulation

approved: March 14, 1995

revised: September 17, 2015

revised: May 26, 2016

revised: April 13, 2017

revised:

LIVINGSTON UNION SCHOOL DISTRICT

Livingston, California

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, I: Board Policy Revisions: AR 6183 "Home and Hospital Instruction"

Board Consideration: Action Information/Discussion

Attachment(s): AR 6183 "Home and Hospital Instruction" (pg. 13.1 – 13.4)

Background

Per Education Code 48206.3, any student with a temporary disability is entitled to receive individual instruction at home or in a hospital. This policy provides guidelines in determining eligibility, timeline and provisions for individual instruction.

Discussion

The attached regulation was reorganized and updated to reflect new law (AB 2109) which expands the parental notification to include information regarding student eligibility for individual instruction and the duration of such instruction, requires that individual instruction in a student's home begin within five days of determining a student's eligibility, and protocols for excused absences.

Recommended Action

To approve proposed revisions to Administrative Regulations 6183.

Instruction

AR 6183 (a)

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction ~~in the student's~~ at home or in a hospital or other residential health facility, excluding state hospitals. (Education Code 48206.3)

(cf. 5112.2 - Exclusions from Attendance)

~~This instruction applies to students incurring~~ Temporary disability means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program, and after which the student can reasonably be expected to return to regular day classes or an alternative education program ~~without special intervention in which the student is enrolled.~~ Temporary disability ~~It~~ does not ~~apply to students identified as individuals with exceptional needs~~ include a disability that would qualify a student for special education pursuant to Education Code 56026. (Education Code 48206.3)

(cf. 5141.22 - Infectious Diseases)

(cf. 6158 - Independent Study)

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

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of district students regarding: (Education Code 48206.3, 48208, 48980)

1. The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction
2. The rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (Education Code 48208)

The Superintendent or designee may require verification through any reasonable means that the student ~~requires home instruction~~ is temporarily disabled and needs individual instruction.

~~In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.~~

~~(cf. 4119.42/4219.42/4319.42—Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43—Universal Precautions)
(cf. 5112.2—Exclusions from Attendance)
(cf. 5141.22—Infectious Diseases)~~

Verification by the student's physician shall be provided and include the diagnosis and length of time the student is expected to need home and hospital services.

Instruction Provision of Individual Instruction

~~Upon receipt of a completed district application for home and hospital instruction, the district shall begin services within five working days.~~

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee makes the determination that the student is eligible to receive individual instruction. (Education Code 48207.5, 48208)

The district shall offer at least one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year. (Education Code 48200, 48206.3)

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

Insofar as possible, if the teacher providing home or hospital instruction is not the student's current classroom teacher, that teacher shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The district's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (Education

Code 48240)

(cf. 5113 - Absences and Excuses)
(cf. 5113.11 - Attendance Supervision)

Hospital/Residential Facility Outside District Boundaries

A student who is temporarily disabled and confined to a hospital or health facility outside district boundaries, the hospital or facility address establishes residency requirements and the district in which the hospital or facility is located shall provide instruction to the student. It is the responsibility of the parent/guardian to notify such district.

Nondistrict Student

~~A student of another district who is temporarily disabled and confined to a hospital or health facility within this district shall be eligible to receive individual instruction in this district. (Education Code 48207)~~

The district shall be responsible for providing individual instruction to any temporarily disabled student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

(cf. 5111.1 - District Residency)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent or designee has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the district in which the student was previously enrolled stating that the student shall not be counted by that district for purposes of computing average daily attendance, effective the date on which individualized instruction began. (Education Code 48208)

Alternatively, if the student is enrolled in another district, the Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction.

~~Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction. (Education Code 48208)~~

Timeline and Extension of Services

Services may be granted for absences of three weeks to three months with a doctor's note requesting Home and Hospital Instruction. For absences of less than three weeks, parents shall make arrangements with their child's teacher to establish a plan to make-up assignments. Initial home and hospital services are granted for up to three months.

For extensions beyond three months, an updated doctor's note must be submitted indicating the medical necessity for the absence.

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3-48208 Students with temporary disabilities; individual instruction

48240 Supervisors of attendance

48980 Parental notifications

51800-51802 Employment of home teachers

56026 Individual with exceptional needs

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

Regulation

adopted: November 10, 2016

revised:

LIVINGSTON UNION SCHOOL DISTRICT

Livingston, California

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

October 10, 2019

Agenda Item XI, J: First Read: BP/AR 6158 "Independent Study"

Board Consideration: Action Information/Discussion

Attachment(s): First Read: BP/AR 6158 "Independent Study" (pg. 14.1 – 14.6)

Background

Education Code 51745-51749.6 authorizes districts to establish independent study programs to meet the education needs of students. Districts are required to adopt policy with specified components as a condition of receiving state apportionments for independent study students.

Discussion

LUSD is proposing to offer an independent study alternative for eligible students that anticipate being absent from school for more than five (5) consecutive days but no more than a maximum of fifteen (15) days. This voluntary short-term option would allow a student to continue accessing academic instruction by completing assignments provided by the classroom teacher and receive credit upon return without it affecting the student's attendance.

Recommended Action

No action is recommended. Presented as a first read for board discussion and further development.

Instruction

BP 6158 (a)

INDEPENDENT STUDY

The Governing Board authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting on a short-term basis.

A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747; 5 CCR 11700)

Parents/guardians of students who are eligible for independent study shall contact the school principal or designee. The school principal or designee shall approve independent study for an individual student only upon determining that the student is prepared to meet the district's requirements for independent study on a short-term basis.

The minimum period of time for independent study shall be five consecutive school days. The maximum period of time for independent study shall be fifteen (15) instructional school days. On a case-by-case basis, parents/guardians may request an extension of time to continue on independent study, however, extension may not exceed a total of thirty (30) instructional school days on independent study.

Written Agreements

The Superintendent or designee shall ensure that a written master agreement exist for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The master agreement shall specify the length of time in which each independent study assignment must be completed. Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments shall be no more than three weeks for all grade levels. However, when necessary based on the specific circumstances of the student's approved independent study, the school principal or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

Program Evaluation

The Superintendent or designee may annually report to the Board the number of district students participating in independent study, and the average daily attendance generated for apportionment purposes. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

(cf. 0500 - Accountability)

BP 6158 (b)

INDEPENDENT STUDY

Legal Reference:

EDUCATION CODE

- 17289 Exemption for facilities
- 41976.2 Independent study programs; adult education funding
- 42238 Revenue limits
- 42238.05 Local control funding formula; average daily attendance
- 44865 Qualifications for home teachers and teachers in special classes and schools
- 46200-46208 Instructional day and year
- 46300-46307.1 Methods of computing average daily attendance
- 47612.5 Independent study in charter schools
- 48204 Residency
- 48206.3 Home or hospital instruction; students with temporary disabilities
- 48220 Classes of children exempted
- 48340 Improvement of pupil attendance
- 48915 Expulsion; particular circumstances
- 48916.1 Educational program requirements for expelled students
- 48917 Suspension of expulsion order
- 49011 Student fees
- 51225.3 Requirements for high school graduation
- 51745-51749.6 Independent study programs
- 52522 Adult education alternative instructional delivery
- 52523 Adult education as supplement to high school curriculum; criteria
- 56026 Individuals with exceptional needs
- 58500-58512 Alternative schools and programs of choice

FAMILY CODE

- 6550 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

- 11700-11703 Independent study
- 19819 State audit compliance

UNITED STATES CODE, TITLE 20

- 6301 Highly qualified teachers

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

EDUCATION AUDIT APPEALS PANEL DECISIONS

Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Elements of Exemplary Independent Study

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Policy
adopted:

LIVINGSTON UNION SCHOOL DISTRICT
Livingston, California

Instruction

AR 6158 (a)

INDEPENDENT STUDYEducational Opportunities

Educational opportunities offered through the district's independent study may include, but are not limited to: (Education Code 51745)

1. During extended travel that exceeds more than five (5) consecutive school days

(cf. 5112.3 - Student Leave of Absence)

In addition, when requested by a parent/guardian due to an emergency, vacation, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.

(cf. 5113 - Absences and Excuses)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Provided that experienced certificated staff are available to effectively supervise students in independent study, the school principal or designee may approve the participation of a student as follows:

1. Student is currently enrolled in Livingston schools.
2. Student is in good academic standing who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently.
3. Student whose academic performance is not at grade level may participate in independent study, only if the parent/guardian approves and commits to monitoring and assuring the completion of assignments.

A student that is truant shall not be eligible for independent study.

For a student with disabilities, as defined in Education Code 56026, participation in independent study shall be approved only if his/her individualized education program specifically provides for such participation. (Education Code 51745)

(cf. 6159 - Individualized Education Program)

AR 6158 (b)

INDEPENDENT STUDY

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

(cf. 6183 - Home and Hospital Instruction)

Master Agreement

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include:

1. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement.
2. A statement that independent study is an optional educational alternative in which no student may be required to participate.
3. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

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

Verifying Completion of Independent Study

The independent study administrator and/or assigning teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. Upon a student's return to school, the following steps shall occur to verify completion of independent study:

1. Parent/guardian shall submit completed independent study assignments within one (1) week (five school days) from date of return to school. Assignments shall be returned to the assigned teacher.
2. Assigned teacher will have one (1) week to review and determine credit or non-credit for assignments.

AR 6158 (c)

INDEPENDENT STUDYResponsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study.
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of the student's assigned classroom teacher or a certificated employee who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

Records

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8.
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher.

AR 6158 (d)

INDEPENDENT STUDY

4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons

(cf. 3580 - District Records)

The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Regulation
adopted:

LIVINGSTON UNION SCHOOL DISTRICT
Livingston, California