

**AGENDA OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
325 S. Peck Ave., Manhattan Beach, CA 90266**

**November 19, 2008  
6:00 p.m. Closed Session  
6:30 p.m. Regular Open Session**

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board Secretary, Nancy Bogart, at 310-318-7345, ext. 5902, for assistance. Notification at least 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Writings related to a Board meeting agenda item that are distributed to at least a majority of Board members less than 72 hours before a noticed meeting, and that are public records not otherwise exempt from disclosure, will be available for inspection at the District office, 325 S. Peck Avenue, Manhattan Beach, CA 90266. Such writings may also be available on the District's website. (Government Code §54957.5 (b)).

**A. CALL TO ORDER (5 minutes)**

1. Call to Order (6:00)
2. Recess to Closed Session
3. Reconvene Open Session (6:30)
4. Report of Action Taken During Closed Session
5. Pledge of Allegiance
6. Approval of Agenda

**B. ANNOUNCEMENTS AND COMMUNICATIONS**

1. Public Comment Regarding Agenda  
The purpose of this section is to permit any person in the audience to make a statement to the Board of Trustees on items on the Agenda. Persons are limited to three (3) minutes for their communication, unless the Board deems otherwise. The President will conclude the Public Comment after a reasonable length of time and proceed with the Agenda. The Board may, at its discretion, permit statements on items not on the Agenda, but pertaining to the school district, if appropriate and not an impediment to the efficiency and orderliness of the meeting; no action shall be taken on any item not appearing on the Agenda.
2. The Parent of the Month for November, Susan Holton, will be recognized.
3. Teacher Spotlight on Paula Noda, fourth grade teacher at Pacific School.
4. Board Member Announcements
5. Hannah Geiser and Kian Rowshani, Student Board Members, will discuss student topics at Mira Costa High School and events and activities in the District. Natalie Pratt will report on activities at Manhattan Beach Middle School.

**C. SUPERINTENDENT/CABINET REPORT**

1. MCHS ESLRS – Mrs. Seaton
2. State High School Science Summit – Mrs. Seaton
3. Great Shake Out – Mrs. Schwabe
4. Medical Advisory Board – Mrs. Schneider
5. Cell Tower – Dr. Romines
6. Bond Follow-up – Dr. Rohrer/Dr. Romines
7. Budget Update – Dr. Romines

**D. PRESENTATION/ACTION ITEMS**

- Seaton**  
**1**
1. Presentation of Highlights of the 2008 Standardized Testing and Reporting (STAR) Assessment Data for Manhattan Beach Unified School District.

**E. INFORMATION/DISCUSSION ITEMS**

None.

**F. CONSENT CALENDAR (15 Minutes)**

Items included in this section are considered routine and customary school district business. Any Board member or member of the audience may request that any consent item(s) be removed, discussed and acted upon separately.

**General**

- Seaton**  
**2-3**
1. Approve overnight field trip for Varsity Girls' Basketball for the Tournament of Champions in Phoenix, Arizona, December 17<sup>th</sup> – 23<sup>rd</sup>. Thirteen students and five chaperones will travel via Southwest Airlines and will stay at the Arizona Grand Resort. Three days of school will be missed. There is no cost to the District.
- Schneider**  
**4-10**
2. Ratify District Master Contract for Nonsectarian, Nonpublic Agency (NPA) Services with Behavior and Education, Inc. Contract is necessary to provide services for the 2008/09 fiscal year as per a change in services mandated by an Individualized Education Plan (IEP) team meeting. Services will be provided as designated in the IEP. Contract is effective from November 3, 2008, through June 30, 2009. Amount not to exceed \$3,300.00. Funds to be paid from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57300-11801-5810-0000049; by transferring from an existing Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57500-11801-5810-0000051. This item has been budgeted given that a transfer is being made.
- Schneider**  
**11-12**
3. Ratify Student Services Special Employment Agreement for 2008/09 School Year with Heather Clare, M.A., OTR/L, Occupational Therapist, to provide services from November 1, 2008, through June 30, 2009. Provider is being changed for an existing Individualized Education Plan (IEP) mandated service. Amount not to exceed \$2,800.00. Funds to be paid from Special Education account, #01.0-65000.0-57500-11900-5850-0000113. \$1,400.00 is to be transferred from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57500-11801-5810-0000052; \$1,400.00 is to be transferred from Special Education account, #01.0-65000.0-57500-11905-5850-0000113. This item has been budgeted given that a transfer is being made from an existing account.

**Schneider  
13**

4. Ratify reimbursement to parents for educational costs of not-to-exceed \$4,374.59, incurred from July 13, 2007, through September 18, 2008, as per Individualized Education Plan (IEP) mandated visits, and in accordance with our visitation policy. Funds to be paid from Special Education Other Services account, #01.0-65000.0-57500-71101-5813-0000053. This item has been budgeted.

**Schwabe  
14-15**

5. Ratify Consultant Agreement with Lynn McIver to serve as the Reading/Writing consultant at Robinson Elementary School, from July 1, 2008, through June 30, 2009, to be paid at the rate of \$60.00 per hour, not-to-exceed \$12,000.00, paid for by PTA funds.

**Schwabe**

**Personnel**

6. Ratify employment of classified personnel at effective dates listed:
  - Glor, Gordon, Choral Music Accompanist, Perm., MBMS, 56.25% time, Range 24, Step 5, effective 11/12/08 (Replacement)
  - Mara, Jiji, Accountant, Perm., Food Services/DO, 100% time, Range 29, Step 1, effective 11/03/08 (Replacement)
  - Rice, Robin, Food Service Ass't. 1, Perm., Meadows, 25% time, Range 6, Step 2, effective 11/12/08 (Replacement)
7. Ratify leave of absence for Fabian, Martin, Operations Worker, MCHS, (Contract Article 6) effective 09/17/08 – 10/20/08 (Revised LOA, per doctor's note).
8. Ratify change of status for McCormick, Mark, Choral Music Accompanist, Perm., MCHS, 54.13% time, to 57.5% time, effective 08/27/08 (Adjustment in work hours).
9. Ratify employment of classified personnel to serve as substitute and/or short term/intermittent, district wide, at effective dates listed:
  - Dempsey, Drew, effective 10/21/08
  - Edmonds, Zigi, effective 10/20/08
  - Trevino, Julia, effective 10/20/08
10. Ratify employment of Jill Muttera, ME, as a certificated long-term substitute at current rate of pay eff. 11/10/08.
11. Ratify change in status of certificated personnel as follows:
  - Anton, Susana, change from Range 2, Step 10, to Range 3, Step 10, eff. 11/1/08
  - Buckner, Karin, change from Col. 1, Step 4, to Col. 2, Step 4, eff. 11/1/08
  - Horton, Kellee, change from Range 4, Step 3 to Range 5, Step 3, eff. 11/1/08
  - Olson, Cassidy, change from 80% to 100% eff. 9/6/08

**Business**

**16-18**

12. Accept Developer Fee report for the month of October 2008.

**G. PUBLIC AND STAFF SUBMITTED ITEMS**

(This section includes topics submitted in writing by citizens, staff, or students ten (10) working days prior to the Board meeting, by 12:00 noon, [MBUSD Board Bylaw 9322, Agenda/Meeting Materials]. Each person submitting a topic will be allocated a maximum of three minutes in which to address the Board. Some topics may be given additional time, at the Board's discretion. This section of the agenda does not take the place of the public comment section, which follows later. The requirement for advance submission of topics allows for better agenda planning, improved staff response and eliminates the Brown Act restriction against Board discussion of unagendized topics that would otherwise exist.)

None.

**H. PUBLIC COMMENTS (10 minutes)**

As a courtesy, please complete the Public Comment card and give it to the Recorder before the beginning of this meeting. You will have three (3) minutes to speak.

**I. BOARD BUSINESS**

- 19-32** 1. First reading and adoption of revised Board Policy and Administrative Regulation 4112.24, Teacher Qualifications Under No Child Left Behind Act.
- 33-38** 2. First reading and adoption of revised Board Policy 4136, 4236, and 4336, Nonschool Employment, and deletion of Board Policy 4137, Tutoring.
- 39-42** 3. First reading and adoption of revised Board Policy 4151, 4251, and 4351, Employee Compensation.
- 43-59** 4. First reading and adoption of new Board Policy and Administrative Regulation 6178, Career Technical Education.
- 60-64** 5. First reading and adoption of revised Board Bylaw 9124, Attorney.
- 65-68** 6. First reading and adoption of revised Board Bylaw 9230, Orientation.
- 69-73** 7. First reading and adoption of revised Board Bylaw 9324, Minutes and Recordings.
- 8. Approve minutes of the special Board meeting of July 2, 2008.
- 9. Approve minutes of the regular Board meeting of August 20, 2008.
- 10. Approve minutes of the regular Board meeting of September 17, 2008.

**J. ITEMS FOR FUTURE DISCUSSION/ACTION**

**K. ADJOURNMENT**

**CLOSED SESSION AGENDA**

**November 19, 2008**

**6:00 p.m.**

1. Public employee discipline/dismissal/release, pursuant to Government Code Section 54957
2. Conference with district labor negotiators Janet Schwabe and Steve Romines regarding MBUTA negotiations, per Government Code section 54957.6.

**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
CALENDAR OF EVENTS**

(Note: These dates are subject to change)

**NOVEMBER**

November 19, 2008, 6:30 PM  
Board Meeting

November 24-28, 2008  
Thanksgiving Holidays

**DECEMBER**

December 10, 2008, 6:30 PM  
Board Meeting

December 22-31, 2008  
Winter Recess

**JANUARY**

January 1-2, 2009  
Continuation of Winter Recess

January 19, 2009  
Martin Luther King Holiday

January 21, 2009, 6:30 PM  
Board Meeting

**FEBRUARY**

February 4, 2009, 6:30 PM  
Board Meeting

February 16-20, 2009  
District Recess

**MARCH**

March 4, 2009, 6:30 PM  
Board Meeting

March 18, 2009, 6:30 PM  
Board Meeting

**APRIL**

April 1, 2009, 6:30 PM  
Board Meeting

April 6-10, 2009  
Spring Break

**MAY**

May 6, 2009, 6:30 PM  
Board Meeting

May 20, 2009, 6:30 PM  
Board Meeting

May 25, 2009  
Memorial Day

**JUNE**

June 3, 2009, 6:30 PM  
Board Meeting

June 16, 2009, 6:30  
Board Meeting

**D. PRESENTATION/ACTION ITEMS**

1. **TITLE:** Presentation of Highlights of the 2008 Standardized Testing and Reporting (STAR) Assessment Data for the Manhattan Beach Unified School District

**BACKGROUND:** In the spring of 2008, all students in the Manhattan Beach Unified School District in grades 2-11 participated in the administration of the Standardized Testing and Reporting Program. The presentation will highlight key areas of achievement and needed areas of improvement based on the 2008 CST, Academic Performance Index (API) and the District's Adequate Yearly Progress (AYP).

**FISCAL IMPACT:** None

**ACTION RECOMMENDED:** None

**PREPARED BY:** Carolyn Seaton, Executive Director, Educational Services

**DATE:** November 19, 2008

**AGENDA NOTE**

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**F. CONSENT CALENDAR**

1. **TITLE:** Overnight Field Trip - Mira Costa High School Girls' Varsity Basketball Team at the Tournament of Champions in Phoenix, Arizona

**BACKGROUND:** Athletes from the Mira Costa High School Girls' Varsity Basketball Team will travel to Phoenix, Arizona to participate in the Tournament of Champions on December 17-19, 2008. There will be thirteen female athletes participating in this event, with three adult female chaperones and one adult male chaperone. The substitute teacher cost for three days will be billed to the Athletics Department at Mira Costa High School.

The cost for this field trip will be paid for by each student. Transportation will be via Southwest Airlines and accommodations will be at the Arizona Grand Resort.

**ACTION RECOMMENDED:** Approval is requested.

**PREPARED BY:** Julie Ruisinger, MCHS Principal  
Carolyn Seaton, Executive Director, Educational Services

**DATE OF BOARD MEETING:** November 19, 2008

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
OVERNIGHT FIELD TRIP REQUEST FORM

Name of Person Requesting Approval: Don Blawie Your Position: Head Coach  
Your Location/School Site: mcHS Your Work Telephone: (310)

Name/Grade Level(s) of Class Participating: Varsity girls Basketball

Dates of Travel: from Dec 17, 2008 to December 23, 2008

Name of Destination: Tournament of Champions in Arizona

Destination Address: \_\_\_\_\_

Destination Phone Number: \_\_\_\_\_

Name of Contact Person at Destination: Steve Koraki

Reason for Travel/Educational Goal: Basketball tournament

Number of Students Attending: Male: \_\_\_\_\_ Female: 13

\*Number of Chaperones: Male: \_\_\_\_\_ Female: \_\_\_\_\_

Complete Name and Phone Number of Each Chaperone (use additional page if necessary):

- Nelly Schmet (310) 629-3489 Dave Pagan (310) 245-7469
- Debra Lauzon (310) 990-9187
- ~~\_\_\_\_\_~~
- Helen Cochran (310) 666-0363
- John Nakamine (310) 502-6976

A Completed and signed *Chaperone Guidelines Agreement* for each chaperone must be attached to this request form upon submission to the Board of Trustees. \*There must be a minimum of two adult chaperones (one male and one female), unless all travelers are of the same gender. There must be one adult chaperone for each 10 students of the same gender. If the trip involves water activities, the ratio of chaperones shall be revised to ensure closer supervision of elementary grade students appropriate to their age.

Name of Travel Agency: N/A Contact: \_\_\_\_\_

(Proof of Insurance must accompany this form.)

Address: \_\_\_\_\_ City/State/Zip/Phone: \_\_\_\_\_

Method of Transportation (be specific): Southwest Airline Flight 1945 12/17 Flight to AZ Depot

Name and Address of Hotel (be specific): Arizona Grand Resort

How Many Days of School Will Be Missed? 3 List School Dates Missed: 12/17/18/19

Will Student Participate in Water Sports, Rock Climbing or Other Hazardous Activities? No

If so, what type? \_\_\_\_\_

Will scholarships be provided? No Will any cost (including sub costs) be borne by the district? No If so, why? \_\_\_\_\_

Account Number to be Charged: \_\_\_\_\_

Board approval must be obtained before any deposits are made. Please submit your request at least 3-4 months in advance of the travel. The Board will not approve travel when the request form is incomplete. If you have additional information, please attach it to this request form. This form must be signed by the principal and the Executive Director-Educational Services prior to being submitted to the Superintendent's Office.

Signatures:

Your Signature: [Signature] Principal: [Signature]

Exec. Dir, Ed. Srvs: [Signature] Clerk, Board of Trustees: \_\_\_\_\_

F. CONSENT CALENDAR

2. **TITLE:** District Master Contract for 2008/09 School Year for Nonsectarian, Nonpublic Agency (NPA) Services with Behavior and Education, Inc.

**BACKGROUND:** It is necessary to establish a District Master Contract for the 2008/09 fiscal year for NPA Services with Behavior and Education, Inc., as per a change in services mandated by an Individualized Education Plan (IEP) team meeting.

Services will be provided as designated in the IEP. The Master contract is effective from November 3, 2008, through June 30, 2009.

**FINANCIAL IMPACT:**

Amount not to exceed \$3,300.00.

Funds to be paid from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57300-11801-5810-0000049;

By transferring from an existing Nonsectarian, Nonpublic School Services account, #01.0-65000.0-57500-11801-5810-0000051.

This item has been budgeted given that a transfer is being made.

**ACTION RECOMMENDED:** Ratify District Master Contract for Nonsectarian, Nonpublic Agency (NPA) Services with Behavior and Education, Inc. Contract is necessary to provide services for the 2008/09 fiscal year as per a change in services mandated by an Individualized Education Plan (IEP) team meeting.

Services will be provided as designated in the IEP. Contract is effective from November 3, 2008, through June 30, 2009. Amount not to exceed \$3,300.00.

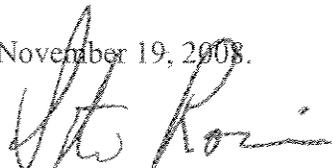
Funds to be paid from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57300-11801-5810-0000049; by transferring from an existing Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57500-11801-5810-0000051. This item has been budgeted given that a transfer is being made.

**PREPARED BY:**

  
Ellyn Schneider, Executive Director of Student Services

**DATE OF MEETING:** November 19, 2008.

Approved by:

  
Steve Romines, Asst. Superintendent of Admin. Services

**2008-2009**

**CONTRACT NUMBER:**  
*S09-M054*

**LEA:** Manhattan Beach Unified School District

**NONPUBLIC SCHOOL/AGENCY/RELATED SERVICES PROVIDER:**  
Behavior and Education, Inc. – 1A-19-400

**NONPUBLIC, NONSECTARIAN SCHOOL/AGENCY SERVICES**  
**MASTER CONTRACT**

**AUTHORIZATION FOR MASTER CONTRACT AND GENERAL PROVISIONS**

**1. MASTER CONTRACT**

This Master Contract is entered into this 19th day of November, 2008, between the Manhattan Beach Unified School District (hereinafter referred to as "LEA" or "District") and Behavior and Education, Inc. (hereinafter referred to as "CONTRACTOR") for the purpose of providing special education and/or related services to LEA students with exceptional needs under the authorization of California Education Code sections 56157, 56361 and 56365 *et seq.*, and Title 5 of the California Code of Regulations section 3000 *et seq.*, AB490 (Chapter 862, Statutes of 2003) and AB1858 (Chapter 914, Statutes of 2004). It is understood that this agreement does not commit LEA to pay for special education and/or related services provided to any LEA student, or CONTRACTOR to provide such special education and/or related services, unless and until an authorized LEA representative approves the provision of special education and/or related services by CONTRACTOR.

Upon acceptance of a LEA student, CONTRACTOR shall submit to LEA an Individual Services Agreement (hereinafter referred to as "ISA") and a Nonpublic Services Student Enrollment form as specified in the LEA Procedures. Unless otherwise agreed in writing, these forms shall acknowledge CONTRACTOR's obligation to provide all services specified in the student's Individualized Education Plan (hereinafter referred to as "IEP"). The ISA shall be executed within ninety (90) days of an LEA student's enrollment. LEA and CONTRACTOR shall enter into an ISA for each LEA student served by CONTRACTOR.

Unless placement is made pursuant to an Office of Administrative Hearings (hereinafter referred to as "OAH") order, a lawfully executed agreement between LEA and parent or authorized by LEA for a transfer student pursuant to California Education Code section 56325, LEA is not responsible for the costs associated with nonpublic school placement until the date on which an IEP team meeting is convened, the IEP team determines that a nonpublic school placement is appropriate, and the IEP is signed by the LEA student's parent.

**2. CERTIFICATION**

CONTRACTOR shall be certified by the California Department of Education (hereinafter referred to as "CDE") as a nonpublic, nonsectarian school/agency. All nonpublic school and

nonpublic agency services shall be provided consistent with the area of certification specified by CDE Certification and as defined in California Education Code, section 56366 *et seq* and within the professional scope of practice of each providers license, certification and/or credential. A current copy of CONTRACTOR's nonpublic school/agency certification or a waiver of such certification issued by the CDE pursuant to Education Code section 56366.2 must be provided to LEA on or before the date this contract is executed by CONTRACTOR. This Master Contract shall be null and void if such certification or waiver is expired, revoked, rescinded, or otherwise nullified during the effective period of this Master Contract. Total student enrollment shall be limited to capacity as stated on CDE certification. Total LEA student enrollment shall be limited to capacity as stated in Section 24 of the Master Contract.

3. **COMPLIANCE WITH LAWS, STATUTES, REGULATIONS**

During the term of this contract unless otherwise agreed, CONTRACTOR shall comply with all applicable federal, state, and local statutes, laws, ordinances, rules, policies, and regulations. CONTRACTOR shall also comply with all applicable LEA policies and procedures unless, taking into consideration all of the surrounding facts and circumstances, a policy or policies or a portion of a policy does not reasonably apply to CONTRACTOR. CONTRACTOR hereby acknowledges and agrees that it accepts all risks and responsibilities for its failure to comply with LEA policies and shall indemnify LEA under the provisions of section 16 of this Agreement for all liability, loss, damage and expense (including reasonable attorneys' fees) resulting from or arising out of CONTRACTOR's failure to comply with applicable LEA policies (e.g., those policies relating to, the provision of special education and/or related services, facilities for individuals with exceptional needs, LEA student enrollment and transfer, LEA student inactive status, corporal punishment, student discipline, and positive behavior interventions).

CONTRACTOR acknowledges and understands that LEA may report to the CDE any violations of the provisions of this Master Contract; and that this may result in the suspension and/or revocation of CDE nonpublic school/agency certification pursuant to California Education Code section 56366.4(a).

4. **TERM OF MASTER CONTRACT**

The term of this Master Contract shall be from November 3, 2008 to June 30, 2009 (Title 5 California Code of Regulations section 3062(a)). Neither the CONTRACTOR nor the LEA is required to renew this Master Contract in subsequent contract years. However, the parties acknowledge that any subsequent Master Contract is to be re-negotiated prior to June 30, 2009. (Title 5 California Code of Regulations section 3062(d)) No Master Contract will be offered unless and until all of the requirements set forth in the district's application packet and or contracting requirements have been satisfied.

5. **INTEGRATION/CONTINUANCE OF CONTRACT FOLLOWING EXPIRATION OR TERMINATION**

This Master Contract includes the LEA Procedures and each Individual Services Agreement and they are incorporated herein by this reference. This Master Contract supersedes any prior or contemporaneous written or oral understanding or agreement. This Master Contract may be amended only by written amendment executed by both parties. Notwithstanding the

bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

The parties hereto have executed this Contract by and through their duly authorized agents or representatives. This contract is effective on the 3<sup>rd</sup> day of November 2008 and terminates at 5:00 P.M. on June 30, 2009, unless sooner terminated as provide herein.

CONTRACTOR,  
Behavior and Education, Inc.  
\_\_\_\_\_  
Nonpublic School/Agency

School  
District Manhattan Beach Unified School District

By: \_\_\_\_\_  
Signature Date  
Barbara Endlich, Director  
\_\_\_\_\_  
Name and Title of Authorized  
Representative

By: \_\_\_\_\_  
Ellyn Schneider, Date  
Executive Director of Student Services

Notices to CONTRACTOR shall be addressed to:

**Barbara Endlich, Director**

Name

Behavior and Education, Inc.

Nonpublic School/Agency/Related Service Provider

1410 Stanford Avenue, Unit B

Address

Redondo Beach Ca 90278

City State Zip

(310) 489-6717 (310)

Phone Fax

[Barbara@behaviorandeducation.com](mailto:Barbara@behaviorandeducation.com)

www: [www.behaviorandeducation.com](http://www.behaviorandeducation.com)

Notices to LEA shall be addressed to:

**Ellyn Schneider, Executive Director of Student Services**

Name and Title

Manhattan Beach Unified School District

LEA

325 S. Peck Avenue

Address

Manhattan Beach Ca 90266

City State Zip

(310) 318-7345 x5913 (310) 303-3826

Phone Fax

[eschneider@mbusd.org](mailto:eschneider@mbusd.org)

Email

Mail Completed Contract & Invoices to:

Tracy Angle, Accounting Specialist - MBUSD

Name and Title

325 S. Peck Avenue

Address

Manhattan Beach Ca 90266

City State Zip

(310) 318-7345 x5927 (310) 303-3826

Phone Fax

[tangle@mbusd.org](mailto:tangle@mbusd.org)

Email

**EXHIBIT A: RATES**

CONTRACTOR Behavior and Education Inc. CONTRACTOR NUMBER NEW 2008-2009  
 (NONPUBLIC SCHOOL OR AGENCY) (CONTRACT YEAR)

Per CDE Certification, total enrollment may not exceed \_\_\_\_\_ If blank, the number shall be as determine by CDE Certification.

**Rate Schedule.** This rate schedule limits the number of MBUSD LEA students that may be enrolled and the maximum dollar amount of the contract. It may also limit the maximum number of students that can be provided specific services. Special education and/or related services offered by CONTRACTOR, and the charges for such educational and/or related services during the term of this contract shall be as follows:

Payment under this contract may not exceed \$3,300.00  
 Total LEA enrollment may not exceed 1

	Rate	Period
A. <u>Basic Education Program/Special Education Instruction</u>		
Basic Education Program/Dual Enrollment		

Per diem rates for LEA students whose IEPs authorize less than a full instructional day shall be adjusted proportionally.

**B. Related Services**

(1) a. Transportation – Round Trip		
b. Transportation – One Way		
c. Transportation-Dual Enrollment		
d. Public Transportation		
e. Parent*		
(2) a. Educational Counseling – Individual		
b. Educational Counseling – Group of		
c. Counseling – Parent		
(3) a. Adapted Physical Education – Individual		
b. Adapted Physical Education – Group of _____		
c. Adapted Physical Education – Group of _____		
(4) a. Language and Speech Therapy – Individual		
b. Language and Speech Therapy – Group of 2		
c. Language and Speech Therapy – Group of 3		
d. Language and Speech Therapy – Per diem		
e. Language and Speech - Consultation Rate		
(5) a. Additional Instructional Assistant - Individual (must be authorized on IEP)		
b. Additional Instructional Assistant – Group of 2		
c. Additional Instructional Assistant – Group of 3		
(6) Intensive Special Education Instruction**		
(7) a. Occupational Therapy – Individual		
b. Occupational Therapy – Group of 2		
c. Occupational Therapy – Group of 3		
d. Occupational Therapy – Group of 4 - 7		
e. Occupational Therapy - Consultation Rate		

(9)	Physical Therapy		
(10)	a. Behavior Intervention – BII	51.00	Per Hour
	b. Behavior Intervention – BID	51.00	Per Hour
	c. Supervision	51.00	Per Hour
(11)	Nursing Services		

\*Parent transportation reimbursement rates are to be determined by the LEA.

\*\*By credentialed Special Education Teacher.

F. CONSENT CALENDAR

3. **TITLE:** Student Services Special Employment Agreement for 2008/09 School Year with Heather Clare, M.A., OTR/L, Occupational Therapist.

**BACKGROUND:** A service agreement is needed between the District and Heather Clare, to provide occupational therapy services, from November 1, 2008, through June 30, 2009. Provider is being changed for an existing Individualized Education Plan (IEP) mandated service.

**FINANCIAL IMPACT:**

Not to exceed \$2,800.00.

Funds to be paid from Special Education account,

#01.0-65000.0-57500-11905-5850-0000113;

\$1,400.00 to be transferred from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57500-11801-5810-0000052;

\$1,400.00 to be transferred from Special Education account,

#01.0-65000.0-57500-11905-5850-0000113;

This item has been budgeted given that a transfer is being made from an existing account.

**ACTION RECOMMENDED:** Ratify Student Services Special Employment Agreement for 2008/09 School Year with Heather Clare, M.A., OTR/L, Occupational Therapist, to provide services from November 1, 2008, through June 30, 2009. Provider is being changed for an existing Individualized Education Plan (IEP) mandated service. Amount not to exceed \$2,800.00. Funds to be paid from Special Education account, #01.0-65000.0-57500-11900-5850-0000113. \$1,400.00 is to be transferred from Nonsectarian, Nonpublic Agency Services account, #01.0-65000.0-57500-11801-5810-0000052; \$1,400.00 is to be transferred from Special Education account, #01.0-65000.0-57500-11905-5850-0000113. This item has been budgeted given that a transfer is being made from an existing account.

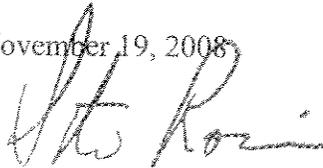
**PREPARED BY:**



Ellyn Schneider, Executive Director of Student Services

**DATE OF MEETING:** November 19, 2008

Approved by:



Steve Romines, Asst. Superintendent of Administrative Services

AGENDA NOTE

AGENDA NOTE

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**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
SPECIAL EMPLOYMENT  
AGREEMENT FOR SERVICES**

**WHEREAS**, It is the desire of the Governing Board of the Manhattan Beach Unified School District to employ or use the services of Heather Clare, Occupational Therapist  
Soc Sec or Tax I.D. number \_\_\_\_\_ in the Student Services Department, and

**WHEREAS**, such service will assist the Governing Board in discharging its legal obligation to provide an adequate education program and will supplement assistance by the State and County authorities and not replace such assistance:

**WITNESSETH:**

**THEREFORE**, this agreement is made and entered into the 19 th day of November, 2008, by and between the Manhattan Beach Unified School District and the above named person/agency, hereinafter called: Heather Clare, Occupational Therapist  
Located at: Torrance, Ca 90505

**SERVICES TO BE RENDERED**

Said person/agency will serve/provide the following service(s): Occupational Therapy

This service does X does not \_\_\_\_\_ require direct contact with students.

\*\*\*\*\*

**PAYMENT TO BE MADE BY THE DISTRICT**

In consideration of the service(s) to be rendered, the District agrees to pay \$70.00 per hour;  
approx. 5 hr/month. Total Not to Exceed \$2,800.00.

**DATE(S) OF SERVICE**

Said person/agency agrees to render service(s) on the following date(s) stated below:  
From November 1, 2008, through June 30, 2009, under the direction of the Executive Director of Student Services.

The services will be provided in accordance to the District 2008 - 2009 academic calendar.

This agreement may be terminated by either party with twenty (20) days written notice. This agreement may be terminated without advance notice if both parties agree to do so in writing.

01.0-65000.0-57500-11905-5850-0000113  
Account Number

Heather Clare, OT  
Provider of Service

Occupational Therapy  
Program

Ellyn Schneider,  
Executive Director of Student Services

F. CONSENT CALENDAR

4. **TITLE:** Reimbursement Agreement between Parents and District for Parent Travel as per Individualized Education Plan (IEP) Mandated Visits.

**BACKGROUND:** Per an IEP mandated visit, and in accordance with our visitation reimbursement policy, it was agreed to reimburse parents for travel costs incurred from July 13, 2007, through September 18, 2008.

**FINANCIAL IMPACT:**

Not to exceed: \$4,374.59.

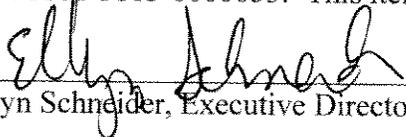
Funds to be paid from Special Education Other Services account, #01.0-65000.0-57500-71101-5813-0000053.

This item has been budgeted.

**ACTION RECOMMENDED:**

Ratify reimbursement to parents for educational costs of not to exceed \$4,374.59, incurred from July 13, 2007, through September 18, 2008, as per Individualized Education Plan (IEP) mandated visits, and in accordance with our visitation policy. Funds to be paid from Special Education Other Services account, #01.0- 65000.0-57500-71101-5813-0000053. This item has been budgeted.

**PREPARED BY:**

  
Ellyn Schneider, Executive Director of Student Services

**DATE OF MEETING:** November 19, 2008.

Approved by:

  
Steve Romines, Asst. Superintendent of Admin. Services

AGENDA NOTE

AGENDA NOTE

AGENDA NOTE

F. CONSENT CALENDAR

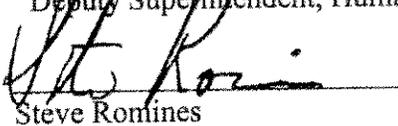
5. TITLE: Consultant Agreement for Lynn McIver, Reading / Writing Consultant

BACKGROUND: Lynn McIver has worked as a Teacher on Special Assignment at the elementary level since her retirement from the District. Ms. McIver will be providing support to the Reading Club and Written Expression Club for grade 4 at Robinson Elementary. This amount has been budgeted into the PTA 2008-2009 school year funds.

ACTION RECOMMENDED: Ratify consultant agreement for Lynn McIver to serve as the Reading/Writing Consultant at Robinson Elementary. Consultant to be paid at the rate of \$60.00 per hour for the period July 1, 2008 through June 30, 2009.

FISCAL IMPACT: None (PTA Funding)

PREPARED BY: Janet Schwabe  
Deputy Superintendent, Human Resources

APPROVED BY:   
Steve Romines  
Assistant Superintendent, Administrative Services

DATE: November 19, 2008

AGENDA NOTE

AGENDA NOTE

AGENDA NOTE

**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
SPECIAL EMPLOYMENT  
AGREEMENT FOR SERVICES**

WHEREAS, It is the desire of the Governing Board of the Manhattan Beach Unified School District to employ Lynn McIver whose last four digits of security number are 3069, and WHEREAS, such service will assist the Governing Board in discharging its legal obligation to provide an adequate educational program and will supplement assistance by the State and County authorities and not replace such assistance:

**WITNESSETH:**

THEREFORE, this agreement is made and entered into the 20th day of November 2008, by and between the Manhattan Beach Unified School District and the above named person, hereinafter called **Consultant**.

**SERVICES TO BE RENDERED**

Said person will serve as Reading/Writing Consultant

This service does X does not \_\_\_\_\_ require direct contact with students.

---

**PAYMENT TO BE MADE BY THE DISTRICT**

In consideration of the services to be rendered, the District agrees to pay \$ 60.00 per hour not to exceed \$12,000.00 for services rendered.

**DATES OF SERVICE:**

Said person agrees to render services on the following date or dates stated below:

July 1, 2008 through June 30, 2009

\_\_\_\_\_  
(Account Number)

\_\_\_\_\_  
(Consultant, Lecturer, Etc.)

\_\_\_\_\_  
Janet Schwabe  
Deputy Superintendent, Human Resources

\_\_\_\_\_  
Steve Romines  
Assistant Superintendent, Administrative  
Services

**F. CONSENT ITEM**

12. **TITLE:** Developer Fees

**BACKGROUND:** The attached material details the District's share of Developer Fees collected during the month of October 2008. The total received for the month of October is \$27,352.00

**ACTION RECOMMENDED:** No action is recommended.

**PREPARED BY:** Steve Romines

**DATE OF BOARD MEETING:** November 19, 2008

**Manhattan Beach Unified School District  
Developer Fees  
Report of Collections to Date**

1986/87	27,550.00	1996/97	518,156.57
1987/88	370,367.30	1997/98	858,526.83
1988/89	367,185.00	1998/99	949,097.79
1989/90	664,577.39	1999/00	845,723.70
1990/91	310,430.11	2000/01	973,429.53
1991/92	273,011.74	2001/02	887,811.27
1992/93	230,276.57	2002/03	1,028,120.90
1993/94	407,139.86	2003/04	1,101,872.99
1994/95	327,074.42	2004/05	984,925.42
1995/96	456,396.95	2005/06	1,013,410.79
		2006/07 Total	990,987.60

2007/08	
July	50,153.60
August	75,454.71
September	76,676.66
October	62,436.20
November	65,426.51
December	40,720.29
January	46,236.31
February	103,542.40
March	66,203.24
April	52,407.91
May	112,019.12
June	36,606.07
<b>2007/08 Total</b>	<b>787,883.02</b>

2008/09	
July	25,751.91
August	53,606.66
September	72,427.57
October	27,352.00
November	
December	
January	
February	
March	
April	
May	
June	
<b>2008/09 Total</b>	<b>179,138.14</b>

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

DEVELOPER FEES  
OCTOBER 2008

<u>DATE</u>	<u>ADDRESS</u>	<u>ADDITION/ NEW CONSTRUCTION</u>	<u>SQUARE FOOTAGE</u>	<u>AMT PAID</u>
Oct		Redondo Beach USD		
01	629 Marine Ave	New Construction	1743	4,584.09
15	2515 Manhattan Ave	New Construction	1082	2,845.66
16	327 S Aviation Blvd	New Construction	2737	7,198.31
20	1150 21st St	New Construction	1149	3,021.87
29	7 Cambridge	New Construction	3689	9,702.07

Total: \$27,352.00

I. **BOARD BUSINESS**

1. **TITLE:** Receive for First Reading and Adoption, revised Board Policy and Administrative Regulation 4112.24, Teacher Qualifications Under No Child Left Behind Act

**BACKGROUND:** Manhattan Beach Unified Board Policy and Administrative Regulation 4112.24, Teacher Qualifications Under No Child Left Behind, are presented to the Board as revisions for first reading and adoption. The updated policy deletes reference to dates that have passed and distinctions between requirements for Title I and non-Title I programs, since all teachers of core academic subjects are now subject to the requirements.

The revised and updated regulation reflects **REVISED TITLE 5 REGULATIONS** addressing subject matter competency for middle and high school teachers in "hard-to-staff settings". The regulation also clarifies requirements for special education teachers and deletes detailed material regarding the High Objective Uniform State Standard Evaluation (HOUSSE) which is covered in California of Department of Education forms.

As delegated by the Board, Board of Trustees' Vice President, Nancy Hersman has reviewed and commented on the policy and regulation. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Policy and Administrative Regulation 4112.24, Teacher Qualifications Under No Child Left Behind

**PREPARED BY:** Janet Schwabe, Deputy Superintendent, Human Resources

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

Recognizing the importance of teacher effectiveness in improving student achievement, the Governing Board desires to recruit and hire teachers *for core academic subjects* who possess the subject matter knowledge and teaching skills required by the federal No Child Left Behind Act (NCLB). ~~in programs for educationally disadvantaged students and for students in core academic subjects.~~

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

*(cf. 6171 - Title I Programs)*

~~All teachers hired after the first day of the 2002-03 school year to teach core academic subjects in a program supported by Title I funds shall be "highly qualified," as defined by federal law and the State Board of Education, upon hire. (20 USC 6319, 7801; 34 CFR 200.55; 5 CCR 6100-6126)~~

~~(cf. 6171 - Title I Programs)~~

~~All teachers who were hired prior to the beginning of the 2002-03 school year in Title I programs and all teachers of core academic subjects in non-Title I programs shall demonstrate that they are "highly qualified" not later than the end of the 2006-07 school year. (20 USC 6319, 7801; 34 CFR 200.55; 5 CCR 6100-6126)~~

*All teachers employed to teach core academic subjects shall be "highly qualified" as defined by federal law and the State Board of Education. (20 USC 6319, 7801; 34 CFR 200.55; 5 CCR 6100-6126)*

The Superintendent or designee shall monitor the distribution of "highly qualified" teachers among district schools and develop strategies, as needed, to encourage teachers who meet NCLB requirements to teach in schools with the lowest student performance.

~~(cf. 0520 - Intervention for Underperforming Schools)~~

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

~~(cf. 0520.1 - High Priority Schools Grant Program)~~

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.4 - Quality Education Investment Schools)

(cf. 4113 - Assignment)

(cf. 4114 - Transfers)

(cf. 4138 - Mentor Teachers)

The Superintendent or designee shall inform teachers of NCLB requirements and shall identify the additional qualifications, if any, that individual teachers need to demonstrate in order to meet the requirements. He/she shall work with individual teachers to develop a plan for attaining full qualifications.

The Superintendent or designee shall ~~publicly~~ report *to the Board* on the progress of the district's teachers toward becoming fully qualified. Such reports shall include, but need not be limited to, the percentage of teachers in core academic subjects, districtwide and at each school, who meet the definition of a "highly qualified" teacher in accordance with federal law, and the percentage of teachers who are receiving professional development to enable them to satisfy this definition. (20 USC 6319)

(cf. 4131 - Staff Development)

*(cf. 4131.1 - Beginning Teacher Support/Induction)*

Legal Reference:

EDUCATION CODE

44500-44508 Peer Assistance and Review Program for Teachers

44662 Performance evaluation; Stull Act review

44664 Teacher evaluation; program to improve performance

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

*44865 Alternative programs*

CODE OF REGULATIONS, TITLE 5

6100-6126 Teacher qualifications, No Child Left Behind Act

80021 Short-term staff permit

80021.1 Provisional internship permit

80089.3-80089.4 Subject matter authorizations

UNITED STATES CODE, TITLE 20

1401 Definition of highly qualified special education teacher

6311 Parental notifications

6312 District Title I plan

6314 Schoolwide programs

6315 Targeted assistance schools

6319 Highly qualified teachers

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

200.61 Parent notification regarding teacher qualifications

300.18 Highly qualified special education teachers

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

Management Resources:

~~CSBA ADVISORIES~~

~~California's Implementation of the No Child Left Behind Act, July 2003~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*California's Subject Matter Verification Process for Middle and High School Level Teachers in Special Settings, January 2007*

NCLB Teacher Requirements Resource Guide, March 1, 2004

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Standards of Quality and Effectiveness for Professional Teacher Induction Programs, March 2002

Standards of Quality and Effectiveness for Professional Teacher Preparation Programs, September 2001

California Standards for the Teaching Profession, July 1997

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, revised October 5, 2006

New No Child Left Behind Flexibility: Highly Qualified Teachers, Fact Sheet, March 15, 2004

WEB SITES

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

*California Department of Education, NCLB Teacher Quality: <http://www.cde.ca.gov/nclb/sr/tq>*

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

**MBUSD**

**BP 4112.24 (e)**

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND  
ACT**

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

U.S. Department of Education, No Child Left Behind: <http://www.ed.gov/nclb>

Policy MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Adopted: September 5, 2007 Manhattan Beach, California

Revised:

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

**Definitions**

*Core academic subjects* include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. (20 USC 7801)

*Hard-to-staff setting* means a middle or high school classroom eligible for the federal Small Rural Schools Achievement Program, a middle or high school special education classroom, or a middle or high school alternative education program as specified in Education Code 44865, including home teaching, hospital classes, necessary small high schools, continuation schools, alternative schools, opportunity schools, juvenile court schools, county community schools, and district community day schools. (5 CCR 6100)

*(cf. 6181 - Alternative Schools)*

*(cf. 6183 - Home and Hospital Instruction)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

*High Objective Uniform State Standard Evaluation (HOUSSE) is a method of determining a teacher's subject matter competence using forms developed by the California Department of Education (CDE). HOUSSE Part 1 consists of a summation of the teacher's years of experience, coursework, professional development, and service to the profession. HOUSSE Part 2, to be conducted only if Part 1 does not indicate subject matter competency, consists of direct observation and portfolio assessment and, if necessary, completion of the Peer Assistance and Review Program for Teachers or other individualized professional development plan. (5 CCR 6104)*

*(cf. 4139 - Peer Assistance and Review)*

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

*Level 1 professional development means training that will provide a teacher with the requisite understanding of each set of state content standards. Level 2 professional development means training that will provide a teacher with more in-depth understanding of the content standards than provided in a Level 1 professional development program. The trainings shall be consistent with state-adopted academic content standards, curriculum frameworks, and adopted texts and shall incorporate the assessment of subject matter competency as outlined in the CDE's document California's Subject Matter Verification Process for Middle and High School Level Teachers in Special Settings. For each type of training, at least 36 hours in the core subject for which the teacher is being certified is required to substantively address the subject matter content. (5 CCR 6100, 6105)*

~~Teacher new to the profession is a teacher who either graduated from an accredited institution of higher education and received a credential, or began an approved intern program, on or after July 1, 2002. (5 CCR 6100)~~

~~Teacher not new to the profession is a teacher who either graduated from an accredited institution of higher education and received a credential, or was enrolled in or had completed an approved intern program, before July 1, 2002. (5 CCR 6100)~~

**Teacher Qualifications**

To meet the teacher qualification requirements of the federal No Child Left Behind Act (NCLB) ~~for staff teaching core academic subjects in Title I or non-Title I programs,~~ a teacher *of a core academic subject* shall meet all of the following conditions: (20 USC 6319, 7801; 34 CFR 200.55, 200.56, 300.18; 5 CCR 6101, 6104, **6105** 6110)

1. Hold at least a bachelor's degree
2. Hold a full credential or be currently enrolled in an approved intern program for less than three years

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

3. Demonstrate subject matter competency in accordance with the applicable requirements below

(cf. 6171 - Title I Programs)

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

*Teacher new to the profession is a teacher who either graduated from an accredited institution of higher education and received a credential, or was enrolled in or had completed an approved intern program, on or after July 1, 2002. (5 CCR 6100)*

*Teacher not new to the profession is a teacher who either graduated from an accredited institution of higher education and received a credential, or was enrolled in or had completed an approved intern program, before July 1, 2002. (5 CCR 6100)*

**Demonstration of Subject Matter Competency**

Subject matter competency shall be demonstrated in accordance with the following requirements based on the grade levels taught and the teacher's length of time in the profession:

1. *An elementary teacher who is new to the profession shall pass a validated statewide subject matter examination certified by the Commission on Teacher Credentialing (CTC). (5 CCR 6102)*
2. *An elementary teacher who is not new to the profession shall complete one of the following: (5 CCR 6103-6104)*
  - a. A validated statewide subject matter examination that the CTC has utilized to determine subject matter competence for credentialing purposes
  - b. ~~A high objective uniform state standard evaluation~~ The (HOUSSE), as described ~~below~~ above, to determine the teacher's subject matter competence in each of the academic subjects taught by the teacher
3. *A middle or high school teacher who is new to the profession shall pass or complete one of the following for every core academic subject currently assigned: (5 CCR 6111)*
  - a. A validated statewide subject matter examination certified by the CTC
  - b. University subject matter program approved by the CTC
  - c. Undergraduate major in the subject taught
  - d. Graduate degree in the subject taught
  - e. Coursework equivalent to the undergraduate major

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

~~4. A middle or high school special education teacher who is new to the profession, holds a special education credential or is currently enrolled in an approved special education intern program for less than three years, and has demonstrated subject matter competence in mathematics, language arts, or science in accordance with item #3 above, may demonstrate competence in other core academic subjects through the HOUSSE, as described below. The HOUSSE shall be completed not later than two years after the date of employment. (20 USC 1401; 34 CFR 300.18; 5 CCR 6111)~~

4. A middle or high school teacher who is not new to the profession shall pass or complete one of the following for every core subject assigned: (5 CCR 6112)

- a. A validated statewide subject matter examination that the CTC has utilized to determine subject matter competence for credentialing purposes
- b. University subject matter program approved by the CTC
- c. Undergraduate major in the subject taught
- d. Graduate degree in the subject taught
- e. Coursework equivalent to the undergraduate major
- f. Advanced certification or credential, such as certification from the National Board for Professional Teaching Standards
- g. The HOUSSE ~~option~~, as described ~~below~~ **above**, to determine the teacher's subject matter competency in each of the academic subjects taught by the teacher

*5. A middle or high school teacher in a hard-to-staff setting, as defined above, shall complete professional development for the subject matter verification process within three years of the date of assignment to such a setting. (5 CCR 6100, 6105)*

*a. If the teacher has fewer than 20 total or 10 upper division nonremedial college-level semester units, or equivalent quarter units, in a core academic subject, he/she shall complete both Level 1 and Level 2 professional development courses as defined above.*

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

*b. If the teacher has fewer than 32 semester nonremedial college-level units, but at least 20 total or 10 upper division nonremedial semester units, or the equivalent quarter units, in a core academic subject, he/she shall complete a Level 2 professional development course.*

*(cf. 4131 - Staff Development)*

*6. An elementary, middle, or high school special education teacher teaching multiple subjects exclusively to students with disabilities may either: (20 USC 1401; 34 CFR 300.18; 5 CCR 6111)*

*a. Meet the requirements above for teachers who are new or not new to the profession, as applicable*

*b. In the case of a new special education teacher who has demonstrated subject matter competency in mathematics, language arts, or science, demonstrate competency in the other core academic subject(s) he/she teaches through the HOUSSE no later than two years after the date of employment*

~~To determine a teacher's fulfillment of the HOUSSE option as described in items #2, #4 and #5 above, the Superintendent or designee shall complete the following steps in the manner prescribed by the California Department of Education: (5 CCR 6104)~~

~~1. The Superintendent or designee shall summarize the teacher's years of experience in the grade span or subject, core academic coursework in the assigned grade span or subject, in-depth standards-aligned professional development, and service to the profession in the relevant core academic content area.~~

~~2. If this summation does not identify sufficient experience, coursework, professional development, or service to demonstrate subject matter competency, the evaluation shall include direct observation and portfolio assessment in the grade span or subject taught. The observation and portfolio assessment shall be used to determine whether the teacher meets Standard 3 (understanding and organizing subject matter for student learning) and Standard 5.1 (establishing and communicating learning goals for all students) of the California Standards for the Teaching Profession.~~

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

~~3. If the teacher does not satisfactorily meet Standards 3 and 5.1 of the California Standards for the Teaching Profession, subject matter competency shall be demonstrated through completion of the Peer Assistance and Review Program for Teachers pursuant to Education Code 44500-44508 or other individualized professional development plan pursuant to Education Code 44664 aimed at assisting the teacher to meet Standards 3 and 5.1. (5 CCR 6104)~~

~~(cf. 4139 Peer Assistance and Review)~~

~~A teacher who holds a supplementary authorization or is employed on a local teaching assignment shall meet the teacher qualification requirements of NCLB if he/she holds a California teaching credential and has demonstrated subject matter competency for the grade span and subject matter taught. (5 CCR 6116)~~

**Satisfaction of Requirements Outside District**

A teacher who has been determined by another school district in California to have met the teacher qualification requirements for the grade level and/or subject taught shall not be required to demonstrate again that he/she meets those requirements. (5 CCR 6120)

A teacher who has been determined to meet subject matter competency requirements outside of California shall be considered to have met those requirements for the particular subject and/or grade span in California. The date of issuance of a valid out-of-state credential shall be used to identify a teacher as new or not new to the profession. (5 CCR 6125)

A teacher prepared in a country other than the United States shall be considered to have met NCLB teaching requirements if he/she: (5 CCR 6126)

1. Holds a degree from a foreign college or university that is at least equivalent to a bachelor's degree offered by an American institution of higher education
2. Has completed a teacher preparation program that meets CTC requirements for out-of-country trained teachers
3. Demonstrates subject matter competency for the grade span and subjects taught through the same or equivalent processes and methods required of California teachers

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

4. Holds a California teaching credential

~~A teacher shall not meet the teacher qualification requirements of NCLB if he/she is teaching with a short-term staff permit, a provisional internship permit, or a state or local waiver for the grade or subject taught. (5 CCR 6115, 80021, 80021.1)~~

**Certification of Compliance**

All teachers teaching core academic subjects shall complete and sign a certificate of compliance *with NCLB requirements* and attach appropriate documentation. The Superintendent or designee shall verify the information and retain the signed original copy.

The principal of each school receiving Title I funds shall annually attest in writing as to whether the school is in compliance with ~~federal~~ *NCLB* requirements related to teacher qualifications. Copies of the attestation shall be maintained at the school and at the district office and shall be available to any member of the public upon request. (20 USC 6319)

**District Plan for Highly Qualified Teachers**

Within the Title I local educational agency plan, the Superintendent or designee shall develop a plan for ensuring that all teachers of core academic subjects will meet NCLB requirements ~~within the timelines established by~~ *in accordance with the* law. As part of this plan, the Superintendent or designee shall provide high-quality professional development designed to enable teachers to meet NCLB requirements. (20 USC 6312, 6319)

**Parent Notifications**

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to: (20 USC 6311)

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction

**Certificated Personnel**

**TEACHER QUALIFICATIONS UNDER THE NO CHILD LEFT BEHIND ACT**

2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived

3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree

4. Whether the student is provided services by paraprofessionals and, if so, their qualifications

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall provide timely notice to individual parents/guardians of students attending a Title I school whenever their child has been assigned to or has been taught for four or more consecutive weeks by a teacher of a core academic subject who does not meet NCLB teacher qualification requirements. (20 USC 6311; 34 CFR 200.61)

The Superintendent or designee shall notify teachers, as appropriate, prior to distributing the above notice to parents/guardians.

The notice and information provided to parents/guardians shall be in an understandable and uniform format, and to the extent practicable, be provided in a language that the parents/guardians can understand. (20 USC 6311)

Regulation MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Adopted: September 5, 2007 Manhattan Beach, California\

Revised:

**I. BOARD BUSINESS**

2. **TITLE:** Receive for First Reading and Adoption, revised Board Policy 4136, 4236, 4336, Nonschool Employment and delete BP 4137.

**BACKGROUND:** Manhattan Beach Unified Board Policy 4136, 4236, 4336, Nonschool Employment, is presented to the Board as a revision for first reading and adoption. This **MANDATED** policy is updated to specify types of outside employment activities that may be prohibited because of a conflict with the employee's district duties. The revised policy requires an employee to first request permission from his/her supervisor prior to accepting such employment. The employee may also appeal any denial of authorization to the Superintendent or designee.

The policy also contains a section on Tutoring which was formerly included in BP 4137-Tutoring. BP 4137 will be deleted as an unnecessary policy.

As delegated by the Board, Board of Trustees' Vice President, Nancy Hersman has reviewed and commented on the policies. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading and the deletion of BP 4137.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Policy 4136, 4236, 4336, Nonschool Employment and delete BP 4137.

**PREPARED BY:** Janet Schwabe, Deputy Superintendent, Human Resources

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**

**All Personnel**

**NONSCHOOL EMPLOYMENT**

~~The Governing Board recognizes that district employees may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with or inimical to the employee's duties or to the duties, functions or responsibilities of the district.~~

~~Outside paid activities are incompatible with district employment if they require time periods that interfere with the proper, efficient discharge of the employee's duties, if they entail compensation from an outside source for activities which are part of the employee's regular duties, or if they involve using for private gain the district's name, prestige, time, facilities, equipment or supplies.~~

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

~~(cf. 4119.21/4219.21/4319.21 - Professional Standards)~~

~~(cf. 4135/4235/4335 - Soliciting and Selling)~~

~~(cf. 4137 - Tutoring)~~

~~District employees shall not perform, without prior Board approval, any outside paid service which will be wholly or in part subject to the approval or control of another district employee or a district officer.~~

~~(cf. 4132/4232/4332 - Publication or Creation of Materials)~~

~~(cf. 6161.1 - Selection and Evaluation of Instructional Materials)~~

~~(cf. 9270 - Conflict of Interest)~~

*In order to help maintain public trust in the integrity of district operations, the Governing Board expects all employees to give the responsibility of their positions precedence over any other outside employment. A district employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her district duties.*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

**All Personnel**

**NONSCHOOL EMPLOYMENT**

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

*(cf. 9270 - Conflict of Interest)*

*An outside activity shall be considered inconsistent, incompatible, or inimical to district employment when such activity: (Government Code 1126)*

- 1. Requires time periods that interfere with the proper, efficient discharge of the employee's duties*
- 2. Entails compensation from an outside source for activities which are part of the employee's regular duties*
- 3. Involves using the district's name, prestige, time, facilities, equipment, or supplies for private gain*
- 4. Involves service which will be wholly or in part subject to the approval or control of another district employee or Board member*

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

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*

*(cf. 4135/4235/4335 - Soliciting and Selling)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with his/her immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the district and determine whether to grant authorization for such employment.*

**All Personnel**

**NONSCHOOL EMPLOYMENT**

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

~~Upon determining that an employee's outside job is incompatible with district employment, the Superintendent or designee shall so inform the employee. An employee who continues to pursue an incompatible activity may be subject to disciplinary action. Appeals shall be addressed in accordance with law, Board policy and administrative regulations.~~

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

~~(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)~~

~~(cf. 4144/4244/4344 - Complaints)~~

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

*The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.*

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

*(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)*

*(cf. 4144/4244/4344 - Complaints)*

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

**Tutoring**

*A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in his/her class(es). An employee who wishes to tutor another district student shall first request authorization from his/her supervisor in accordance with this Board policy. If authorization is granted, the employee shall not use district facilities, equipment, or supplies when providing the tutoring service.*

**MBUSD**

**BP 4136 (d)**

**4236**

**4336**

**All Personnel**

**NONSCHOOL EMPLOYMENT**

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

51520 Prohibited solicitation on school premises

GOVERNMENT CODE

1126 Incompatible activities of employees

*1127 Incompatible activities; off duty work*

*1128 Incompatible activities, attorney*

**CODE OF REGULATIONS, TITLE 5**

*80334 Unauthorized private gain or advantage*

**ATTORNEY GENERAL OPINIONS**

*70 Ops.Cal.Atty.Gen. 157 (1987)*

*Management Resources:*

**WEB SITES**

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

*Fair Political Practices Commission: <http://www.fppc.ca.gov>*

Policy MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

adopted: September 5, 2007 Manhattan Beach, California

~~Personnel~~

~~TUTORING~~

~~The Governing Board expects teachers and other members of the instructional staff to make every effort to resolve students' learning problems at school before recommending that parents/guardians engage a tutor or other professional help. By maintaining a competent, dedicated staff and adequate instructional resources, the Board seeks to minimize the need for individual tutoring.~~

~~To preclude conflicts of interest, teachers may not accept any kind of remuneration for tutoring a student enrolled in any of their classes. Teachers who tutor other students must perform this service outside of school facilities and make their own arrangements with parents/guardians for the fees to be charged. The Board encourages teachers to tutor only in subjects or grade levels for which they are certificated.~~

~~(cf. 4119.21/4219.21/4319.21 Professional Standards)~~

~~(cf. 4135 Soliciting and Selling)~~

~~Legal Reference:~~

~~GOVERNMENT CODE~~

~~1126 Incompatible activities of employees~~

~~Policy MANHATTAN BEACH UNIFIED SCHOOL DISTRICT~~

~~adopted: September 5, 2007 Manhattan Beach, California~~

**I. BOARD BUSINESS**

3. **TITLE:** Receive for First Reading and Adoption, revised Board Policy 4151, 4251, 4351, Employee Compensation.

**BACKGROUND:** Manhattan Beach Unified Board Policy 4151, 4251, 4351, Employee Compensation, is presented to the Board as a revision for first reading and adoption. This updated policy contains new language requiring the payroll system to comply with laws regarding timeliness of payment of compensations and deductions.

As delegated by the Board, Board of Trustees' Vice President, Nancy Hersman has reviewed and commented on the policy. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading and the deletion of BP 4137.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Policy 4151, 4251, 4351, Employee Compensation.

**PREPARED BY:** Janet Schwabe, Deputy Superintendent, Human Resources

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**

**MBUSD**

**BP 4151 (a)  
4251  
4351**

**All Personnel**

**EMPLOYEE COMPENSATION**

~~In order to secure and hold staff committed to student learning,~~ *In order to recruit and retain employees committed to the district's goals for student learning* the Governing Board recognizes the importance of ~~an attractive~~ *offering a competitive* compensation package which includes salaries, health benefits and other amenities.

*(cf. 3100 - Budget)*

*(cf. 3400 - Management of Districts Assets/Accounts)*

*(cf. 4000 - Concepts and Roles)*

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

The Board shall adopt separate salary schedules for certificated, classified, and management/supervisory/confidential personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for inspection at the district office.

*(cf. 4121 - Temporary/Substitute Personnel)*

*(cf. 4141/4241 - Collective Bargaining Agreement)*

*(cf. 4143/4243 - Negotiations/Consultation)*

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee

*(cf. 4312.1 - Contacts)*

*The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.*

*(cf. 4140/4240 - Bargaining Units)*

**MBUSD**

**BP 4151 (b)  
4251  
4351**

**All Personnel**

**EMPLOYEE COMPENSATION**

Legal Reference:

EDUCATION CODE

~~44492-44494 Mentor teacher stipends~~

~~44977 Salary deductions during absence~~

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

~~45030 Salary schedule for substitutes~~

~~45032 Power of governing board to increase salaries~~

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

**MBUSD**

**BP 4151 (c)  
4251  
4351**

**All Personnel**

**EMPLOYEE COMPENSATION**

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation – Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

National School Boards Association: <http://www.nsba.org>

Policy MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

adopted: September 5, 2007 Manhattan Beach, California

revised:

I. **BOARD BUSINESS**

4. **TITLE:** Receive for First Reading and Adoption new Board Policy and Administrative Regulation 6178, Career Technical Education

**BACKGROUND:** Manhattan Beach Unified School District Board Policy and Administrative Regulation 6178, Career Technical Education, are presented to the Board as a **NEW policy and regulation** for first reading and adoption. The new **MANDATED policy and regulation** are added to reflect the transformation of traditional vocational education programs into integrated programs of career technical education (CTE). These new additions also reflect the reauthorized Carl D. Perkins Career and Technical Education Act of 2006 and the state plan for compliance with Perkins requirements.

The **NEW** policy requires the Board to approve district plans and funding applications related to CTE, aligns district standards and curriculum with the state's standards and curriculum frameworks, includes material related to counseling and a section on nondiscrimination, addresses representation on a CTE advisory committee, and includes a comprehensive section on Program Evaluation to reflect indicators of program effectiveness.

The **NEW** regulation reflects legal requirements related to CTE programs funded by Perkins, participation of private schools in Perkins-funded programs, partnership academies, pre-apprenticeship and apprenticeship programs, and CTE student organizations.

As delegated by the Board, the Board of Trustees Vice President Nancy Hersman, has reviewed and commented on this policy. Her suggestions have been included in this revision, and she is recommending adoption with this first reading.

**FISCAL IMPACT:** None

**ACTION RECOMMENDED:** Receive for First Reading and Adoption, New Board Policy and Administrative Regulation 6178, Career Technical Education

**PREPARED BY:** Carolyn Seaton, Executive Director, Educational Services

**DATE:** November 19, 2008

AGENDA NOTE

AGENDA NOTE

AGENDA NOTE

**Instruction****CAREER TECHNICAL EDUCATION**

The Governing Board desires to provide a comprehensive career technical education (CTE) program in grades 7-12 which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)

(cf. 6200 - Adult Education)

The Board shall review and approve all district plans and applications for the use of state and/or federal funds supporting CTE.

The Board shall adopt standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that classroom instruction has real-world relevance and reflects labor market needs and priorities. He/she also shall work to develop connections with employers to provide students with work-based learning opportunities.

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

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work Experience Education)

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study.

**Instruction****CAREER TECHNICAL EDUCATION**

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she also shall provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and ways to integrate technical and occupational instruction with academic instruction.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

The district shall provide services to support students in the CTE program including comprehensive career guidance and academic counseling. The Superintendent or designee shall provide counselors with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work experience opportunities, and postsecondary education and employment options following high school.

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

(cf. 0440 - District Technology Plan)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 7110 - Facilities Master Plan)

**Instruction****CAREER TECHNICAL EDUCATION**

## Nondiscrimination

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. Special populations include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; students preparing for nontraditional fields; single parents and single pregnant females; displaced homemakers; and students with limited English proficiency. (20 USC 2302, 2354, 2373)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability. (34 CFR 104.8, 106.9)

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354)

**Advisory Committee**

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of one or more representatives of the general public knowledgeable about the disadvantaged; students; teachers; business; industry; school administration; and the field office of the California Department of Employment Development. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

This committee may be expanded to include parents/guardians, representatives of labor organizations, representatives of special populations, and other interested individuals in order to involve them in the development, implementation, and evaluation of CTE programs funded through the federal Carl D. Perkins Career and Technical Education Act.

**Instruction****CAREER TECHNICAL EDUCATION****Program Evaluation**

The Board shall monitor and evaluate the achievement of students participating in the district's CTE program. The Superintendent or designee shall annually report to the Board on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies; attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The Superintendent or designee shall systematically review the district's CTE classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

(cf. 0500 - Accountability)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6190 - Evaluation of the Instructional Program)

**Instruction**

**CAREER TECHNICAL EDUCATION**

Legal Reference:

EDUCATION CODE

8006-8156 Career technical education

17078.70-17078.72 Career technical education facilities

33430-33432 Health science and medical technology grants

41505-41508 Pupil Retention Block Grant

41540-41544 Targeted instructional improvement block grant

44260-44260.1 Designated subjects career technical education credential

44260.9 Designated subjects career technical education credential

48430 Legislative intent; continuation education schools and classes

48980 Parental notifications

51220-51229 Courses of study, grades 7-12

51760-51769.5 Work experience education

52300-52499.66 Career technical education

52519-52520 Adult education, occupational training

53080-53084 School-to-career initiatives

53086 California Career Resource Network

54690-54697 California Partnership Academies

56363 Related services for students with disabilities; specially designed career technical education

**Instruction**

**CAREER TECHNICAL EDUCATION**

66205.5-66205.9 Approval of career technical education courses for admission to California colleges

88500-88551 Community college economic and workforce development program

**GOVERNMENT CODE**

54950-54963 Brown Act

**LABOR CODE**

3070-3099.5 Apprenticeships

**CODE OF REGULATIONS, TITLE 5**

1635 Credit for work experience education

3051.14 Specially designed career technical education for students with disabilities

10070-10075 Work experience education

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500-11508 Regional occupational centers and programs

11535-11538 Career technical education contracts with private postsecondary schools

11610-11611 Regional adult and vocational education councils

**CODE OF REGULATIONS, TITLE 8**

200-240 Apprenticeships

**UNITED STATES CODE, TITLE 20**

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

**Instruction**

**CAREER TECHNICAL EDUCATION**

6301-6578 Improving the Academic Achievement of the Disadvantaged

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired with federal funds

100.B Appendix B Guidelines for eliminating discrimination in career technical education programs

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

Management Resources:

**CSBA PUBLICATIONS**

Orientation to Apprenticeship Overview, Construction Management Task Force Fact Sheet, November 2007

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

2008-2012 State Plan for Career Technical Education

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

Management of Vocational Education Equipment, April 2000

**CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF APPRENTICESHIP STANDARDS PUBLICATIONS**

Orientation to Apprenticeships: A Guide for Educators, January 2001

**Instruction**

**CAREER TECHNICAL EDUCATION**

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs: <http://www.carocp.org>

California Career Resource Network: <http://www.californiacareers.info>

California Department of Education, Career Technical Education: <http://www.cde.ca.gov/ci/ct>

California Department of Employment Development: <http://www.edd.ca.gov>

California Department of Industrial Relations: <http://www.dir.ca.gov>

California Workforce Investment Board: <http://www.calwia.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

U.S. Department of Education, Office of Vocational and Adult Education:  
<http://www.ed.gov/about/offices/list/ovae/pi/cte/index.html>

U.S. Department of Labor, Bureau of Labor Statistics: <http://www.bls.gov>

**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT**

Policy adopted: Manhattan Beach, California

**Instruction****CAREER TECHNICAL EDUCATION****Perkins Basic Grants for Career Technical Education**

The Superintendent or designee shall submit to the California Department of Education a district plan for the career technical education (CTE) program funded by the federal Carl D. Perkins Career and Technical Education Act. The plan shall: (20 USC 2354)

1. Describe how program funds will be used to provide the CTE program components required by 20 USC 2355(b)
2. Describe how activities will be carried out in order to meet levels of performance established pursuant to 20 USC 2323

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6162.52 - High School Exit Examination)

3. Describe how the district will:

- a. Offer the appropriate courses of at least one CTE program of study described in 20 USC 2342

(cf. 6143 - Courses of Study)

- b. Improve the academic and technical skills of participating students by strengthening the academic and career technical components of such programs through the integration of coherent and rigorous academic content and relevant CTE programs to ensure learning in the core academic and career technical subjects
- c. Provide students with strong experience in and understanding of all aspects of an industry
- d. Ensure that participating students are taught to the same coherent and rigorous content aligned with challenging academic standards as are taught to all other students

(cf. 6011 - Academic Standards)

**Instruction**

**CAREER TECHNICAL EDUCATION**

- e. Encourage participating students to enroll in rigorous and challenging courses in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

- 4. Describe how CTE, academic, guidance, and administrative personnel will be provided comprehensive professional development, including initial teacher preparation, that promotes the integration of coherent and rigorous content aligned with academic standards with relevant CTE, including curriculum development

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

- 5. Describe how parents/guardians, students, academic and CTE teachers, administrators, career guidance and academic counselors, representatives of tech prep consortia if applicable, representatives of business and industry, labor organizations, representatives of special populations, and other interested individuals will be involved in the development, implementation, and evaluation of CTE programs, and how such individuals and entities will be effectively informed about, and assisted in understanding, the requirements of the federal program

(cf. 1220 - Citizen Advisory Committees)

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

- 6. Provide assurances that the district's CTE program is of such size, scope, and quality to bring about improvement in the quality of CTE

- 7. Describe the process that will be used to evaluate and continuously improve the district's performance

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

**Instruction**

**CAREER TECHNICAL EDUCATION**

- 8. Describe how the district will:
  - a. Review CTE programs and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the program for special populations, as defined in 20 USC 2302 and Board policy
  - b. Provide programs that are designed to enable special populations to meet established performance level targets
  - c. Provide activities to prepare special populations, including single parents and displaced homemakers, for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency
  
- 9. Describe how the district will ensure that individuals will not be discriminated against on the basis of their status as members of special populations

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

(cf. 1312.3 - Uniform Complaint Procedures)

- 10. Describe how funds will be used to promote preparation for nontraditional fields  
  
Nontraditional fields means occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302)

- 11. Describe how career guidance and academic counseling will be provided to CTE students, including linkages to future education and training opportunities

(cf. 6164.2 - Guidance/Counseling Services)

- 12. Describe efforts to improve:
  - a. The recruitment and retention of CTE teachers and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession
  - b. The transition to teaching from business and industry

**Instruction**

**CAREER TECHNICAL EDUCATION**

(cf. 4112.2 - Certification)

**Tech Prep Programs**

The district shall, jointly in a consortium with an institution of postsecondary education and other partners as appropriate, offer a technical preparation program in accordance with 20 USC 2371-2376. The program shall: (20 USC 2373)

1. Be carried out under an articulation agreement with the postsecondary institution and any other consortium partners
2. Consist of a program of study that:
  - a. Combines at least two years of tech prep at the secondary level which is linked to at least two years of either postsecondary education in a sequential, nonduplicative course of study or an apprenticeship program
  - b. Integrates academic and career technical instruction and utilizes work-based and work site learning experiences as appropriate and available

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work Experience Education)

- c. Provides technical preparation in a career field, including high-skill, high-wage, or high-demand occupations
- d. Builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction in a coherent sequence of courses
- e. Leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree in a specific career field
- f. Leads to placement in high-skill or high-wage employment or to further education
- g. Utilizes CTE programs of study, to the extent practicable
- h. Meets state academic standards

**Instruction****CAREER TECHNICAL EDUCATION**

- i. Investigates opportunities for tech prep students to enroll concurrently in secondary education and postsecondary education courses
3. Uses educational technology and distance learning, as appropriate, to involve consortium partners more fully in the development and operation of programs
4. Includes in-service professional development for teachers, administrators, and counselors that addresses the goals identified in 20 USC 2373
5. Provides equal access to the full range of tech prep programs to individuals who are members of special populations, as defined in 20 USC 2302 and Board policy, including the development of tech prep program services appropriate to the needs of special populations
6. Provides for preparatory services that assist participating students
7. Coordinates with activities conducted under Title I of the No Child Left Behind Act

(cf. 6171 - Title I Programs)

**Participation of Private Schools**

Upon written request from representatives of nonprofit private schools within the geographical area served by the district, the Superintendent or designee shall: (20 USC 2397)

1. Consult with the private school representatives in a timely and meaningful manner and, if the district so chooses, provide for the participation of private school secondary students in the district's CTE programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act
2. To the extent practicable, permit participation of CTE teachers, administrators and other personnel from private schools in the district's in-service and preservice CTE professional development programs funded through the Perkins Act

**Instruction****CAREER TECHNICAL EDUCATION****Partnership Academies**

The district may operate one or more partnership academies as a school-within-a-school focused on a broad career theme. The program shall be available to students in grades 10-12 who are identified as at-risk of dropping out of school or who satisfy other criteria specified in Education Code 54690 and 54691. The district's program shall provide: (Education Code 54692)

1. Instruction in at least three academic subjects each regular school term that prepares students for a regular high school diploma and contributes to an understanding of the occupational field of the academy
2. A "laboratory class" related to the academy's occupational field
3. Classes that are block scheduled in a cluster whenever possible to provide flexibility to academy teachers and which may vary in number during grade 12
4. A mentor from the business community for students during grade 11
5. An internship or paid job related to the academy's occupational field or work experience to improve employment skills, during the summer following grade 11, except when a student must attend summer school for purposes of completing graduation requirements
6. Additional motivational activities with private sector involvement to encourage academic and occupational preparation

Attendance in the classes described in items #1-2 above shall be limited to students in the academy. (Education Code 54692)

When just a partnership academy is offered, the Superintendent or designee shall establish an advisory committee consisting of individuals involved in academy operations, including district and school administrators, lead teachers, and representatives of the private sector. (Education Code 54692)

**Pre-Apprenticeship and Apprenticeship Programs**

The district shall offer an orientation program for high school and/or adult education students that acquaints students with a broad range of career options, provides information regarding available apprenticeship programs, and provides classroom instructional job training which guides students to a registered apprenticeable occupation. The district's program shall:

**Instruction****CAREER TECHNICAL EDUCATION**

1. Introduce students to what they need to know in order to apply, test, and interview for acceptance into an apprenticeship program
2. Demonstrate the need for proficiency in reading and comprehension, mathematics, science, and technology
3. Emphasize the necessity to have the ability to communicate in reading, writing, speaking, listening, and numeration skills
4. Identify the knowledge, skills, and attitudes needed to enter and successfully complete an apprenticeship program
5. Provide an orientation to a specific craft or trade or to an industry

(cf. 6200 - Adult Education)

The Superintendent or designee may enter into an agreement with a local business, labor or management apprenticeship committee, and/or joint labor-management apprenticeship committee that has been approved to sponsor an apprenticeship program in order to develop and deliver related and supplemental instruction to students participating in a registered apprenticeship program. (Labor Code 3074, 3075, 3078)

**Student Organizations**

The district may support student organizations which engage in activities that are integral to the CTE program. The district may provide funding for supplies, materials, activities, and advisor expenses of such student organizations but shall not use state or federal funding to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

**MBUSD**

**AR 6178 (j)**

**Instruction**

**CAREER TECHNICAL EDUCATION**

MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Administrative Regulation approved: Manhattan Beach, California

I. **BOARD BUSINESS**

5. **TITLE:** Receive for First Reading and Adoption, Revised Board Bylaw 9124, Attorney

**BACKGROUND:** Manhattan Beach Unified Board Bylaw 9124, Attorney, is presented to the Board as a revision for first reading and adoption. The bylaw is updated to create a new section detailing qualifications to consider when soliciting a proposal for legal service and for evaluating the performance of service provided. The bylaw also contains language authorizing the Board president or Superintendent to confer with legal counsel and for other Board members to seek advice upon approval of a majority of the Board.

As delegated by the Board, Board of Trustees' Vice President, Nancy Hersman has reviewed and commented on the bylaw. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Bylaw 9124, Attorney

**PREPARED BY:** Dr. Beverly Rohrer, Superintendent of Schools

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**

**Board Bylaws**

**ATTORNEY**

The Governing Board recognizes the complex legal environment in which school districts operate and desires reliable, *high-quality*, dependable legal advice *at reasonable rates*. *In order to meet the district's legal needs, the Board may contract with county counsel, attorneys in private practice, or appoint legal counsel as a district employee or independent contractor.* The Board also supports *pursuing* collaborative legal efforts with other agencies and districts ~~in~~ order to promote the district's interests *as appropriate*.

~~(cf. 1160 - Political Processes)~~

~~The Board may use the county counsel, district attorney, or private attorneys to meet the needs of the district.~~

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

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

(cf. 4312.1 - Contracts)

(cf. 9000 - Role of the Board)

(cf. 9260 - Legal Protection)

**Duties of Legal Counsel**

The district's legal counsel may:

1. Render legal advice to the Board and the Superintendent or designee
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures
4. Perform other administrative duties as assigned by the Board and Superintendent or designee

**Board Bylaws**

**ATTORNEY**

**Retaining Legal Counsel**

*When the district is seeking legal advice or representation, the Superintendent or designee shall initiate a Request for Proposals (RFP) to advertise and solicit proposals for legal services. In evaluating the proposals, the Board and Superintendent shall consider the firm's or attorney's background, experience, and reputation in education law; experience advising or representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.*

*The Board and Superintendent shall annually evaluate the performance of the firm and/or attorneys providing legal services in such areas as efficiency and adequacy of advice; results obtained for the district; reasonableness of fees; and responsiveness to and interactions with the Board, administration, and community. Upon a successful evaluation, the Board may renew the agreement with legal counsel without initiating an RFP.*

*The Board may also contract for temporary, specialized legal services without initiating an RFP when a majority of the Board determines that the unique demands of a particular issue or emergency situation so requires.*

*(cf. 2121 - Superintendent's Contract)*

**Contacting Legal Counsel**

The Superintendent may confer with the district's legal counsel at his/her discretion and shall provide the Board with desired legal information when so directed by a majority of the Board. The Board also may authorize a specific member to confer with legal counsel on behalf of the Board.

*Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by a majority of the Board.*

~~(cf. 9000 - Role of the Board)~~

(cf. 9200 - Limits of Board Member Authority)

(cf. 9321 - Closed Session Purposes and Agendas)

**Board Bylaws**

**ATTORNEY**

Legal Reference:

**EDUCATION CODE**

35041 Administrative adviser

35041.5 Legal counsel: Relieving duties of county counsel and district attorney

*35161 Powers and duties of governing board*

*35200-35214 Liabilities, especially:*

35204 Contract with attorney in private practice

35205 Contract for legal services

**GOVERNMENT CODE**

814-895.8 Liability of public entities and public employees

995-996.6 Defense of public employees

26520 Legal services to school districts

*53060 Special services and advice*

*Management Resources:*

**CSBA PUBLICATIONS**

*The Brown Act: School Boards and Open Meeting Laws, rev. 2007*

*Maximizing School Board Leadership: Boardsmanship, 1996*

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

*Selecting and Working with a School Attorney: A Guide for School Boards, 1997*

**MBUSD**

**BB 9124 (d)**

**Board Bylaws**

**ATTORNEY**

***WEB SITES***

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

*California Council of School Attorneys:  
<http://www.csba.org/LegislationAndLegal/Legal/CaliforniaCouncilOfSchoolAttorneys.aspx>*

*National School Boards Association: <http://www.nsba.org>*

*State Bar of California: <http://www.calbar.ca.gov>*

Bylaw MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Adopted: December 1992 Manhattan Beach, California

Reviewed: September 5, 2007

Revised:

1. **BOARD BUSINESS**

6. **TITLE:** Receive for First Reading and Adoption, revised Board Bylaw 9230, Orientation

**BACKGROUND:** Manhattan Beach Unified Board Bylaw 9230, Orientation, is presented to the Board as a revision for first reading and adoption. The updated bylaw revises a section on “New Board Member Orientation” to provide for a Board meeting to orient new members, expand the types of materials to be provided to new members, and require Board approval of workshop/conference attendance by incoming members at district expense.

As delegated by the Board, Board of Trustees’ Vice President, Nancy Hersman has reviewed and commented on the bylaw. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Bylaw 9230, Orientation

**PREPARED BY:** Dr. Beverly Rohrer, Superintendent of Schools

AGENDA NOTE AGENDA NOTE AGENDA NOTE

**Board Bylaws**

**ORIENTATION**

Board Candidate Orientation

The Governing Board desires to provide Board candidates with orientation that will enable them to understand the responsibilities of Board membership. The Superintendent or designee shall provide all candidates with general information about school programs, district operations, and Board responsibilities. *He/she may also provide candidates with information about the election process, including, but not limited to, information about campaign conduct and ballot statement information.*

(cf. 9200 - Limits of Board Member Authority)

*(cf. 9220 - Governing Board Elections)*

(cf. 9270 - Conflict of Interest)

The Board encourages all candidates to attend public Board meetings during the period of their candidacy. Candidates have the same access as members of the public to district staff and information.

(cf. 1340 - Access to District Records)

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

**New Board Member Orientation**

~~The Board and the Superintendent or designee shall help each new member elect to understand district operations and the Board's functions, policies and procedures as soon after election as possible. Incoming members shall be given a copy of the Brown Act and informed that they must conform to its requirements as if they had already assumed office. Incoming members shall also receive the district's policy manual and other materials related to the school system and Board member responsibilities.~~

*The Board shall convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board's functions, policies, procedures, protocols, and agreed-upon standards of conduct. Incoming Board members shall receive the district's policy manual and other materials related to the district and Board member responsibilities.*

(cf. 9000 - Role of the Board)

**Board Bylaws**

**ORIENTATION**

*(cf. 9005 - Governance Standards)*

*Upon their election, incoming Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.*

*The Superintendent may provide incoming Board members with additional background and information regarding the district's vision and goals, operations, and current challenges in areas that include, but are not be limited to, student achievement, curriculum, finance, facilities, policy, human resources, and collective bargaining.*

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*Incoming members are encouraged to attend Board meetings and meet with the Superintendent or designee and Board president regarding their role and responsibilities. They also may, at district expense, attend workshops for newly elected members.*

*(cf. 9240 - Board Development)*

Legal Reference:

**EDUCATION CODE**

33360 Department of Education and statewide association of school district boards; annual workshops

33362 Reimbursement of expenses; member of school district board

**ELECTIONS CODE**

*13307 Candidate's statement*

*20440 Code of Fair Campaign Practices*

**Board Bylaws**

**ORIENTATION**

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body

54952.7 Copies of Brown Act to Board members

Management Resources:

***CSBA PUBLICATIONS***

*School Board Leadership, 2007*

*The Brown Act: School Boards and Open Meeting Laws, rev. 2007*

*Guide to Effective Meetings, 2007*

*Professional Governance Standards, 2000*

*Maximizing School Board Leadership, 1996*

***NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS***

*Becoming a Better Board Member: A Guide to Effective School Board Service, 2006*

***WEB SITES***

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

*Fair Political Practices Commission: <http://www.fppc.ca.gov>*

*National School Boards Association: <http://www.nsba.org>*

Bylaw MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

adopted: September 5, 2007 Manhattan Beach, California

Revised:

I. **BOARD BUSINESS**

7. **TITLE:** Receive for First Reading and Adoption, revised Board Bylaw 9324, Minutes and Recordings

**BACKGROUND:** Manhattan Beach Unified Board Bylaw 9324, Minutes and Recordings, is presented to the Board as a revision for first reading and adoption. The bylaw is revised to include new language specifying that minutes of Board meetings should include a brief summary of the Board's discussion, record which members are present and record whether a member is not present for the entire meeting due to a late arrival and/or early departure.

As delegated by the Board, Board of Trustees' Vice President, Nancy Hersman has reviewed and commented on the bylaw. Her recommendations have been included in this revision. Mrs. Hersman is recommending adoption with this first reading.

**FINANCIAL IMPACT:** None

**ACTION:** Receive for First Reading and Adoption, revised Board Bylaw 9324, Minutes and Recordings

**PREPARED BY:** Dr. Beverly Rohrer, Superintendent of Schools

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**

**Board Bylaws**

**MINUTES AND RECORDINGS**

*The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public. Accurate minutes also help foster public trust that Board actions are occurring in public in accordance with law.*

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9323 - Meeting Conduct)*

The secretary of the Governing Board shall keep minutes and record all official Board actions. *The Board's minutes shall be public records and shall be made available to the public upon request.* (Education Code 35145, 35163)

*(cf. 1340 - Access to District Records)*

*(cf. 9323.2 - Actions by the Board)*

*The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. At the next meeting, the Board shall approve the minutes as circulated or with necessary amendments.*

*In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.*

*The minutes shall include the specific language of each motion, the names of members who made and seconded the motion, and the individual votes of each member, unless the action was unanimous. When a roll call vote is taken, the names and votes of each member shall be listed. Motions or resolutions shall be recorded as having passed or failed. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.*

*The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.*

*The minutes shall record which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.*

**Board Bylaws**

**MINUTES AND RECORDINGS**

*(cf. 9250 - Remuneration, Reimbursement and Other Benefits)*

*Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.*

*(cf. 3580 - District Records)*

Copies of the minutes of each regular or special meeting shall be distributed to all Board members with the agenda for the next regular meeting.

Any minutes or recordings kept for Board meetings held in closed session shall be kept separate from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

~~(cf. 1340 - Access to District Records)~~

(cf. 9321.1 - Closed Session Actions and Reports)

~~Official Board minutes and recordings shall be stored in a fire-proof location.~~

**Recording or Broadcasting of Meetings**

Motions or resolutions shall be recorded as having passed or failed. Individual votes shall be recorded unless the action was unanimous. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

~~A video or audio tape recording may be made at any Board meeting. The district may tape, film, or broadcast any open Board meeting.~~ *The district may tape, film, or broadcast any open Board meeting.* The ~~presiding officer~~ *Board President* shall announce that a recording *or broadcast* is being made at the beginning of the meeting, and, *as practicable*, the recorder *or camera* shall be placed in plain view of ~~all persons present, insofar as possible.~~ *meeting participants.*

~~Recordings made during regular or special Board meetings are public records. They shall be kept for at least 30 days. Any district recording may be erased or destroyed 30 days after the meeting. Recordings made during a meeting are public records and, upon request, shall be made available for inspection by members of the public on a district recorder without charge. (Government Code 54953.5)~~

# MBUSD

BB 9324 (c)

## Board Bylaws

### MINUTES AND RECORDINGS

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

GOVERNMENT CODE

*54952.2 Meeting defined*

*54953.5 Audio or video recording of proceedings*

*54953.6 Broadcasting of proceedings*

*54957.2 Closed sessions; clerk; minute book*

*54960 Violations and remedies*

PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent of all parties to the communication

~~GOVERNMENT CODE~~

~~54957.2 Closed sessions; clerk; minute book~~

~~54960 Violations and remedies~~

CODE OF REGULATIONS, TITLE 5

16020-16027 Classification and retention of records

# **MBUSD**

**BB 9324 (d)**

## **Board Bylaws**

### **MINUTES AND RECORDINGS**

#### *Management Resources:*

#### **CSBA PUBLICATIONS**

*The Brown Act: School Boards and Open Meeting Laws, rev. 2007*

*Guide to Effective Meetings, rev. 2007*

*Maximizing School Board Leadership: Boardsmanship, 1996*

#### **WEB SITES**

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

Bylaw MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

Adopted: September 5, 2007 Manhattan Beach, California

Revised: