



Union High School District

MINUTES
OF THE
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING

Board of Trustees
Joyce Dalessandro
Beth Hergesheimer
Amy Herman
Maureen "Mo" Muir
John Salazar

Superintendent
Rick Schmitt

FEBRUARY 18, 2016

THURSDAY, FEBRUARY 18, 2016
6:30 PM

DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD, ENCINITAS, CA 92024

PRELIMINARY FUNCTIONS..... (ITEMS 1 – 6)

- 1. CALL TO ORDER..... 6:00 PM
President Hergesheimer called the meeting to order at 6:00 PM in the Board Room to receive public comments on Closed Session agenda items 2A-C. No public comments were presented.
2. CLOSED SESSION 6:01 PM
Closed Session was held in the Technology Lab in Suite 206.
A. To consider and/or deliberate on student discipline matters. (Case #2016-003SD)
B. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline / release, dismissal of a public employee or to hear complaints or charges brought against such employee by another person or employee unless the employee requests a public session.
C. To conference with legal counsel regarding significant exposure to litigation pursuant to paragraphs (d)(2) and (e)(1) of Government Code section 54956.9: (1 potential case)

REGULAR MEETING / OPEN SESSION..... 6:30 PM

ATTENDANCE

BOARD OF TRUSTEES AND STUDENT BOARD REPRESENTATIVES

- Joyce Dalessandro
Beth Hergesheimer
Amy Herman
Maureen "Mo" Muir
John Salazar
Sophie McMullen, Canyon Crest Academy
Madeline Eppel, La Costa Canyon High School
Natalie Shields, San Dieguito High School Academy
Mikenzie Bub, Sunset High School
Isaac Gelman, Torrey Pines High School

DISTRICT ADMINISTRATORS / STAFF

- Rick Schmitt, Superintendent
Eric Dill, Associate Superintendent, Business Services
Mike Grove, Ed.D., Associate Superintendent, Educational Services
Torrie Norton, Associate Superintendent, Human Resources
Adam Camacho, Principal, Earl Warren Middle School
Bryan Marcus, Principal, La Costa Canyon High School
Manuel Zapata, Director, CTE, EL & Community Programs
Rachel Scherba, Teacher, Diegueno Middle School
Joann Schultz, Executive Assistant to the Superintendent / Recording Secretary

- 3. RECONVENE REGULAR MEETING / CALL TO ORDER (ITEM 3)
A. The regular meeting of the Board of Trustees was called to order at 6:31 PM by President Beth Hergesheimer.

B. President Hergesheimer led the Pledge of Allegiance.

4. REPORT OUT OF CLOSED SESSION / ACTION(ITEM 4)

A. REPORT OUT OF CLOSED SESSION

There was nothing to report.

B. STUDENT DISCIPLINE

Motion by Ms. Herman, seconded by Ms. Dalessandro, to approve the stipulated expulsion of Case #2016-003SD, for violation of Education Code sections 48900 (d) and 48915 (c)(3), during the period February 19, 2016 through February 19, 2017. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir; Noes: Salazar; Abstain: None. *Motion carried.*

5. APPROVAL OF AGENDA

Motion by Ms. Herman, seconded by Ms. Dalessandro, to approve the agenda for February 18, 2016 except Items #14C2, 15A1, 15F, & 15G4 were pulled from the Consent Agenda by Ms. Muir, and Item #15K by Mr. Salazar, to be voted on separately. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

6. APPROVAL OF MINUTES / REGULAR MEETING OF JANUARY 14, 2016

Motion by Ms. Dalessandro, seconded by Ms. Herman, to approve the minutes of the January 14, 2016 Regular Meeting, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen; Noes: None; Abstain: Shields. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

NON-ACTION ITEMS(ITEMS 7 - 10)

7. STUDENT INTRODUCTIONS / UPDATES

A. OATH OF OFFICE..... BOARD PRESIDENT

President Hergesheimer welcomed Natalie Shields of San Dieguito High School Academy and administered the Oath of Office.

B. STUDENT UPDATES STUDENT BOARD REPRESENTATIVES

Students gave updates on events and activities at their schools.

8. BOARD REPORTS AND UPDATES BOARD OF TRUSTEES

Ms. Dalessandro attended the Encinitas City/School District Committee meeting, Torrey Pines HS (TPHS) & Canyon Crest Academy (CCA) parent/student choice tour, the San Dieguito Alliance Networking luncheon, the La Costa Canyon HS (LCC) Parent Information evening, and was contacted about holding CPR our high school classes in our district.

Mr. Salazar had nothing to report.

Ms. Muir requested to attend schools during the daytime, inquired into the TedX theme this year, and shared that the Kiwanis distributed their 100,000th book.

Ms. Herman will be attending some choices night.

Ms. Hergesheimer attended the Encinitas City/School District Committee meeting, the Parent Site Representative Council meeting, the San Dieguito Alliance Networking luncheon, the San Diego County School Boards Association meeting, and will be sharing information on the Mental Health First Aid program being offered.

9. SUPERINTENDENT'S REPORTS, BRIEFINGS, LEGISLATIVE UPDATES.....RICK SCHMITT, SUPERINTENDENT

Superintendent Schmitt reported on his attendance at the annual California Superintendent's Symposium in which he attended some valuable sessions on Capital Funding for Facilities, the Brown Act: Open and Closed Meeting Regulations, and Academic Accountability. He also visited some Certificated Staff Training sessions held during the January 26th semester inservice along with President Hergesheimer.

10.SCHOOL UPDATES

- A. EARL WARREN MIDDLE SCHOOL ADAM CAMACHO, PRINCIPAL
Principal Camacho gave an update on events and highlights at Earl Warren MS (EWMS) including the formative academic process, academic intervention and support programs, school climate, student connectedness, and life in the EWMS village which included a construction update. He also reported on new state standards, student achievement, early intervention, college readiness, Academic Practice Time, the math peer tutoring program, and the importance of physically and emotionally connected students. They are celebrating extraordinary student behavior and have created more bell schedule options for next school year. Mr. Camacho reported that school in the EWMS "Village" has been very successful.
- B. LA COSTA CANYON HIGH SCHOOL BRYAN MARCUS, PRINCIPAL
Principal Marcus gave an update on events and highlights at La Costa Canyon High School (LCC) including celebrating their 20th year, the re-branding of LCC, building relationships, the work in progress around improving school culture and student connectedness, and they have developed/held their first 9th Grade Night led by Student Board Representative Maddie Eppel and ASB. A new "app" called Reminds is being used to communicate events/emergency information to students and parents, as well as weekly E-News blast, and four informational chalk boards were installed around campus. Mr. Marcus is proud of the ASB leadership, staff and students for supporting and holding two pep rallies and two dances. Finally, new bell schedules with an additional period and flexible schedules were developed with the support of all staff, students and the parent community which will provide options for students. They have also created new course pathways. LCC is exploring a new diploma program, the International Baccalaureate, and are working on a formative assessment process to support students and best practices.

CONSENT ITEMS.....(ITEMS 11 - 15)

*Items #14C2, NPS/NPA Contacts-Community School of San Diego High School (NPS), #15A1, Agreements-The Howard E. Nyhart Co Inc., dba Nyhart, #15F, Business Reports, #15G4, Prop AA Agreements-Zurich Programs/BB&T John Burnham Insurance Services, & #15K, Reduce Retention Withheld, were pulled from the Consent Agenda, as shown above under Item #5, Approval of Agenda.

It was moved by Ms. Herman, seconded by Ms. Dalessandro, that Consent Agenda Items #11-15 (except for Items #14C2, 15A1, 15F, 15G4 & 15K) be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Salazar, Muir; Noes: None; Abstain: None. *Motion unanimously carried.*

*It was moved by Ms. Dalessandro, seconded by Mr. Salazar, that Consent Agenda Item #14C2 be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

*It was moved by Ms. Dalessandro, seconded by Ms. Herman, that Consent Agenda Item #15A1 be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

*It was moved by Mr. Salazar, seconded by Ms. Dalessandro, that Consent Agenda Item #15F be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

*It was moved by Ms. Herman, seconded by Mr. Salazar, that Consent Agenda Item #15G4 be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Muir, Salazar; Noes: None; Abstain: None. *Motion unanimously carried.*

*It was moved by Isaac Gelman, seconded by Ms. Herman, that Consent Agenda Item #15K be approved, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman; Noes: Muir, Salazar; Abstain: None. *Motion carried.*

11. SUPERINTENDENT

A. GIFTS AND DONATIONS

Accept the gifts and donations, as presented.

B. FIELD TRIP REQUESTS

Accept the field trips, as presented.

12. HUMAN RESOURCES

A. PERSONNEL REPORTS

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

1. Certificated and/or Classified Personnel Reports, as presented.

B. APPROVAL/RATIFICATION OF AGREEMENTS

(None Submitted)

13. EDUCATIONAL SERVICES

A. APPROVAL/RATIFICATION OF AGREEMENTS

(None Submitted)

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

(None Submitted)

14. ADMINISTRATIVE SERVICES

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreement and authorize Eric R. Dill or Rick Schmitt to execute the agreement:

1. Leaning On Visions and Education, to provide 6 workshops to San Dieguito Union High School District and Encinitas Union School District parents promoting family involvement and removing barriers that make it difficult for parents to participate in their children's education, during the period February 2, 2016 through March 8, 2016, in an amount not to exceed \$3,000.00, to be expended from the General Fund/Restricted 01-00, Title III funds and be reimbursed for \$1,500.00 by Encinitas Union School District.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

(None Submitted)

SPECIAL EDUCATION

C. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS, INDEPENDENT CONTRACTOR AGREEMENTS, AND/OR MEMORANDUMS OF UNDERSTANDING

Approve entering into the following non-public school / non-public agency master contracts (NPS/NPAs), independent contractor agreements (ICAs), and or memorandums of understanding (MOUs), and authorize Eric R. Dill or Rick Schmitt to execute all pertinent documents:

1. West Shield Adolescent Services (ICA), to provide transport services for at risk special education students to/from residential facilities, during the period July 1, 2015 through June 30, 2016, at the rates of \$85.00 per hour for lead agent(s), \$65.00 per hour for back-up agent(s), \$0.57 per mile (or current federal rate) traveled by the agent(s), \$72.00 per hour for

administrative time, and out of pocket expenses such as food, parking, hotel charges and airfares reimbursed at cost, to be expended from the General Fund/Restricted 01-00.

**Item #14C2 was pulled from the Consent Agenda and voted on separately, as shown above.*

2. Community School of San Diego High School (NPS), to provide an alternative education model for non-diploma bound students with moderate to severe autism and/or intellectual disabilities, during the period December 1, 2015 through June 30, 2016, at the all-inclusive daily rates (depending on the percentage of direct support) of 33% = \$160.00, 50% = \$199.00, 66% = \$235.00, 100% = \$287.00, to be expended from the General Fund/Restricted 01-00.
3. San Diego Zoo Safari Park (ICA), to provide a group tour for Carmel Valley Middle School Workability students, on April 20, 2016, in the amount of \$200.00, to be expended from the General Fund/Restricted 01-00.
4. San Diego Unified School District (MOU), renewing an inter-SELPA agreement to provide special education services to one medically fragile special education student, during the period July 1, 2015 through June 30, 2016, in an amount not to exceed \$13,646.59, to be expended from the General Fund/Restricted 01-00.

D. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS
(None Submitted)

E. APPROVAL/RATIFICATION OF PARENT SETTLEMENT AND RELEASE AGREEMENTS

Approve/ratify the following Parent Settlement and Release Agreements, to be funded by the General Fund 01-00/Special Education, and authorize the Director of Special Education to execute the agreements:

1. Student Case No. 2016-004PS for special education related services, in the amount of \$42,000.00.

PUPIL SERVICES

F. APPROVAL/RATIFICATION OF AGREEMENTS
(None Submitted)

G. APPROVAL/RATIFICATION OF AMENDMENTS TO AGREEMENTS
(None Submitted)

15. BUSINESS / PROPOSITION AA

BUSINESS

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Eric R. Dill or Rick Schmitt to execute the agreements:

**Item #15A1 was pulled from the Consent Agenda and voted on separately, as shown above.*

1. The Howard E. Nyhart Co Inc., dba Nyhart, to perform an updated actuarial evaluation to determine the amount of actuarial liability for the district's retiree health benefits using plan and census data, during the period February 19, 2016 until completion, in an amount not to exceed \$6,950.00, to be expended from the General Fund/Unrestricted 01-00.
2. North County LGBTQ Resource Center, to provide a training session for San Dieguito High School Academy teachers and staff, on February 24, 2016, in an amount not to exceed \$700.00, to be expended from General Fund/Unrestricted 01-00.
3. Facilities Protection Systems, to provide semi-annual maintenance on the fire protection and detection system installed at Earl Warren Middle School, during the period February 19, 2016 through February 18, 2017, and then continuing with annual renewals unless terminated with 30 day advanced notice by either party, in the annual amount of \$1,030.00

not including consumable parts and materials not covered by the equipment warranty, to be expended from the General Fund/Unrestricted 01-00.

4. FieldTurf USA, Inc., to provide Advanced Care maintenance service on the artificial turf fields at Torrey Pines High School, San Dieguito High School Academy, and Canyon Crest Academy, during the period February 19, 2016 through February 18, 2017, in an amount not to exceed \$9,000.00, to be expended from the General Fund/Unrestricted 01-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

Approve/ratify amending the following agreements and authorize Eric R. Dill or Rick Schmitt to execute the agreements:

1. Door Service & Repair, Inc. (DSR), increasing the annual not to exceed amount for preventative maintenance and repairs on 111 various types and sizes of rolling steel doors at 9 different school sites, from \$4,500.00 to \$6,000.00 per year, with no other changes to the contract, to be expended from the General Fund/Unrestricted 01-00.

C. AWARD/RATIFICATION OF CONTRACTS

(None Submitted)

D. APPROVAL OF CHANGE ORDERS

(None Submitted)

E. ACCEPTANCE OF CONSTRUCTION PROJECTS

(None Submitted)

**Item #15F was pulled from the Consent Agenda and voted on separately, as shown above.*

F. APPROVAL OF BUSINESS REPORTS

Approve the following business reports:

1. Purchase Orders
2. Membership Listing (None Submitted)
3. Warrants
4. Revolving Cash Fund

PROPOSITION AA

G. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Eric R. Dill or Rick Schmitt to execute the agreements:

1. Digital Networks Group, Inc., to provide and install multimedia, sound and audio-visual equipment in the theater, black box and band rooms at La Costa Canyon High School, during the period February 19, 2016 through completion, in an amount not to exceed \$193,953.65, to be expended from Building Fund—Prop 39, Fund 21-39.
2. Digital Networks Group, Inc., to provide and install multimedia, sound and audio-visual improvements for the Building B northeast classrooms at Torrey Pines High School, during the period February 19, 2016 through completion, in an amount not to exceed \$97,090.18, to be expended from Building Fund—Prop 39, Fund 21-39.
3. Lionakis, to provide architectural design/engineering services for the second classroom building at Pacific Trails Middle School, during the period February 19, 2016 through completion, in an amount not to exceed \$1,054,000.00, to be expended from Building Fund—Prop 39, Fund 21-39.

**Item #15G4 was pulled from the Consent Agenda and voted on separately, as shown above.*

4. Zurich Programs/BB&T John Burnham Insurance Services, to provide Builder's Risk insurance coverage for the San Dieguito High School Academy Math & Science Classroom

Building Project, during the period February 19, 2016 through June 30, 2017, in an amount not to exceed \$34,197.00, to be expended from Building Fund—Prop 39, Fund 21-39.

5. 3 Degrees Group, Inc., to purchase renewable energy certificates from the District, during the period February 19, 2016 through completion, at a unit price of \$2.50 per renewable energy certificate, for a total purchase price of \$7,515.00, at no cost impact to the District.
6. Karbone, Inc., to receive commission from the District for the sale of renewable energy certificates, during the period February 19, 2016 through completion, at a fee of \$225.45 (3% of the total certificate sale), to be expended from General Fund 01-00.

H. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

Approve/ratify amending the following agreements and authorize Eric R. Dill or Rick Schmitt to execute the agreements:

1. Frontier Fence Co., Inc., to renew contract CB2015-02 for fencing services district wide, during the period February 19, 2016 through February 18, 2017, with no other changes to the contract, to be expended from the fund to which the project is charged.
2. Little Diversified Architectural Consulting, Inc., to amend contract CA2014-45, for close-out of Division of State Architect projects district-wide, increasing the amount by \$13,996.40, for a new total of \$39,803.77, to be expended from Capital Facilities Fund 25-19.
3. Class Leasing, LLC, to amend contract CB2015-12, for relocatable classroom buildings at Earl Warren Middle School, decreasing the amount by \$7,130.00, for a new total of \$1,090,767.18, to be expended from Building Fund—Prop 39, Fund 21-39.
4. Latitude 33 Planning & Engineering, to amend contract A2013-150, for continued consulting services and construction administration at Oak Crest Middle School, increasing the amount by \$5,000.00, for a new total of \$37,300.00, to be expended from Building Fund—Prop 39, Fund 21-39.
5. Geocon, Inc., to amend contract CA2015-44, for continued geotechnical consulting services at Earl Warren Middle School, increasing the amount by \$2,000.00, for a new total of \$9,500.00, extending the term through project completion, to be expended from Building Fund—Prop 39, Fund 21-39.

I. AWARD/RATIFICATION OF CONTRACTS

(None Submitted)

J. APPROVAL OF CHANGE ORDERS

(None Submitted)

**Item #15K was pulled from the Consent Agenda and voted on separately, as shown above.*

K. AUTHORIZATION TO REDUCE RETENTION WITHHELD

Authorize the administration to reduce the retention being withheld from payment to Erickson-Hall Construction Co., Inc., for construction of the Oak Crest Middle School Multi-Media Building C Modernization/Frontage Improvements Project, from 5% to 4.04%, releasing \$34,682.35; and authorize future billings to reflect a 4.04% retention percentage, as presented.

DISCUSSION / ACTION ITEMS (ITEMS 16 - 19)

16. APPROVAL OF PROPOSED NEW / REVISED / DELETED BOARD POLICIES (13) / ADMINISTRATIVE SERVICES / EDUCATIONAL SERVICES

Motion by Ms. Dalessandro, seconded by Ms. Herman, to approve the proposed new / revised / deleted Board Policies, *as revised (BP #6145.4, Athletic Competition attached)* and follows. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Salazar; Noes: Muir; Abstain: None. *Motion carried.*

A. BP #5113.1, CHRONIC ABSENCE AND TRUANCY (REVISED)

- B. BP #5125, STUDENT RECORDS (REVISED)
- C. BP #5141.3, HEALTH EXAMINATIONS (REVISED)
- D. BP #5141.31, IMMUNIZATIONS (REVISED)
- E. BP #5147, DROPOUT PREVENTION (REVISED)
- F. BP #6141.1, ALTERNATIVE LEARNING OPPORTUNITIES (DELETE)
- G. *BP #6145.4, ATHLETIC COMPETITION (REVISED) (*Revised BP attached)
- H. BP #6145.2, PUBLIC PERFORMANCES AND EXHIBITIONS (DELETE)
- I. BP #6158, INDEPENDENT STUDY (NEW)
- J. BP #6164.2, GUIDANCE AND COUNSELING SERVICES (REVISED)
- K. BP #6173, EDUCATION FOR HOMELESS CHILDREN (REVISED)
- L. BP #6173.1, EDUCATION FOR FOSTER YOUTH (NEW)
- M. BP #6183, HOME HOSPITAL (REVISED)

17. APPROVAL OF SITE PLANS FOR STUDENT ACHIEVEMENT (SPSA)

Motion by Ms. Dalessandro, seconded by Sophie McMullen, to approve the individual school site SPSA plans, for the period January through December 2016, as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Salazar, Muir; Noes: None; Abstain: None. *Motion unanimously carried.*

18. APPROVAL OF TENTATIVE AGREEMENT / CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA) / AND REVISED BP #4231 ATTACHMENT A & APPENDIX A, "CLASSIFIED EMPLOYEES SALARY SCHEDULE"

PUBLIC COMMENTS:

Matt Colwell, President of California School Employees Association, made comments about the tentative agreement and classified salary schedules and thanked the Board for their support.

The Board held a discussion regarding the salary increases.

Motion by Ms. Dalessandro, seconded by Ms. Herman, to approve the Tentative Agreement with the California School Employees Association (CSEA) for a three-year contract for the period July 1, 2015 through June 30, 2018, and revised BP #4231 Attachment A and Appendix A, "Classified Employees Salary Schedule", as presented. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman; Noes: Muir, Salazar; Abstain: None. *Motion carried.*

19. ADOPTION OF RESOLUTION AUTHORIZING SIGNING A GRANT AGREEMENT WITH THE COUNTY OF SAN DIEGO TO RECEIVE FUNDING FOR IMPROVEMENTS TO THE EARL WARREN MIDDLE SCHOOL/COUNTY OF SAN DIEGO SOLANA BEACH BRANCH SHARED-USE LIBRARY FACILITY

Motion by Ms. Herman, seconded by Ms. Dalessandro, to adopt the Resolution Authorizing Signing A Grant Agreement With The County of San Diego for the purpose of accepting available funding towards the cost of improvements of the shared-use Solana Beach Library at Earl Warren Middle School, and authorize Rick Schmitt, Eric R. Dill or John Addleman to execute any and all necessary documents. ADVISORY VOTE Ayes: Bub, Eppel, Gelman, McMullen, Shields; Noes: None; Abstain: None. BOARD Ayes: Dalessandro, Hergesheimer, Herman, Salazar, Muir; Noes: None; Abstain: None. *Motion unanimously carried.*

INFORMATION ITEMS.....(ITEMS 20 - 30)

20. 2015-16 EDUCATION PLAN: STRATEGIC THEMES MID-YEAR UPDATE

- A. ADMINISTRATIVE SERVICES
- B. BUSINESS SERVICES
- C. EDUCATIONAL SERVICES
- D. HUMAN RESOURCES

Dr. Grove, Dr. Viloría, Mr. Dill and Ms. Norton gave a mid-year update regarding progress on the 2015-16 Education Plan: Strategic Themes for each of their divisions. This item was submitted as information only.

21. CALIFORNIA SCHOOL BOARDS ASSOCIATION, DELEGATE ASSEMBLY ELECTION, 2016

This item was submitted for first read and will be resubmitted for action on March 10, 2016.

22. CALIFORNIA SEAL OF BILITERACY

Dr. Grove introduced Manuel Zapata, Director of English Learner & CTE Programs, and Rachel Scherba, a history and dual language teacher at Diegueno MS, who gave a brief update on the California Seal of Biliteracy. This item was submitted as information only.

23. UNIFORM COMPLAINT QUARTERLY REPORT, 2ND QUARTER, 2015-16

This item was submitted as information only, for the second quarter, 2015-16 (October-December 2016).

24. PROPOSED NEW BOARD POLICIES (6) / BP #4117.2 THROUGH #4119.21 / HUMAN RESOURCES

- A. BP #4117.2; 4217.2; 4317.2, RESIGNATION
- B. BP #4117.3, PERSONNEL REDUCTION
- C. BP #4118, DISMISSAL/SUSPENSION/DISCIPLINARY ACTION
- D. BP #4119.1; 4219.1; 4319.1, CIVIL AND LEGAL RIGHTS
- E. BP #4119.11; 4219.11; 4319.11, SEXUAL HARASSMENT
- F. BP #4119.21, PROFESSIONAL STANDARDS

This item was submitted for first read and will be resubmitted for action on March 10, 2016.

25. BUSINESS SERVICES UPDATE ERIC DILL, ASSOCIATE SUPERINTENDENT

Mr. Dill will be in Sacramento on Thursday and will be meeting with the offices of Assembly Member Chavez, Senator Block and Speaker of the Assembly Atkins.

26. EDUCATIONAL SERVICES UPDATE MIKE GROVE, ED.D., ASSOCIATE SUPERINTENDENT

Dr. Grove had nothing to report.

27. HUMAN RESOURCES UPDATE TORRIE NORTON, ASSOCIATE SUPERINTENDENT

Ms. Norton had nothing to report.

28. ADMINISTRATIVE SERVICES UPDATE JASON VILORIA, ED.D., ASSOCIATE SUPERINTENDENT

Dr. Viloría had nothing to report.

29. PUBLIC COMMENTS – None presented.

30. FUTURE AGENDA ITEMS –

Ms. Hergesheimer reminded the Board to respond to the request regarding their preference of dates in order to schedule the Board Protocol workshop in April/May.

31. ADJOURNMENT TO CLOSED SESSION – No closed session was necessary.

32. REPORT FROM CLOSED SESSION – Nothing further to report.

33. ADJOURNMENT OF MEETING – The meeting adjourned at 9:07 PM.



Amy Herman, Board Clerk

3/10/16
Date



Rick Schmitt, Superintendent

3/10/16
Date

Approved at the March 10, 2016 SDUHSD Board of Trustees Meeting / Joann Schultz, Recording Secretary

ATHLETIC COMPETITION

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

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

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

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females. Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

California Interscholastic Federation

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

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

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

Student Eligibility

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

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

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

Sportsmanship

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

Students and staff may be subject to disciplinary action for improper conduct.

Health and Safety

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

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

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

17578 Cleaning and sterilizing of football equipment

17580-17581 Football equipment

32221.5 Required insurance for athletic activities

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

INSTRUCTION

33354 California Department of Education authority over interscholastic athletics

35160.5 District policies; rules and regulations

35179 Interscholastic athletics

35179.5 Interscholastic athletics; limitation on full-contact practices

48850 Interscholastic athletics; students in foster care

48900 Grounds for suspension and expulsion

48930-48938 Student organizations

49020-49023 Athletic programs; legislative intent, equal opportunity

49030-49034 Performance-enhancing substances

49458 Health examinations, interscholastic athletic program

49475 Health and safety, concussions and head injuries

49700-49701 Education of children of military families

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

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

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

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

5531 Supervision of extracurricular activities of students

5590-5596 Employment of noncertificated coaches

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

106.33 Comparable facilities

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106.41 Nondiscrimination in athletic programs

COURT DECISIONS

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities and Facilities, March 2014

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

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

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

Guidelines for Gender Identity Participation

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Acute Concussion Evaluation (ACE) Care Plan, 2006

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

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

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

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

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

WEB SITES

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

INSTRUCTION

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

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

Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>

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

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

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

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

~~The Governing Board recognizes that the athletic program constitutes an integral component of the educational program, providing participants with an opportunity to promote physical well-being, enhance self-confidence, build school spirit and promote a positive school climate while learning values such as teamwork and sportsmanship. The athletic program shall be designed to meet students' interests and abilities and be varied in scope to attract wide participation.~~

SPORTSMANSHIP

~~The Board supports the ideals of sportsmanship, ethical conduct and fair play and commits the district to providing an environment which promotes good sportsmanship.~~

~~The Board expects athletes, coaches, spectators and others to demonstrate good sportsmanship during all athletic competition. Students and staff are responsible for maintaining sportsmanlike behavior at all times and may be subject to disciplinary action for improper conduct. In addition, all athletes in the district must sign and agree to comply with the Extra-Curricular Code of Conduct (5131.1/AR-1).~~

EQUIVALENT OPPORTUNITY

~~The district interscholastic athletic program and activities shall be free from discrimination and discriminatory practices in accordance with state and federal law. The Superintendent or designee shall ensure that equivalent opportunities for both genders are provided.~~

~~The Board encourages all interested students to participate in the athletic program and try out for teams.~~

CALIFORNIA INTERSCHOLASTIC FEDERATION

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

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STUDENT ELIGIBILITY

Participation in the district interscholastic athletic program is limited to those students who maintain minimum progress toward completing district graduation requirements, maintain the required grade point average as established by the Board for participation in extracurricular and cocurricular activities and meet other district and CIF eligibility requirements.

HEALTH AND SAFETY

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities. Universal precautions shall be observed when injuries occur.

Students shall have a medical clearance before participating in the interscholastic athletic program.

Care shall be taken to ensure that all athletic training and competition is conducted in a manner which will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

SUPERVISION

All athletic teams shall be supervised by quality coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, training and preparation for competition. Athletic events shall be officiated by qualified personnel.

The following sports shall be offered at the senior high level:

BOYS' SPORTS	GIRLS' SPORTS
1. Baseball a. Varsity b. Jr. Varsity c. 9th Grade	1. Basketball a. Varsity b. Jr. Varsity c. 9th Grade
2. Basketball a. Varsity b. Jr. Varsity c. 9th Grade	2. Field Hockey a. Varsity b. Jr. Varsity
*A3. Football a. Varsity b. Jr. Varsity c. 9th Grade	3. Softball a. Varsity b. Jr. Varsity c. 9th Grade
4. Soccer a. Varsity b. Jr. Varsity c. 9th Grade	4. Volleyball a. Varsity b. Jr. Varsity

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5. Wrestling a. Varsity b. Jr. Varsity c. 9th Grade	*5. Gymnastics a. Varsity
6. Tennis a. Varsity b. Jr. Varsity	6. Soccer a. Varsity b. Jr. Varsity c. 9th Grade
7. Track & Field a. Varsity b. Jr. Varsity c. 9th Grade	7. Tennis a. Varsity b. Jr. Varsity
8. Volleyball a. Varsity b. Jr. Varsity	8. Track & Field a. Varsity b. Jr. Varsity c. 9th Grade
*9. Water Polo a. Varsity	*9. Water Polo a. Varsity

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b. Jr. Varsity	b. Jr. Varsity
10. Golf a. Varsity	*10. Golf a. Varsity
BOYS' AND GIRLS' SPORTS (Combined)	
*1. Swimming a. Varsity b. Jr. Varsity	
2. Cross-Country a. Varsity	

ΔGirls are eligible

***LCC and TP**

LEGAL REFERENCE EDUCATION CODE

- ~~200-261 — Prohibition of discrimination on the basis of sex~~
- ~~17580-17581 — Football equipment~~
- ~~33353-33353.5 — California Interscholastic Federation; implementation of policies, insurance program~~
- ~~33354 CDE authority over interscholastic athletics~~
- ~~35160.5 — District policies, rules and regulations~~
- ~~35161 Powers and duties generally~~
- ~~35179 Interscholastic athletics~~
- ~~48930-48938 — Student organizations~~
- ~~49020-49023 — Athletic programs; legislative intent, equal opportunity, apportionment, prohibited sex discrimination~~

CODE OF REGULATIONS, TITLE 5

- ~~4900-4962 — Nondiscrimination in elementary and secondary education programs receiving state financial assistance~~
- ~~5531 — Supervision of extracurricular activities of pupils~~
- ~~5590-5596 — Employment of noncertificated coaches~~

UNITED STATES CODE, TITLE 20

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

COURT DECISIONS

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

MANAGEMENT RESOURCES CSBA PUBLICATIONS

~~A Board Member's Guide to CIF and Interscholastic Sports~~

INSTRUCTION

6145.424

CIF PUBLICATIONS

~~California Interscholastic Federation Constitution and Bylaws, 1996-97~~

~~NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS Rules on Bleeding Players~~