

## BOARD MEETING NOTICE AND AGENDA

### CULVER CITY UNIFIED SCHOOL DISTRICT Regular Meeting of the Board of Education to “Conduct the District’s Business in Public” CLOSED SESSION – 6:00 p.m. OPEN SESSION – 7:00 p.m.

District Office Board Meeting Room  
4034 Irving Place, Culver City, CA 90232

June 9, 2009

Persons in the audience during the meeting of the Board of Education are asked not to talk during presentations or the meeting. If conversation with another person needs to take place, please do so outside the Board Room so as not to disrupt others or the meeting. *Please make sure your cell phone is turned off or silenced at this time.*

#### PRESENTATIONS AND PUBLIC COMMENTS

Persons wishing to address the Board on any item on the agenda will be granted three (3) minutes at the time the item appears on the agenda. In the case of a non-agenda item, persons are invited to comment under “Public Recognition.” In the interest of time and order, presentations from the public are limited to three (3) minutes per person. The total time for non-agenda items shall not exceed twenty (20) minutes. Prior to addressing the Board, please complete a card (located on the table at the rear entrance) and give the card to the Superintendent’s Executive Assistant. Persons addressing the Board are asked to do so from the podium. Please state your name, address, and organization before making your presentation.

#### 1. CALL TO ORDER

The meeting was called to order by \_\_\_\_\_, at \_\_\_\_\_ p.m.

##### **Roll Call – Board of Trustees**

Jessica Beagles-Roos, Ph.D., President  
Saundra Davis, M.A., Vice President  
Steven Gourley, Clerk  
Scott Zeidman, Esq. Member  
Dana Russell, D.D.S., Member

#### 2. PUBLIC COMMENT ON CLOSED SESSION ITEMS

#### 3. RECESS TO CLOSED SESSION

- 3.1 Public Employee Performance Evaluation (Pursuant to GC §54957)  
Superintendent  
Assistant Superintendent of Human Resources
- 3.2 Conference with Labor Negotiator (Pursuant to GC §54957.6)  
Agency Designated Representatives: Patricia Jaffe, Assistant  
Superintendent, Human Resources, David El Fattal, Assistant  
Superintendent Business Services

Employee Organizations: Culver City Federation of Teachers (CCFT) and Association of Classified Employees (ACE)

- 3.3 Public Employee Discipline/Dismissal/Release (Pursuant to GC §54947) (1 Employee)
- 3.4 Anticipated Litigation Significant Exposure to Litigation (Pursuant to GC §54956.9 [b][1] and [b][3][C])  
File No. 1708.104
- 3.5 Public Appointment/Employment (Pursuant to GC §54947)  
Certificated Personnel Services Report No. 18  
Classified Personnel Services Report No. 18

4. **ADJOURNMENT OF CLOSED SESSION**

5. **REGULAR MEETING – 7:00 p.m.**

5.1 Roll Call – Board of Trustees  
Jessica Beagles-Roos, Ph.D., President  
Saundra Davis, M.A., Vice President  
Steven Gourley, Clerk  
Scott Zeidman, Esq., Member  
Dana Russell, D.D.S., Member

5.2 Flag Salute

6. **PUBLIC ANNOUNCEMENT OF ACTIONS TAKEN BY THE BOARD IN CLOSED SESSION**

7. **PUBLIC HEARING - None**

8. **ADOPTION OF AGENDA**

Recommendation is made that the agenda be adopted as submitted.  
Motion by \_\_\_\_\_ . Seconded by \_\_\_\_\_  
Vote \_\_\_\_\_

9. **CONSENT AGENDA**

All matters listed under the Consent Agenda are those on which the Board has previously deliberated or that can be classified as routine items of business. An Administrative Recommendation on each item is contained in the agenda supplements. There will be no separate discussions of these items prior to the time the Board of Trustees votes on the motion unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent Items.

- 9.1 Approval is Recommended for the Minutes of Regular Meeting – May 26, 2009
- 9.2 Approval is Recommended for Purchase Orders
- 9.3 Approval is Recommended for Acceptance of Gifts - Donations

- 9.4 Approval is Recommended for the Certificated Personnel Reports No. 18
- 9.5 Approval is Recommended for the Classified Personnel Reports No. 18
- 9.6 Approval is Recommended for Culver City High School Girls Basketball Team to Participate in a Tournament in San Diego, CA July 16-19, 2009
- 9.7 Approval is Recommended for Three Culver City Middle School Teachers and 7<sup>th</sup> Grade GATE Students to Attend the GATE Field Trip on Catalina Island, October 23-25, 2009
- 9.8 Approval is Recommended for Culver City High School Teacher Jerry Chabola to Attend the California State Athletics Directors Conference in Reno, Nevada 2009-2010

**10. AWARDS, RECOGNITIONS AND PRESENTATIONS**

- 10.1 Culver City Education Foundation “Empower Our Schools” Presentation
- 10.2 Culver City Unified School District Retiree Recognition
- 10.3 Spotlight on Education – Culver City Middle School
- 10.4 Recognition of Student Athletes All-League, 2008-2009
- 10.5 Recognition of Student Board Members, 2008-2009

**11. PUBLIC RECOGNITION**

Public recognition is the time when members of the audience may address the Board on matters not listed on the agenda. Those persons wishing to speak should complete a Speaker’s Card and submit it to the Superintendent’s Executive Assistant. In the interest of time and order, presentations from the public are limited to three (3) minutes per person. The total time for non-agenda items shall not exceed twenty (20) minutes. Board members will be allotted fifteen (15) minutes to comment during this portion of the agenda. The Board of Trustees may reduce the time limit(s) if there are a large number of individuals desiring to address the Board.

- 11.1 Superintendent’s Report
- 11.2 Assistant Superintendents’ Reports
- 11.3 Members of the Audience
- 11.4 Student Representatives’ Report
- 11.5 Members of the Board of Education

**12. INFORMATION ITEMS**

Information items are generally included on the agenda for two reasons: to solicit reactions from the Board and the public on matters which may require Board action at a later date; and to provide information on a wide range of matters of interest to the Board and public. Comments by the public shall be limited to three (3) minutes per person and twenty (20) minutes per agenda item unless the Board, by majority vote, agrees to extend or reduce the time.

- 12.1 Culver City High School Proposes the Naming of the Athletic Training Room in Honor of Dr. George Colosimo
- 12.2 First Reading of Revised Administrative Regulation 5144.1, Students – Suspension and Expulsion/Due Process
- 12.3 2009-2010 State Budget Update and its Impact on CCUSD

**13. RECESS**

**14. ACTION ITEMS**

This is the time of the meeting when members of the audience may address the Board on matters that are on the agenda. Those persons wishing to speak should complete a Speaker's Card and submit it to the Superintendent's Executive Assistant. Routine Board procedure on action items includes: receiving additional background information or analysis from staff; receiving comments from members of the audience; receiving additional information from the Superintendent or other resource personnel; introducing a motion on the item; taking action on the agenda item. Comments by the public will be limited to three (3) minutes per person and twenty (20) minutes per agenda item unless the Board, by majority vote, agrees to extend or reduce the time.

**14.1 Superintendent's Items - None**

**14.2 Education Services Items**

14.2a Second Reading and Adoption of New Board Policy 5141.33, Students – Head Lice

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

14.2b Second Reading and Adoption of Revised Board Policy 5144.1, Students – Suspension and Expulsion/Due Process

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

14.2c Approval is Recommended for 2009 CAHSEE Waiver Requests for Nine Culver City High School Students

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

**14.3 Business Items**

14.3a Approval is Recommended for Year-End Appropriation Transfers

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

**14.4 Personnel Items**

14.4a Approval is Recommended for Resolution #34-2008/2009 (HR), Regarding Layoff of Classified Personnel

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

14.4b Approval is Recommended for Resolution #35-2008/2009 (HR), Regarding Layoff of Classified Vacant Position

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

14.4c Approval is Recommended for Resolution #36-2008/2009 (HR), Action to Partially Rescind Resolution #28-2008/2009 (HR) (Regarding Layoff/Reduction of Classified Personnel)

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

15. **BOARD BUSINESS - None**

16. **PUBLIC RECOGNITION – Continued**

Public Recognition is the time when members of the public may address the Board on matters not scheduled on the agenda. Those wishing to speak must complete a Speaker's Card and submit it to the Superintendent's Executive Assistant. Three (3) minutes will be allotted to members of the audience, for a total of twenty (20) minutes. Board members will be allotted fifteen (15) minutes to comment during this portion of the agenda.

16.1 Members of the Audience

16.2 Members of the Board

17. **ADJOURNMENT**

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY. Any individual with a disability who requires reasonable accommodation to participate in a board meeting, may request assistance by contacting the Superintendent's Office at 4034 Irving Place, Culver City, CA 90232. Phone Number: (310)842-4220 Fax Number: (310)842-4205

**FUTURE MEETINGS**

June 15 – 6:00 p.m. – Board Workshop, District Office, 4034 Irving Place

June 23 – 7:00 p.m. – Regular Meeting, (6:00 p.m. Closed Session), District Office, 4034 Irving Place

NOTE: The CCUSD TIP Hotline is (310) 535-2590. Culver City Unified School District meetings are regularly scheduled for the second and fourth Tuesdays of every month. Public records related to the public session agenda, that are distributed to the Governing Board less than 72 hours before a regular meeting, may be inspected by the public at the District Office, 4034 Irving Place in Culver City during regular business hours (8:00 a.m. to 4:30 p.m.) A complete agenda is available for review in each school office and also available for pickup at the District Office. Visit the Culver City Unified School District Website at [www.ccusd.org](http://www.ccusd.org). Each school office has a suggestion box. We look forward to receiving your comments and suggestions.



**CULVER CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
UNADOPTED MINUTES**

<b>Meeting:</b>	<u>Regular Meeting</u>	<b>Date:</b>	<u>May 26, 2009</u>
<b>Place:</b>	<u>District Administration Office</u> <u>4034 Irving Place</u> <u>Culver City 90232</u>	<b>Time:</b>	<u>6:00 p.m. – Public Meeting</u> <u>6:01 p.m. – Closed Session</u> <u>7:00 p.m. – Public Meeting</u>

**Board Members Present**

Jessica Beagles-Roos, Ph.D., President  
Steven Gourley, Clerk  
Scott Zeidman, Esq., Member  
Dana Russell, D.D.S., Member

**Staff Members Present**

Myrna Rivera Coté, Ed.D., Superintendent  
David El Fattal, M.B.A.  
Gwenis Laura, Ed.S.  
Patricia Jaffe, M.S.

**Call to Order**

Board President Dr. Beagles-Roos called the meeting of the Culver City Unified School District Board of Education to order at 6:00 p.m. The Board adjourned to Closed Session at 6:01 p.m. and reconvened the public meeting at 7:00 p.m. with three Board members in attendance. Mrs. Davis was absent. Mr. Gourley joined the meeting at 7:45 p.m. Miss Sibyl Courey led the Pledge of Allegiance.

**Report from Closed Session**

Dr. Beagles-Roos reported that the Governing Board met in Closed Session regarding issues listed on today's Closed Session agenda and announced that no reportable actions were taken.

**8. Adoption of Agenda**

It was moved by Mr. Zeidman and seconded by Dr. Russell to adopt the May 26, 2009 agenda as presented. The motion was approved with a vote of 3 – Ayes and 0 – Nays.

**9. Consent Agenda**

Dr. Beagles-Roos called the Consent Agenda and asked if any member of the audience or the Board wished to withdraw any item. No items were withdrawn. It was moved by Dr. Russell and seconded by Mr. Zeidman to approve Consent Agenda Items 9.1 through 9.9 as presented. The motion was approved with a vote of 3 – Ayes and 0 – Nays.

- 9.1 Minutes of Regular Meeting – May 12, 2009
- 9.2 Purchase Orders and Warrants
- 9.3 Acceptance of Gifts - Donations
- 9.4 Certificated Personnel Reports No. 17
- 9.5 Classified Personnel Reports No. 17
- 9.6 Adoption of the Los Angeles County Plan for Expelled Pupils Triennial Update
- 9.7 CCHS Teacher Kristine Hatanaka to Attend the Art 21 Educators' Conference in New York, NY, July 14-21, 2009
- 9.8 2009 CAHSEE Waiver Requests for Non Public School Students Who Have Individual Education Plans or Section 504 Plans
- 9.9 2009-2010 Designation of CIF Representatives to the Ocean League

**10. Awards, Recognitions and Presentations**

**10.1 American Citizenship Awards**

Dr. Coté and the Assistant Superintendents read the names and accomplishments of each school's recipients of the American Citizenship Award for the month of May. The recipients were Taylor Miyamoto-Kim from El Marino School; Michelle Hernandez from El Rincon Elementary; Christian Mares from La Ballona School; Georgia Wehbi from Linwood E. Howe School; Darya Treanor from Farragut School; Briell Huerta from Culver City Middle School; Jessica Peralta from Culver Park High School; and Greco Ancona from Culver City High School.

Board members presented each recipient with a pin and certificate; and thanked the students and their families for attending the meeting.

## **11. Public Recognition**

### **11.1 Superintendent's Report**

Dr. Coté reported a grant from the National Endowment for the Arts was awarded to the Music Center to support their partnership with the District for the 2009-2010 school year. The award was one of the largest grant awards in the arts learning category with only three agencies in the nation receiving larger awards. Dr. Coté reported on her attendance at the CSBA Superintendents' Advisory group meeting in Sacramento where there was only bad news given by the speakers. Dr. Coté addressed the barrage of e-mails she has received targeting the administrative employees of the District.

### **11.2 Assistant Superintendents' Report**

Ms. Laura reported that there was a great response to the invitation to attend summer school, and she gave an update on the summer school activities. Ms. Laura addressed the expenditure reductions made to Special Education made on March 10, 2009. All categorical programs made cuts in an attempt to balance the budget. Personnel costs make up approximately eighty-five percent of the Special Education budget. Although the District is mandated to provide instructional assistant support to eighty percent of the Resource teachers, the District has made every effort to provide classroom support to all Resource teachers. Some positions were eliminated based on the projected number of special education students next year. Some positions currently vacant were eliminated. All teachers have assistant time of at least 3.9 hours daily. Of the special education instructional assistants three positions were eliminated; three vacant positions were eliminated; and nine positions were reduced in hours. Ms. Laura stated that eighty-eight percent of the special education instructional assistants remain. No one-on-one instructional assistants were eliminated; and thirty-five one-on-one instructional assistants remain. Ms. Laura also reported on her attendance at AVPA's JAVA Fundraiser.

Mr. El Fattal reported on the first Parcel Tax Core Team Meeting and stated the second meeting would be taking place the following day. Mr. El Fattal gave an update on the recent CBAC meeting; and provided a budget update which included May Revise information.

Mrs. Jaffe expressed what a pleasure it was to sit in on the first round of BTSA interviews, and gave a brief update.

### **11.3 Members of the Audience**

Members of the audience spoke about:

- Audrey Stephens briefly spoke about her history with the District, and how staff, parents, and the community used to work together. Mrs. Stephens then addressed the e-mails that have called for management to take a pay cut.
- Pam Magee, Principal at Culver City High School, commented on the community coming together to help the District. She spoke about the Empower our Schools Campaign; and emphasized that the District needs to work together as a whole. Mrs. Magee felt that requesting management employees to take a pay cut would not solve the District's budget issues.
- Kristin Davis, 9<sup>th</sup> grade student, spoke against cutting any Special Education aides.
- Troy Stephenson, 11<sup>th</sup> grade student, spoke against cutting any Special Education aides and teachers.
- Thavory Heuveline, high school student, spoke against cutting Special Education instructional aides.
- Lanaya Ambers, high school student, spoke against cutting Special Education instructional aides.
- Abel Navar spoke against cutting the aides and asked the Board to not prey on the weak.
- Lizette Hernandez, 11<sup>th</sup> grade student, spoke against cutting the Special Education aides or reducing their hours.
- Diane Kaiser commented that the Board could see how important education was to all of the speakers this evening.
- Janet Chabola spoke against cutting the management salaries. She commented on all the extra hours that administrators put in during their work days throughout the year.



- George Laase provided copies to the Board of a chart, as an example, of how he feels the District should show the Board member health and welfare benefits.
- David Mielke stated that it was moving to hear from students in the Special Education Program. He provided hand-outs to the Board showing the revised proposal from CCFT. Mr. Mielke gave a brief explanation of the proposal. He told the Board that teachers still want to know how the Board can maintain their own benefits when they are not employees, and they also question why the Board is still approving car allowances.
- Karlo Silbiger commented that with every cut the Board has to think about how it affects the students. Mr. Silbiger stated he was unaware about the negative e-mails being sent to administrators, and he does not think it is fair to ask administrators to take a pay cut. He felt that the perception in the community is that there is inequality in staff benefits since all employees do not receive the same benefits or perks.

#### **11.4 Student Representatives' Reports**

##### **Middle School Student Representative**

Sibyl Courey, Culver City Middle School Student Representative, reported on activities at Culver City Middle School, including pictures being taken for the eighth graders; the eighth grade Grad Night and Awards Night; rehearsals taking place for the upcoming Variety Show; a Speech Contest; the upcoming student versus teachers basketball game; the middle school's participation in the Relay for Life; the upcoming Earth Day events; and the creation of the students' transition notebooks.

##### **Culver Park Student Representative**

Jessica Romo, Culver Park High School Student Representative, was not present.

##### **Culver City High School Student Representative/Student Board Member**

Opal Dillard, Student Board Member, was not present.

#### **11.5 Members of the Board**

Board Members spoke about:

- Mr. Gourley commented that the middle school representative, Sibyl Courey, has become an excellent speaker during her tenure with the Board. Mr. Gourley explained his tardiness and apologized for being late.
- Dr. Russell stated that he has not seen all of the negative e-mails sent by community members, but he has seen a few and stated that they have become hurtful. Dr. Russell commended Mrs. Leslie Lockhart, Director of Special Projects, on the letter she sent to the Board where she commented on the history of the District and community working together as one. He requested a follow up on the advance placement exams; an update on the plans for K-3 class size; and he stated he was curious about the Governor's proposal to cut the school year by seven days.
- Mr. Zeidman thanked everyone for coming to meeting, and reported on his attendance at the parcel tax meeting. He commented on his attempts to contact the new Senator representing the City of Culver City, Curren Price.
- Dr. Beagles-Roos commented that maybe all staff needs to be wearing their CCUSD Family of School t-shirts to attempt to start working together. She reported that the Farragut Elementary Open House was very successful as was AVPA's JAVA Fundraiser. Dr. Beagles-Roos suggested scheduling a Special Meeting on June 30<sup>th</sup>. Mr. Gourley asked for a two-minute recess while several audience members left the room. Dr. Russell asked if June 29<sup>th</sup> would be possible. Dr. Beagles-Roos stated that the Special Meeting can be discussed further later in the meeting.

#### **12.1 Information Items**

##### **12.1 Enrollment Report**

Mr. El Fattal presented the report to the Board.

**12.2 First Reading of Revised Board Policy 5144.1, Students – Suspension and Expulsion/Due Process**

Ms. Laura presented the policy to the Board. Karlo Silbiger apologized for not being able to review the revised version. He stated that the hardest process is to remediate students that do not want to be at school. Mr. Silbiger suggested that parent shadowing is very effective. Mr. Silbiger, under the impression that Board members were no longer involved in the expulsion process, felt Board members should be involved in the expulsion process. His understanding was that it was very effective when members were involved. Janet Chabola inquired about a section of the policy. Mr. Gourley inquired if there was any intent of taking away Board review in the expulsion process. Dr. Coté confirmed that there was no intent. Dr. Russell clarified that Board members used to sit in on the hearing, but it was problematic due to scheduling problems among other issues. Dr. Beagles-Roos stated when Board members were conducting the hearings it became difficult with members who had parents lobbying for them. She thinks that the revised section is much better, and gave additional suggestions for revisions.

**12.3 First Reading of New Board Policy 5141.33, Students – Head Lice**

Ms. Laura presented the policy to the Board. Dave Mielke stated that a grievance was filed on this matter and he was happy to see a policy being introduced in the District. Mr. Mielke inquired as to what actions will take place between the time the policy is introduced and when it is adopted. Mrs. Ecker stated that the students will continue to go home if they are found to have nits and/or lice. She emphasized that they are not a health hazard. George Laase asked if there was a nurse at each site. Mrs. Ecker stated there are three nurses that travel around the district and there are also site designees. Further discussion ensued. Gary Abrams, a school volunteer, was in agreement that a student with nits should also be sent home.

**13. Recess**

Board members agreed to bypass a recess.

**14. Action Items****14.1 Superintendent's Items****14.1a Approval is Recommended for Resolution #33-2008/2009, Candidate Statement for November 3, 2009 Governing Board Elections**

It was moved by Mr. Zeidman and seconded by Dr. Russell that the Board approve Resolution #33-2008/2009 Board of Education Candidate's Statement Resolution as presented. The motion was approved with a vote of 4 – Ayes and 0 – Nays.

**14.2 Education Services Items****14.2a Approval is Recommended for Expulsion of Pupil Services Case #07-09**

It was moved by Dr. Russell and seconded by Mr. Zeidman that the Board approve the recommendation of Pupil Services Case #07-09 as presented and that the student be placed in County Community Day School or another school determined by his parents, at parental expense, until June 2009. The motion was approved with a vote of 3 – Ayes; 0 – Nays; and 1 – Abstention by Mr. Gourley who was not in attendance during Closed Session.

**14.3 Business Items****14.3a Approval is Recommended for Rejection of Claim**

It was moved by Dr. Russell and seconded by Mr. Zeidman that the Board authorize the Assistant Superintendent of Business Services to reject the claim for damages related to File 09-72005DP. The motion was approved with a vote of 3 – Ayes; 0 – Nays; and 1 – Abstention by Mr. Gourley who was not in attendance during Closed Session.

**15. Board Business – None**

**16. Public Recognition – Continued**

**16.1 Members of the Audience**

Members of the audience spoke about:

- Jerry Chabola requested that the Board adjourn the meeting in memory of Richard Carrillo, and he gave brief history of Mr. Carrillo’s involvement and volunteer work with the athletics department. Mr. Chabola revisited some of the issues that he heard Board members discuss and stated that if the District works as a team the budget crisis can be handled. He stated that everyone should “take the pain” and stop finger pointing. Mr. Chabola requested that the Board recognize the CIF student athletes on June 9<sup>th</sup>.
- Alan Elmont agreed with comments from Mr. Chabola and stated there are misperceptions out in the community that eventually become their realities. Mr. Elmont commented that most people in the community do not understand the roles and functions of staff in the District, and the public needs an understanding of this information to clear up misperceptions.
- Andrea Bardin-Schainen stated that she does not understand why the District has not grown the language immersion program. She’s grown up in Culver City and wanted to send her child to El Marino but is on a waiting list. Ms. Bardin-Schainen said that she will now send her child out of the District so that she could be in a language immersion program

**16.2 Members of the Board**

Board members spoke about:

- Mr. Zeidman stated that he is always open to expanding the language immersion programs.
- Dr. Russell responded to Mr. Elmont’s comment on providing more information to the public on staff roles and functions. Dr. Russell suggested having a “Spotlight” section on the agenda for staff.
- Mr. Gourley stated he was interested in growing successful programs. He extended an invitation to a Mock Trial with Mr. Zeidman presiding on May 27<sup>th</sup> at 3:30 p.m. at City Hall.
- Dr. Beagles-Roos reported on her committee assignments. She stated that DCAT will redefine future plans; the Parcel Tax Core Team will be meeting tomorrow and the polling will be in June; there should be another Special Board Meeting in July; and she complimented the Middle School students for participating in the Relay for Life.

**Closed Session**

The Board adjourned the regular meeting and resumed Closed Session at 8:40 p.m.

**Adjournment**

There being no further business, it was moved by Mr. Zeidman, seconded by Dr. Russell and unanimously approved to adjourn the meeting. Board President Dr. Beagles-Roos adjourned the meeting at 9:21 p.m. in memory of Richard Carrillo.

Approved: \_\_\_\_\_  
Board President

\_\_\_\_\_  
Superintendent

On: \_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary



9.2 **Purchase Orders**

The attached purchase order list is submitted to the Board of Education for ratification. No other purchase orders have been issued other than those previously approved or included in the attached list.

The intent of this report is to provide the Board of Education and the community with more definitive information relative to purchasing and disbursement of monies by fund and account.

Purchase order grand total from May 16, 2009 through May 29, 2009 is \$82,276.21.

**BUDGET NUMBER LEGEND FOR FUNDS**

- 01.0 general fund
- 11.0 adult education fund
- 12.0 child development fund
- 13.0 cafeteria fund
- 14.0 deferred maintenance fund
- 21.0 building fund
- 25.0 capital facilities fund
- 40.0 redevelopment
- 76.0 warrant pass-through fund
- 96.0 general fixed asset account

**RECOMMENDED MOTION:** That purchase orders from May 16, 2009 through May 29, 2009 in the amount of \$82,276.21 be ratified by the Board of Education.

**Moved by:**

**Seconded by:**

**Vote:**

Board List Purchase Order Report  
 CULVER CITY UNIFIED SD

District : 64444

Run Date: 05/30/2009

Purchase Orders/Buyouts To The Board for Ratification From : 5/16/2009 To 5/29/2009

Run Time: 09:00:44AM

Purchase Orders/Buyouts in Excess of \$1.00 To Be Ratified

PO Date	PO #	Stat	Ord #	Date	Vendor Name	Description	Dept/Site	Fund	Res.Prj	Goal	Func	OBJ	Sch/Loc	Distrib Amt	PO Amount
05/26/09	52865M	A		05/26/09	FAST DEER BUS C	TRANSPORTA	Operations	01.0	00000.0	00000	3600	5871	0005041	2,627.48	2,627.48
					5/26/2009	52865M									
FAST DEER BUS CHARTER, INC.															
15/18/09	52963	A		05/18/09	EAGLE SOFTWARE	DATA PROC M	Technology	01.0	60200.0	00000	2700	5840	0005020	7,150.00	7,150.00
					5/18/2009	52963									
EAGLE SOFTWARE															
15/18/09	53124M	C		05/18/09	E-Z INDUSTRIES, I	OFFICE SUPPL	Transportatio	01.0	72300.0	00000	3600	4350	0005500	34.94	34.94
					5/18/2009	53124M									
E-Z INDUSTRIES, INC.															
15/18/09	53149A	C		05/18/09	SCHOOL SERVICE	CONFERENCE	Fiscal Service	01.0	00000.0	00000	7300	5220	0005010	125.00	125.00
				05/18/09				01.0	00000.0	00000	7300	5220	0005000	125.00	125.00
SCHOOL SERVICES OF CALIFORNIA															
5/26/09	53222	A		05/26/09	BAUDVILLE, INC.	OFFICE SUPPL	Human Reso	01.0	00000.0	00000	7400	4350	0003000	785.82	785.82
					5/26/2009	53222									
BAUDVILLE, INC.															
5/18/09	53225	A		05/18/09	THE GALLERY COL	OFFICE SUPPL	Superintende	01.0	00000.0	00000	7100	4350	0001000	132.13	132.13
					5/18/2009	53225									
THE GALLERY COLLECTION															
5/26/09	53226	A		05/26/09	IDEA ART	OFFICE SUPPL	Human Reso	01.0	00000.0	00000	7400	4350	0003000	31.55	31.55
					5/26/2009	53226									
IDEA ART															
5/18/09	53230	A		05/18/09	REDWOOD PRESS	OFFICE SUPPL	High School u	01.0	00000.0	00000	2700	4350	4010001	1,600.51	1,600.51
					5/18/2009	53230									
REDWOOD PRESS															
5/18/09	53231	C	1	05/19/09	COMPLETE BUSIN	RENTS/RENTA	Culver City M	01.0	00000.0	00000	2700	5630	3010000	1,082.50	1,082.50
					5/18/2009	53231									
COMPLETE BUSINESS SYSTEMS															
5/18/09	53232	C		05/18/09	EAGLE SPORTS & A	INSTRUCTION	Culver City H	01.0	90127.0	11100	1000	4310	4010000	819.38	819.38
					5/18/2009	53232									
EAGLE SPORTS & AWARDS															
5/18/09	53233	A		05/18/09	MONTEREY COUN	OFFICE SUPPL	Human Reso	01.0	00000.0	00000	7400	4230	0003000	27.65	27.65

Stat : P = Pending, A=Active, C=Completed, X=Canceled

Board List Purchase Order Report

District : 64444

Run Date: 05/30/2009

Purchase Orders/Buyouts To The Board for Ratification From : 5/16/2009 To 5/29/2009

Run Time: 09:00:44AM

Purchase Orders/Buyouts in Excess of \$1.00 To Be Ratified

Change

PO #	Stat	Ord #	Date	Vendor Name	Description	Dept/Site	Fund	Res.Prj	Goal	Funct	OBJ	Sch/Loc	Distrib Amt	PO Amount	
5/18/09				5/18/2009	53233		MONTEREY COUNTY OFFICE OF EDUCATION								27.65
5/18/09	C	53234	05/18/09	DEVEREUX TEXAS	CONTRACTED : Special Educa	53234	01.0	33100.0	57500	3900	5890	0004040	400.00	400.00	
5/18/2009				5/18/2009	53234		DEVEREUX TEXAS TREATMENT NETWORK								400.00
5/18/09	C	53235	05/18/09	KENJI & MANAMI G	CONTRACTED : Special Educa	53235	01.0	33100.0	57500	3900	5890	0004040	1,350.00	1,350.00	
5/18/2009				5/18/2009	53235		KENJI & MANAMI GO								1,350.00
5/18/09	A	53236	05/18/09	INCLUSIVE TLC, IN	INSTRUCTION Undistributed	53236	01.7	65000.0	50010	2200	4310	0000000	533.48	533.48	
5/18/2009				5/18/2009	53236		INCLUSIVE TLC, INC.								533.48
5/18/09	A	53237	05/18/09	INCLUSIVE TLC, IN	INSTRUCTION Undistributed	53237	01.7	65000.0	50010	2200	4310	0000000	533.48	533.48	
5/18/2009				5/18/2009	53237		INCLUSIVE TLC, INC.								533.48
5/18/09	C	53238	05/18/09	NIGRO, NIGRO & W	AUDIT SERVICE Business Serv	53238	01.0	00000.0	00000	7300	5820	0005000	15,966.72	15,966.72	
5/18/2009				5/18/2009	53238		NIGRO, NIGRO & WHITE, PC								15,966.72
5/18/09	C	1	05/19/09	DOCUMENT TRAC	CONTRACTED : Special Proje	53239	01.0	30100.0	00000	2700	5810	0004030	7,570.00	7,570.00	
5/18/2009				5/18/2009	53239		DOCUMENT TRACKING SERVICES								7,570.00
5/18/09	A	53240	05/18/09	ENABLEMART	INSTRUCTION Undistributed	53240	01.7	65000.0	50010	2200	4310	0000000	165.19	165.19	
5/18/2009				5/18/2009	53240		ENABLEMART								165.19
5/18/09	A	53241	05/18/09	SCHOOL OUTFITT	INSTRUCTION Undistributed	53241	01.7	65000.0	50010	2200	4310	0000000	291.73	291.73	
5/18/2009				5/18/2009	53241		SCHOOL OUTFITTERS								291.73
5/18/09	A	53242	05/18/09	SCHOOL OUTFITT	INSTRUCTION Undistributed	53242	01.7	65000.0	50010	2200	4310	0000000	291.73	291.73	
5/18/2009				5/18/2009	53242		SCHOOL OUTFITTERS								291.73
5/18/09	A	53243	05/18/09	RIFTON PRODUCT	INSTRUCTION Undistributed		01.7	65000.0	50010	2200	4310	0000000	6,867.00	6,867.00	

District : 64444

CULVER CITY UNIFIED SD

Run Date: 05/30/2009

Purchase Orders/Buyouts To The Board for Ratification From : 5/16/2009 To 5/29/2009

Run Time: 09:00:44AM

Purchase Orders/Buyouts in Excess of \$1.00 To Be Ratified

Change

PO Date	PO #	Stat	Ord #	Date	Vendor Name	Description	Dept/Site	Fund	Res.Prj	Goal	Funct	OBJ	Sch/Loc	Distrib Amt	PO Amount
5/18/2009					53243			53243							6,867.00
5/18/09	53244	A		05/18/09	LEARNING SERVIC	INSTRUCTION	Undistributed	01.7	65000.0	50010	2200	4310	0000000	255.25	255.25
					53244										
															255.25
5/26/09	53245	A		05/26/09	ACSA	ADVERTISING	Human Reso	01.0	00000.0	00000	7400	5830	0003000	440.00	440.00
					53245										
5/18/09	53246	C		05/18/09	LACOE - DIVISION F	CONFERENCE	Special Proje	01.0	30100.0	00000	2700	5220	0004030	50.00	50.00
					53246										
															50.00
5/20/09	53247	A		05/20/09	LYNNE CHRISTINE	CONSULTANT	Special Proje	01.0	58100.0	00000	2100	5810	0004030	15,000.00	15,000.00
					53247										
															15,000.00
5/20/09	53248	A		05/20/09	SHOKRAI LAW	LEGAL SERVIC	Human Reso	01.0	00000.0	00000	7400	5820	0003000	5,471.00	5,471.00
					53248										
															5,471.00
5/21/09	53250	A		05/21/09	BUDDY'S ALL STA	INSTRUCTION	Culver City H	01.0	00000.0	15000	1000	4310	4010000	213.04	213.04
					53250										
															213.04
5/21/09	53251	A		05/21/09	REHABMART	INSTRUCTION	Undistributed	01.7	65000.0	50010	2200	4310	0000000	1,261.80	1,261.80
					53251										
															1,261.80
5/21/09	53252	A		05/21/09	TRAINING ROOM, I	INSTRUCTION	Culver City H	01.0	00000.0	15000	1000	4400	4010000	3,858.83	3,858.83
					53252										
															3,858.83
5/22/09	53253	A		05/22/09	U.S. POSTAL SERVI	COMMUNICATI	Purchasing	01.0	00000.0	00000	7300	5910	0005030	5,000.00	5,000.00
					53253										
															5,000.00
5/27/09	53254	A		05/27/09	ABIGAIL BRADLEY	CONSULTANT	Culver City H	01.0	91400.0	11100	1000	5850	4010000	215.00	215.00



Report ID: LAPO009C

Board List Purchase Order Report

Page No. 4

District : 64444

CULVER CITY UNIFIED SD

Run Date: 05/30/2009

Purchase Orders/Buyouts To The Board for Ratification From : 5/16/2009 To 5/29/2009

Run Time: 09:00:44AM

Purchase Orders/Buyouts in Excess of \$1.00 To Be Ratified

Change

PO Date	PO #	Stat	Ord #	Date	Vendor Name	Description	Dept/Site	Fund	Res.Prj	Goal	Funct	OBJ	Sch/Loc	Distrib Amt	PO Amount
				5/27/2009		53254		ABIGAIL BRADLEY							215.00

05/28/09	53255	A		05/28/09	DIANA ESCUDERO	CONSULTANT	Culver City M	01.0	90127.0	11100	1000	5850	3010000	2,000.00	2,000.00
				5/28/2009		53255		DIANA ESCUDERO							

Total by District : 64444

82,276.21

82,276.21

End of Report LAPO009C

NONPUBLIC SCHOOLS:

APPROVED YTD: \$3,794,979.06



## BOARD REPORT

6/9/09

9.3

### 9.3 Approval is Recommended for Acceptance of Gifts

Board Policy 3290 states the Governing Board may accept any bequest or gift of money or property on behalf of the District that is consistent with the District's vision and philosophy. All gifts, grants, and bequests become District property.

The following items have been donated for use in the District:

<u>Location</u>	<u>Donor/Item(s) Donated</u>
Office of Child Development	Mrs. Gerdi Alvarado Art Supplies for LaBallona Preschool
Culver City High School ROP Department	Ms. Doreen Donahue 1991 Ford Escort SW, VIN # 3FAPP15JOMR143883

RECOMMENDED MOTION:

That the Board accepts with appreciation the gifts listed.

Moved by:

Seconded by:

Vote:



**BOARD REPORT**

**9.4 Certificated Personnel Services Report No. 18**

**I. Authorization and Ratification of Employment**

A. Extra Assignment -- Middle School, California Star Testing Period Coverage  
Effective May 13 and 14, 2009 at \$63.00 stipend

1. Azad, Mark
2. Green-Bratton, Cathi
3. Morris, Ruth
4. Peters, Crystal
5. Scott, Gloria

RECOMMENDED MOTION: That approval be granted for Certificated Personnel  
Services Report No. 18

Moved by:

Seconded by:

Vote:

**BOARD REPORT**

**9.5 Classified Personnel Services Report No. 18**

**I. Authorization, Approval & Ratification of Employment**

**A. Noon Duty Supervisor**

1. Alexander, Sherrille  
Temporary Noon Duty Supervisor  
El Rincon – Extra Assignment  
Not to exceed 1.25 hours per week  
Effective May 5, 2009 through May 14, 2009  
Hourly, as needed
2. Edmond, Larry  
Temporary Noon Duty Supervisor  
El Rincon – Extra Assignment  
Not to exceed 1.25 hours per week  
Effective May 5, 2009 through May 14, 2009  
Hourly, as needed
3. Jackson, Gwendolyn  
Temporary Noon Duty Supervisor  
El Rincon – Extra Assignment  
Not to exceed 1.25 hours per week  
Effective May 5, 2009 through May 14, 2009  
Hourly, as needed

**RECOMMENDED MOTION:** That approval be granted for Classified Personnel Services Report No. 18

Moved by:

Seconded by:

Vote:

## BOARD REPORT

6/9/09

9.6

**9.6 Approval is Recommended for Culver City High School Girls Basketball Team to Participate in a Tournament in San Diego, CA, July 16-19, 2009**

Board policy 6153, Field Trips, specifies that field trips or other student trip activities sponsored by the School District be approved by the Board of Education when they involve an overnight or a more extended stay by students.

The Culver City High School would like to participate in a basketball tournament to be held in San Diego, July 16-19, 2009. There will be twenty (20) players, Jack Nakanishi, Head Coach, one additional coach and parents to chaperone. The costs will be covered by Booster Club and parents.

RECOMMENDED MOTION:            That the Board approve Culver City High School Girls Basketball Team to Participate in a Tournament in San Diego, CA, July 16-19, 2009

Moved by:

Seconded by:

Vote:

**BOARD REPORT**

6/9/09

9.7

**9.7 Approval is Recommended for Three Culver City Middle School Teachers and 7<sup>th</sup> Grade GATE Students to Attend the GATE Field Trip on Catalina Island, October 23-25, 2009**

Board policy 6153, Field Trips, specifies that field trips or other student trip activities sponsored by the School District be approved by the Board of Education when they involve an overnight or a more extended stay by students.

Culver City Middle School teacher Ruth Morris requests approval to chaperone the 7<sup>th</sup> Grade GATE students along with two additional teachers to the Catalina Island Marine Institute (CIMI). The trip is funded through PTSA, GATE funds, and parents of the participants.

RECOMMENDED MOTION: That the Board approve Three Culver City Middle School Teachers and 7<sup>th</sup> Grade GATE Students to Attend the GATE Field Trip on Catalina Island, October 23-25, 2009

Moved by:

Seconded by:

Vote:



## BOARD REPORT

6/9/09

9.8

9.8 **Approval is Recommended for Culver City High School Teacher Jerry Chabola to Attend the California State Athletics Directors Conferences in Reno, Nevada 2009-2010**

Board Policy 4133 states that all out-of-state travel must have Board approval. Culver City High School athletics teacher Jerry Chabola requests permission to attend the State Athletics Directors Conferences in Reno, Nevada during the school year 2009-2010.

RECOMMENDED MOTION: That the Board approve Culver City High School Teacher Jerry Chabola to Attend the California State Athletics Directors Conferences in Reno, Nevada 2009-2010.

Moved by:

Seconded by:

Vote:



6/9/2009

10.1

## BOARD REPORT

### 10.1 Culver City Education Foundation “Empower Our Schools” Presentation

Mrs. Patty Krause, Executive Director of the Education Foundation, will present the total amount received thus far from the Empower our Schools Campaign to the Board of Education.

**BOARD REPORT**

**10.2 Culver City Unified School District Retiree Recognition**

The Board of Education recognizes employees on their retirement from the Culver City Unified School District. Certificates of Recognition are given to the retirees in appreciation for their years of service and dedication. The honorees were also recognized at their respective sites during the Employee Recognition Celebration on June 3, 2009.

## BOARD REPORT

6/9/09

10.3

### 10.3 Spotlight on Education – Culver City Middle School

Each month throughout the school year a different school is featured through Spotlight on Education. This month Culver City Middle School presents *College Bound Culture at CCMS*. Principal Jonathan Pearson will present information about the AVID program, College Night/Week, and other school-wide programs that focus on career/college preparation.

**BOARD REPORT**

**10.4 Recognition of Student Athletes All-League, 2008-2009**

Jerry Chabola will present the Culver City High School student athletes and coaches to the Board in recognition of their accomplishments during the 2008-2009 school year.

## BOARD REPORT

### 10.5 Recognition of Student Board Members, 2008-2009

Superintendent Dr. Myrna Rivera- Coté and the Board of Education will recognize the 2008-2009 Student Board Representatives from Culver City Middle School, Culver Park High School, and Culver City High School.





## BOARD REPORT

6/9/09

12.1

### 12.1 Culver City High School Proposes the Naming of the Athletic Training Room in Honor of Dr. George Colosimo

Culver City High School teacher Jerry Chabola will present information about Dr. George Colosimo, who donated his time over fifteen years attending the varsity football team and working closely with the athletic trainers. Culver City High School is proposing that the athletic training room be named in his honor.



## BOARD REPORT

6/9/09  
12.2

### **12.2 First Reading of Revised Administrative Regulation 5144.1, Students – Suspension and Expulsion/Due Process**

It is recommended practice that the Board of Education regularly review Board Policies/Administrative Regulations that are significant to the operation of the district. A revised Administrative Regulation on Students – Suspension and Expulsion/Due Process is being presented for review.

## SUSPENSION AND EXPULSION/DUE PROCESS

Definitions

*Suspension* from school means removal of a student from ongoing instruction for adjustment purposes. However, "suspension" does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the ~~Governing Board~~ **Board of Education** for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

*Expulsion* means removal of a student from the immediate supervision and control, or the general supervision, of school personnel **of the student's attendance district**. (Education Code 48925)

*Day* means a calendar day unless otherwise specifically provided. (Education Code 48925)

*School day* means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

*Student* includes a student's parent/guardian or legal counsel. (Education Code 48925)

*Principal's designee* means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee ~~and only one such person for the school year~~. **A second designee may be identified designated as secondary designee when the principal and primary designee are both off campus for the school year.** The names of such persons shall be on file in the principal's office. (Education Code 48911)

**School property, for the purposes described in Education code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(u))**

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion. ~~Transfer students and their parents/guardians shall be notified at the time of enrollment.~~ (Education Code 35291-5, 48900.1, 48980)

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

*(cf. 5144 - Discipline)*

~~Notification shall include information about the availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)~~

**(cf. 5144 – Discipline)**

*(cf. 5145.6 - Parental Notifications)*

**Grounds for Suspension and Expulsion**

Students **A student** may be subject to suspension or expulsion for committing any of the acts listed below **when it is determined that he/she:**

1. Caused, attempted to cause, or threatened to cause physical injury to another person **or willfully used force or violence upon the person of another, except in self-defense.** (Education Code 48900(a))

**A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))**

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

**(cf. 5131 – Conduct)**

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

*(cf. 5131.6 - Alcohol and Other Drugs)*

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in ~~Section 11014.5 of the Health and Safety Code~~ **Section 11014.5.** (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm, ~~i.e.,~~ **(Education Code 48900(m))**  
**Imitation firearm means** a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
14. **Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))**
15. **Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))**
16. **Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

17. **Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))**

**Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))**

18. **Made terrorist threats against school officials and/or school property. (Education Code 48900.7)**

**A “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. (Education Code 48900.7)**

Students A student in grades 4 through 12 are 4-12 is also subject to suspension or recommendation for expulsion for any of the acts listed below when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

**Sexual harassment means that conduct, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)**

*(cf. 5145.7 - Sexual Harassment)*

20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code ~~233~~ 33032.5. (Education Code 48900.3)

**Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

because of the person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation. (Education Code 233)  
*(cf. 51145.9 – Hate-Motivated Behavior)*

21. Intentionally engaged in harassment, threats, or intimidation against district personnel or harassed, threatened or intimidated a student or group of students that is sufficiently severe or pervasive to have the actual to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)
22. ~~Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)~~
23. ~~Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)~~

*(cf. 5145.9 – Hate-Motivated Behavior)*

24. ~~Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)~~

*(cf. 5145.3 – Nondiscrimination/Harassment)*

22. Engaged in an act of bullying, including, but not limited to, bullying by means of an electronic act, directed toward a student or school personnel. (Education Code 48900(r))

Bullying means one or more acts by a student or group of students that constitutes sexual harassment pursuant to Education Code 48900.2, as defined in item #19 above; hate violence pursuant to Education Code 48900.3, as defined in item #20 above; or harassment, threats, or intimidation pursuant to Education Code 48900.4, as defined in item #21 above. (Education Code 32261)

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. (Education code 32261)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the



## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

jurisdiction of the Superintendent or principal or within any other school district, including, but not limited to, the following circumstances: (Education Code 48900)

1. While on school grounds.
2. While going to or coming from school.
3. During the lunch period, whether on or off the school campus.  
(cf. 5112.5 – Open/Closed Campus)
4. During, going to, or coming from a school-sponsored activity.

The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(u))

Alternatives to suspension or expulsion ~~will~~ shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5144.2 – Suspension and Expulsion/Due Process (Individuals with Disabilities))*

(cf. 5113.1 – Truancy)

Suspension Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class ~~for the day of the suspension and the next day~~ for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When ~~suspending~~ removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been ~~suspended~~ removed.

(Education Code 48910)

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension-removal. A counselor or psychologist ~~should~~ may attend the conference if it is practicable, and a school administrator may shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

~~A suspended student~~ A student removed from class shall not be returned to class during the period of suspension removal without the approval of the teacher of the class and the principal. (Education Code 48910)

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

A student ~~suspended~~ **removed** from class shall not be placed in another regular class during the period of ~~suspension~~ **removal**. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was ~~suspended~~ **removed**. (Education Code 48910)

The teacher of any class from which a student is ~~suspended~~ **removed** may require the ~~suspended~~ student to complete any assignments and tests missed during the **removal suspension**. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has ~~suspended~~ **removed** attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/ guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal, or Principal's Designee

The Superintendent, ~~or principal, or principal's designee~~ **or** may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, ~~or selling,~~ or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

2. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. **Possession of an explosive as defined in 18 USC 921.**

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items ~~(1)-(5)~~ # **1-5** listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment, **the** a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, **48911**, 48912)

**The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)**

**Notification of Law Enforcement Authorities**

**Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)**

**The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10 (Education Code 48902)**

**Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)**

**Suspensions shall be initiated according to the following procedures:**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

## 1. Informal Conference

Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent with the student and, whenever practicable, the teacher, supervisor or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference ~~will~~ **shall** be held as soon as the student is physically able to return to school. (Education Code 48911(e))

## 2. Administrative Actions

All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

**(Education Code 48900 and 48911)**

## 3. Notice to Parents/Guardians

At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state ~~the reasons for suspension and~~ **the specific offense committed by the student. (Education Code 48900.8)**

**In addition, the notice may state** the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may ~~also~~ add that state law requires the parent/guardian to respond to such requests without delay.

## 4. Parent/Guardian Conference

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend **the conference**. (Education Code 48911)

## 5. Extension of Suspension

If the Board **of Education** is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board **of Education** has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

**Suspension by the Board of Education**

The Board **of Education** may suspend a student enrolled in a continuation school or class for **any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Principal's Designee" above for** a period not longer than the remainder of the semester if any of the acts enumerated in Education Code 48900 occurred. **(Education Code 48912 and 48912.5)** ~~The suspension shall meet the requirements of Education Code 48915. A decision to suspend shall be based on a finding of one or both of the following:~~

- 1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.**
- 2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.**  
**(Education Code 48915 (b) and (e))**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

When the Board **of Education** is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information ~~which would violate~~ **violating** a student's right to privacy under Education Code 49073-49079. **(Education Code 35146, 48912)**

The Board **of Education** shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board **of Education's** notice.

However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

~~(cf. 9321 - Closed Session Purposes and Agendas)~~

**Supervised On-Campus Suspension Program Classroom**

Students for whom an **expulsion** action ~~to expel~~ has not been initiated and who pose no imminent danger or threat to the school, students or staff, may be assigned to a ~~separate,~~ supervised suspension **classroom in a separate** classroom, **building or site** for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

**Authority to Expel**

A student may be expelled only by the Board **of Education**. The Board **of Education** shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion." **(Education Code 48915)**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

The Board **of Education** also may order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, ~~hearing officer~~ or administrative panel, based on ~~finding~~ either or both of the following **finding(s)**: (Education Code 48915 (b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.  
*(cf. 5144.2—Suspension and Expulsion/Due Process (Individuals with Disabilities))*

Quasi-Mandatory Recommendation for Expulsion

Unless the principal, or Superintendent **or designee** finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.  
*(cf. 5131.7—Weapons and Dangerous Instruments)*
3. Unlawful possession of any controlled substance, as listed in ~~Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code~~ **Sections 11053-11058**, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

The principal, Superintendent or designee shall **must** recommend that the Board **of Education** expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the ~~item~~ **firearm** from a certificated school employee, with the principal or designee's concurrence.
2. Brandishing a knife as defined in Education Code 48915(g) at another person.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. **Possessing an explosive as defined in 18 USC 921.**

Upon finding that the student committed any of these acts, the Board **of Education** shall expel the student. (Education Code 48915)

Alternative to Expulsion Hearing: Stipulated Expulsion

**Upon referral for expulsion by the principal, the student may acknowledge responsibility for the behavior leading to the recommendation for expulsion and stipulate to the expulsion.**

Stipulated Expulsion Procedures

1. Definition: "Stipulated Expulsion": a proposed recommendation to expel presented to the Board of Education that bypasses ~~waives~~ the hearing process based on agreement of the district and parent/guardian.
2. All of the following must occur for a Stipulated Expulsion to be considered:
  - a) **The evidence presented by the school and the circumstances** ~~the facts~~ leading **up** to the **expulsion** recommendation ~~to expel~~ are not disputed, and
  - b) **The expulsion order is an appropriate consequence to the student's misconduct, and**
  - c) ~~¶~~The principal and Superintendent's designee believe it is in the best interest of the student **and the district**, and
  - d) ~~¶~~Parent/guardian and principal agree that it is unnecessary to convene an administrative hearing panel to make a recommendation to the Board to expel, and
  - e) ~~¶~~The parent/guardian **wishes to expedite the expulsion process and** voluntarily agrees to a proposed expulsion order that will be presented to the Board of Education for action.
3. ~~In stipulating to a proposed expulsion order, the parent/guardian:~~
  - ~~a) is informed of the student's right to an administrative hearing and receives copies of the District's policies and administrative regulations governing expulsion.~~



## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

- ~~b) agrees that the student's misconduct subjects the student to expulsion,~~
- ~~e) waives the timelines for conducting the expulsion hearing,~~
- ~~d) stipulates to the facts outlined in the "Suspension Notice", and/or "Notice of Recommendation to Expel", and~~
- ~~e) agrees to a specified alternative placement and rehabilitation plan during the period of the expulsion order.~~

- 4. The parent/guardian agrees to the duration, alternative placement and rehabilitation plan during the period of the expulsion order.**
- 5. In agreeing with the stipulated expulsion, the parent/guardian is waiving the following rights:**

- a) **All notices and timelines required by law in conducting an expulsion hearing.**
- b) **Representation by legal counsel at a hearing.**
- c) **Inspection and review of documents that would have been used at the hearing.**
- d) **Ability to confront and question all witnesses who would have testified at the hearing.**
- e) **Ability to question or object to the evidence that would have been presented at the hearing.**
- f) **Appeal to the County Board of Education.**

**6. Action by Board of Education:**

- a) If all parties agree in writing to a proposed expulsion order, the recommendation for expulsion will be presented in writing to the Board of Education for review and action in the same manner as any other hearing panel recommendations.
- b) If the Board **of Education** votes to accept the recommendation as delineated in the proposed expulsion order, the terms of the stipulated expulsion will be immediately implemented.
- c) If the Board **of Education** votes to deny the recommendations as delineated in the proposed expulsion order, an administrative hearing will be scheduled within 30 school days and the parent/guardian and student will receive all due process protections delineated in Education Code 48900 et. seq.

**Final Action by the Board of Education for a Stipulated Expulsion**

Final Action to expel with a Stipulated Expulsion must be taken by the Board **of Education** at a public meeting. (Education Code 48918(i))

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

**Student's Right to Expulsion Hearing**

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board **of Education**'s discretion. (Education Code 48918(a))

If the Board **of Education** finds it impracticable **during the regular school year** to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

**If the Board of Education finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board of Education meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))**

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

**Written Notice of the Expulsion Hearing**

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian ~~at least~~ 10 calendar days before the date of the hearing. The notice shall include: (Education Code **48900.8**, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, **and charges, and offense** upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

student is expelled for acts other than those described in Education Code 48915(a) **or (c).**

*(cf. 5119 - Students Expelled from Other Districts)*

5. The opportunity for the student or the student's parent/ guardian to appear in person or to employ and be represented by a **nonattorney advisor or legal** counsel

**Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.**

**Non-attorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.**

**If the student/parent/guardian elect to be represented by a nonattorney advisor or legal counsel, the student/parent/guardian must provide notice to the District in writing and notice must be received at least five (5) school days prior to the date of the hearing.**

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

**Alternative Expulsion Hearing: Hearing Officer or Administrative Hearing Panel**

~~Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, †The Board of Education~~ may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board **of Education** or on the staff of the school in which the student is enrolled.

(Education Code 48918(d))

A hearing conducted by the ~~hearing officer or administrative panel~~ shall conform to the **following same** procedures: ~~as apply to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing."~~ (Education Code 48918(d))

**Conduct of Expulsion Hearing**

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board **administrative panel** shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the **Board administrative panel** may meet in closed session to deliberate and determine whether or not the student should be expelled. ~~If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session.~~ (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made **by the District** and may be maintained by any means, including electronic recording, as long as a reasonably accurate ~~written~~ and complete **written** transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board **of Education** may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board of **Education** ~~or the hearing officer or~~ administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board **of Education** in closed session, or in open session if so requested by the student, before the meeting. The Board of **Education**'s decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board **of Education** determines, or if the hearing officer or administrative panel finds and submits to the Board **of Education**, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: ~~While~~ **Technical** rules of evidence ~~do~~ **shall** not apply to **the** expulsion hearings. **Relevant** evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board **of Education** to expel **shall** ~~must~~ be supported by substantial evidence that the student committed any of the

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion" above. (Education Code 48918(h))

**If the student does not admit the behavior, witnesses must be brought to the hearing to testify as to the acts committed.** Findings of fact shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, **hearsay statements may be used to support an expulsion.** Sworn declarations may be admitted as testimony ~~for~~ **from** witnesses whose disclosure **of their identity or testimony at the hearing** may subject them to an unreasonable risk of **physical or psychological** harm. (Education Code 48918(f) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record. ~~Any complaining witness shall be given five days' notice before being called to testify.~~

*(ef. 5145.12—Search and Seizure)*

5. ~~Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)~~
  - a. ~~Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to a parent/guardian or legal counsel, present during his/her testimony.~~
  - b. ~~Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.~~
  - c. ~~The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.~~
  - d. ~~If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.~~
  - e. ~~Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.~~

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

- ~~f. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a non-threatening environment.~~
- ~~(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.~~
- ~~(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.~~
- ~~(3) The person conducting the hearing may:~~
- ~~(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness~~
- ~~(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours~~
- ~~(c) Permit one of the support persons to accompany the complaining witness to the witness stand~~

~~Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))~~

~~Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))~~

5. Declaration of Witness Subject to Unreasonable Risk of Psychological or Physical Harm (Education Code 48918(f))

Prior to utilizing the procedure authorized by this section, the ~~Board or the hearing officer or administrative panel~~ must first make a finding/ determination that the disclosure of the identity of a witness and the testimony of that witness at the expulsion hearing would subject the witness to an unreasonable risk of **psychological or physical** harm. The finding/determination may be made upon the following:

- a. Testimony found in the witness' declaration (e.g., Declaration 1, which includes a direct threat made by the expelled student); or,

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

- b. Evidence presented at the hearing pertaining to the expelled student's behavior (e.g., previous threats or acts of violence); or,
  - c. Evidence presented at the hearing pertaining to the nature of the incident (e.g., **if student** was expelled for act is of violence; Declaration 2 may be used to support the violent nature of the act).
6. Upon making the requisite finding/determination, the Board **of Education** or the hearing officer or administrative panel may then admit the testimony of the witness by sworn declaration, under the following conditions:
- a. The sworn declaration shall be examined only by the Board **of Education** or the hearing officer or administrative panel.
  - b. Copies of the sworn declaration, edited to delete the name and identity of the witness, shall be made available to the student and his/her representative, if any.

**Hearing Panel Recommendation**

The ~~hearing officer or~~ administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board **of Education**. If expulsion is not recommended, **the expulsion proceeding shall be terminated and** the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. **The decision to not recommend expulsion shall be final.** (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board **of Education**. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board **of Education** may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board **of Education** may order. (Education Code 48918(f))

**In accordance with Board policy,** ~~The~~ ~~the hearing officer or~~ administrative panel may recommend that the Board **of Education** suspend the enforcement of the expulsion for a period of one year. **(Education Code 48917, 48918)** ~~(See "Suspension of Enforcement of the Expulsion below.")~~

~~If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final, and the student shall be reinstated immediately.~~

**Final Action by the Board of Education**

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

The Board **of Education** shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Whether the expulsion hearing is conducted in closed or public session by the ~~Board, a hearing officer, or an~~ administrative panel, the final action to expel ~~must~~ **shall** be taken by the Board **of Education** at a public meeting. (Education Code 48918(j))  
(*cf. 9321.1 - Closed Session Actions and Reports*)

**If the Board of Education reaches a decision not to expel, the student shall be reinstated immediately.**

Upon ordering an expulsion, the Board **of Education** shall set a date, **established in the rehabilitation plan**, when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board **of Education** may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (~~Education Code 48916~~)

**If an expulsion is ordered during the summer session, the Board of Education shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session in which the expulsion occurred. (Education 48916)**

At the time of the expulsion order, the Board **of Education** shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment of the student at the time of review, for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or and other rehabilitative programs.

With ~~parental~~ **parent/guardian** consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

**Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:



## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

1. **The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915. (Education Code 48990.8)**
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education **within 30 days.** (Education Code 48918)
 

~~Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)~~
4. Notice of the alternative educational placements available to the student during the time of expulsion. (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1. (Education Code 48918)

Suspension of Enforcement of the Expulsion**Decision Not to Enforce Expulsion Order**

~~The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year.~~

**In accordance with Board policy, when** When deciding whether to suspend the enforcement of an expulsion, the Board **of Education** shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

~~In cases of mandatory expulsion, the enforcement of an expulsion orders shall not be suspended.~~

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)  
~~the parent/guardian's refusal to participate.~~

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board of Education's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board of Education if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board of Education shall reinstate the student in a district school. Upon reinstatement, the Board of Education may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board of Education. (Education Code 48917)
7. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board of Education's decision to the County Board of Education. The appeal must be filed within 30 days of the Board of Education's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

The Board of Education shall refer expelled students to a program of study that is: ~~meets all the following conditions:~~ (Education Code 48915, 48915.01)

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

1. ~~Is a~~ Appropriately prepared to accommodate students who exhibit discipline problems.
2. ~~Is n~~Not provided at a comprehensive middle, junior or senior high school or at any elementary school, **unless the program is offered at a community day school established at such a site.**
3. ~~Is n~~Not housed at the school site attended by the student at the time of suspension.

*(cf. 6185 - Community Day School)*

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6-13 and #20 through #15 under "Grounds for Suspension and Expulsion" **above** may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. **(Education Code 48915)**

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Students expelled from grades 7-12 may be offered independent study as a voluntary alternative to available classroom instruction; however, the student's parent/guardian must first provide written consent for this option. (Education Code 48916.1)  
*(cf. 6158 - Independent Study)*

**Readmission After Expulsion**

Readmission procedures shall be as follows:

1. On the date set by the Board **of Education** when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit **to the Board of Education** his/her recommendation regarding readmission ~~to the Board~~. The Board **of Education** shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board **of Education's** decision regarding readmission.
5. The Board **of Education** may deny readmission if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees.  
(Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the **specific** cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of **receipt of** a written request by the admitting school. (Education Code **48900.8**, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

*(cf. 5119 - Students Expelled from Other Districts)*  
*(cf. 5125 - Student Records)*

Notifications to Law Enforcement Authorities

~~Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)~~

~~The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)~~

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

~~Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)~~

Outcome Data

~~The Superintendent or designee shall maintain the following data: and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)~~

1. ~~The number of students recommended for expulsion.~~
2. ~~The specific grounds for each recommended expulsion.~~
3. ~~Whether the student was subsequently expelled.~~
4. ~~Whether the expulsion order was suspended.~~
5. ~~The type of referral made after the expulsion.~~
6. ~~The disposition of the student after the end of the expulsion period.~~

Regulation

Reviewed: February 3, 1998

Regulation

Revised: July 17, 2001

**Regulation****Reviewed: June 9, 2009**

CULVER CITY UNIFIED SCHOOL DISTRICT

Culver City, California



**BOARD REPORT**

**06/09/09**

**12.3**

**12.3 2009-10 State Budget Update and Its Impact on CCUSD**

Mr. David El Fattal, Assistant Superintendent of Business Services, will provide an update on the State budget and its impact on Culver City Unified School District.





**BOARD REPORT**

**6/9/09**

**14.2a**

**14.2a Second Reading and Adoption of New Board Policy 5141.33, Students – Head Lice**

It is recommended practice that the Board of Education regularly review Board Policies/Administrative Regulations that are significant to the operation of the district. A new Board Policy on Students – Head Lice is being presented for second reading and adoption.

RECOMMENDED MOTION:            That the Board approve the adoption of the new Board Policy 5141.33, Students – Head Lice.

Moved by:

Seconded by:

Vote:

## HEAD LICE

The Board of Education believes that the district's head lice management program should emphasize the correct diagnosis and treatment of head lice in order to minimize disruption of the education process and to reduce the number of student absences resulting from infestation. In consultation with the school nurse, the Superintendent or designee may establish a routine screening program to help prevent the spread of head lice.

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse or designee shall examine the student and other students who are siblings of the affected student or members of the same household.

If a student is found with active, adult head lice, he/she shall be **sent home from school and** excluded from attendance. The parent/guardian of an excluded student shall receive information about recommended treatment procedures and sources of further information. The student shall be allowed to return to school the next day and shall be checked by the **trained** nurse or designee **before returning to class.** **If the student is found to be free of head lice, the student will be returned to class.** Once he/she is determined to be free of lice, the student shall be rechecked **weekly at two week intervals** for up to six weeks.

(cf. 5141.3 – Health Examinations)  
(cf. 5141.6 – School Health Services)

The Superintendent or designee shall send home the notification required by law for excluded students. (Education Code 48213)

(cf. 5112.2 – Exclusions for Attendance)  
(cf. 5145.6 – Parental Notifications)

The principal and school nurse shall work with the parents/guardians of any student who has been deemed to be a chronic head lice case in order to help minimize the student's absences from school.

(cf. 5113 – Absences and Excuses)  
(cf. 5113.1 – Truancy)

When two or more students in any class have been identified as having an infestation of active adult head lice, all students in the class shall be examined. In consultation with the school nurse, the principal may also send information about head lice home to all parents/guardians of the students in that class.

(cf. 5125 – Student Records)

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Students

BP 5141.33(b)

HEAD LICE (continued)

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

Legal Reference:

EDUCATION CODE

48210-48216 Persons Excluded

49451 – Physical Examinations: Parent’s Refusal to Consent

Management Resources:

AMERICAN ACADEMY OF PEDIATRICS

Lice, Nits, and School Policy, Official Journal of the American Academy of Pediatrics,  
May 2001

CALIFORNIA DEPARTMENT OF HEALTH SERVICES

Guidelines for Parents on Control of Head Lice, 2006

CALIFORNIA SCHOOL NURSES ORGANIZATION

Position Statement: Pediculosis Management, 2005

WEB SITES

California Department of Health Services, Infectious Diseases Branch:

<http://www.dhs.ca.gov/ps/dcdc/disb/disbindex.htm>

California School Nurses Organization: <http://www.scno.org>

Centers for Disease Control and Prevention, Parasitic Disease Information, Head Lice:

<http://www.cdc.gov/ncidod/dpd/parasites/lice>

Regulation

Reviewed: May 26, 2009

Regulation

Reviewed and Adopted:

June 9, 2009

CULVER CITY UNIFIED SCHOOL DISTRICT

Culver City, California



**BOARD REPORT**

**6/9/09**

**14.2b**

**14.2b Second Reading and Adoption of Revised Board Policy 5144.1, Students – Suspension and Expulsion/Due Process**

It is recommended practice that the Board of Education regularly review Board Policies/Administrative Regulations that are significant to the operation of the district. A revised Board Policy on Students – Suspension and Expulsion/Due Process is being presented for second reading and adoption.

RECOMMENDED MOTION: That the Board approve the adoption of Revised Board Policy 5144.1, Students – Suspension and Expulsion/Due Process.

Moved by:

Seconded by:

Vote:

## SUSPENSION AND EXPULSION/DUE PROCESS

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

*(cf. 5144 - Discipline)*

**Suspended or expelled students shall be denied the privilege of participation in all extracurricular activities during the period of suspension or expulsion.**

*(cf. 6145 – Extracurricular and Cocurricular Activities)*

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct.  
(Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion **shall be** is-used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to ~~him/herself~~ **self** or others. (~~Education Code 48915~~)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be **those** specified in **law and/or** administrative regulation.

~~Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.~~

~~*cf. 6145 – Extracurricular and Co-curricular Activities*~~

### Zero Tolerance

The Board supports a zero tolerance approach to serious offenses **in accordance with state and federal law**. This approach makes the removal of potentially dangerous students from the classroom a top priority. ~~It~~ **and** ensures **the standardized** ~~fair and equal~~ treatment of all students ~~and requires that all offenders be punished to the fullest extent allowed by law~~. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Zero Tolerance (continued)

law, Board policy and administrative regulation as cause for suspension or expulsion. The Superintendent or designee shall notify staff, students and parent/guardians about the district's zero tolerance policy, and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and/or law. (Education Code 48911, 48915, 48915.5)

*(cf. 5119 - Students Expelled from Other Districts)*

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

On-Campus ProgramSupervised Suspension Classroom

The Board recognizes that students who are suspended from school **often** frequently have no supervision or guidance during the school hours when they are off campus **and may fall behind in the coursework**. The Board believes that, in many cases, it would be better to **manage** address the student's ~~misconduct~~ **behavior** by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee ~~shall~~ **may** establish a supervised **classroom** ~~in-house~~ suspension program which meets the requirements of law for students suspended **for any of the reasons enumerated in Education Code 48900 and 48900.2**, who pose no imminent danger or threat at school, and for whom an expulsion action has not been initiated.

**School may implement, in place of a supervised suspension classroom program, programs involving** ~~The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on-campus;~~ use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

## SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is suspended from a class **by a teacher** because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may ~~provide~~ **require** that the student's parent/guardian attend a portion of a school day in ~~that~~ **the class from which the student was suspended. (Education Code 48900.1)**

~~After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)~~  
~~The Board encourages teachers, b~~ **Before requiring parental attendance, to the teacher shall** make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

**When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that the parent/guardian's attendance is pursuant to law. (Education Code 48900.1)** ~~Parental attendance may be requested on the day~~ **The notice shall specify that the attendance may be on either the date the student is scheduled to return** ~~returns to class or within one week thereafter.~~

**A parent/guardian who has received a written notice shall attend a class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)**

The principal or designee shall contact any parents/guardians who does not respond to the request requirement to attend school. The Board recognizes that ~~parental~~ parent/guardian compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get certain release time from work.



SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Required Parental Attendance (continued)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. **Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)**

Students whose parents/guardians do not comply with school attendance requests shall not be detained from class/school attendance or penalized in any way.

**Decision Not to Enforce Expulsion Order**

**The order for expulsion may be suspended by the Board, on case-by-case basis, pursuant to the requirements of law.**

*Legal Reference:*

EDUCATION CODE

212.5 Sexual harassment

1981 Enrollment of students **in community school**

**17292.5 Program for expelled students**

**32261 Interagency School Safety Demonstration Act of 1985**

~~33032.5 Hate violence reduction~~

35146 Closed sessions (re suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

~~39141.12 Program for expelled students~~

48660-48666 7 Community day schools

48900-48926 7 Suspension and expulsion

48950 Speech and other communication

49073-49079 Privacy of student records

**CIVIL CODE**

**47 Privileged communication**

**48.8 Defamation liability**

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

~~11525-11455.20 Contempt~~

54950-54962 3 Ralph M. Brown Act (re closed sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 Standards and schedules

**LABOR CODE**

**230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child**

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

422.6 Interference with civil rights; damaging property

422.7 Aggravating factors for punishment

422.75 Protected classes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

7151 Gun free schools

6301-8962 Improving America's Schools Act, especially:

8921-8922 Gun-Free Schools Act of 1994

Court Decisions

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4<sup>th</sup> 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4<sup>th</sup> 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal. App. 4<sup>th</sup> 1321

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182)

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Attorney General Opinions

84 Ops. Cal. Atty. Gen. 146 (2001)

80 Ops. Cal. Atty. Gen. 91 (1997)

80 Ops. Cal. Atty. Gen. 85 (1997)

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Educational Placements, SPB-95/96-04

Students

BP 5144.1(f)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

**WEB SITES**

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

**California Attorney General's Office: <http://www.caag.state.ca.us>**

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

**U.S. Department of Education, Office of Safe and Drug-Free Schools:  
<http://www.ed.gov/about/offices/list/osdfs/index.html>**

Policy

CULVER CITY UNIFIED SCHOOL DISTRICT

Adopted: February 3, 1998

Culver City, California

**Policy Reviewed: May 26, 2009**

**Policy Reviewed and Adopted:**

**June 9, 2009**

**BOARD REPORT**

**6/9/09  
14.2c**

**14.2c Approval is Recommended for 2009 CAHSEE Waiver Requests for  
Nine Culver City High School Students**

Approval is requested for 2009 CAHSEE waivers for 9 students at Culver City High School who either have an Individual Education Plan (IEP) or Section 504 plan. The CAHSEE waivers are requested for Math for all nine students. The students have met all requirements for such waivers under Education Code 60851(c).

RECOMMENDED MOTION:

That the Board approve the 2009 CAHSEE waiver requests for Nine Culver City High School students who have Individual Education Plans or Section 504 Plans.

Moved by:

Seconded by:

Vote:

**14.3a Year-End Appropriation Transfers**

Under the provisions of EC 42601, the governing board may authorize the County Superintendent of Schools to make year-end appropriation transfers as needed. Failure to make the authorization would run the risk of warrants not being processed if expenditures exceed budget categories and would result in an overdraft at the major object of expenditure level.

**RECOMMENDED MOTION:** That in accordance with Education Code Section 42601, the County Superintendent of Schools is authorized to make appropriation transfers at the close of the school year 2008-2009 to permit payment of obligations of the District incurred during the school year as follows:

- 1<sup>st</sup> Source: Between major object of expenditures
- 2<sup>nd</sup> Source: From unappropriated balance, if any
- 3<sup>rd</sup> Source: From designated balance

**Moved by:**

**Seconded by:**

**Vote:**



**BOARD REPORT**

**14.4a Approval is Recommended for Resolution #34-2008/2009 (HR), Regarding Layoff of Classified Personnel**

It is necessary to take action to abolish one classified position for lack of work and/or lack of funds. The provisions of the Education Code require that such a resolution be approved and written notice be provided to affected classified employees no less than 45 days prior to the effective date of layoff.

RECOMMENDED MOTION:           It is recommended that the Board approve Resolution #34-2008/2009 (HR), authorizing the elimination of one classified position.

Moved:

Seconded by:

Vote:

**RESOLUTION #34-2008/2009 (HR), REGARDING LAYOFF OF CLASSIFIED PERSONNEL**

BE IT RESOLVED that the Governing Board of the Culver City Unified School District hereby determines that Resolution #27-2008/2009 (HR), Regarding the Layoff of Classified Personnel, be amended as to the effective date of the layoff for the position specified below:

<b><u>Position</u></b>	<b><u>No. Affected</u></b>	<b><u>IMPACT</u></b>
Maintenance Glazier – 8 hours per day, 12 months per year	1	Eliminate

BE IT FURTHER RESOLVED by the Governing Board as follows:

1. That due to a lack of funds and/or lack of work, the number of classified employees and the amount of service rendered shall be reduced by layoff as specified above, pursuant to Education Code Section 45308.
2. That the Superintendent is directed to give notice of layoff to the affected classified employees pursuant to the requirements of law.
3. That said layoff shall become effective on August 12, 2009, subject to negotiations to the extent required by law.
4. That the employees laid off pursuant to this Resolution shall be eligible for reemployment pursuant to Education Code section 45298.

Adopted by the Governing Board of the Culver City Unified School District on June 9, 2009, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Governing Board of the  
Culver City Unified School District



**BOARD REPORT**

**14.4b Approval is Recommended for Resolution #35-2008/2009 (HR), Regarding Layoff of Classified Vacant Position**

It is necessary to take action to abolish one classified position for lack of work and/or lack of funds.

RECOMMENDED MOTION:      It is recommended that the Board approve Resolution #35-2008/2009 (HR), authorizing the elimination of one classified position.

Moved:

Seconded by:

Vote:

**RESOLUTION #35-2008/2009 (HR), REGARDING LAYOFF OF CLASSIFIED VACANT POSITION**

BE IT RESOLVED that the Governing Board of the Culver City Unified School District hereby determines that the following one (1) classified vacant position be abolished for lack of work and/or lack of funds.

<b><u>Position</u></b>	<b><u>No. Affected</u></b>	<b><u>IMPACT</u></b>
Instructional Assistant – Special Education IIA – 3.5 hours per day, school year	1	Eliminate

BE IT FURTHER RESOLVED by the Governing Board as follows:

1. That due to a lack of funds and/or lack of work, the number of classified employees and the amount of service rendered shall be reduced by layoff as specified above, pursuant to Education Code Section 45308.
2. That said layoff shall become effective on June 30, 2009, subject to negotiations to the extent required by law.

Adopted by the Governing Board of the Culver City Unified School District on June 9, 2009, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Governing Board of the  
Culver City Unified School District

**BOARD REPORT**

**14.4c Approval is Recommended for Resolution #36-2008/2009 (HR), Action to Partially Rescind Resolution #28-2008/2009 (HR) (Regarding Layoff/Reduction of Classified Personnel)**

Due to the needs of the District and the pupils it serves it is necessary to take action to reinstate one classified position previously reduced for lack of work and/or lack of funds.

RECOMMENDED MOTION:        It is recommended that the Board approve Resolution #36-2008/2009 (HR), to partially rescind Resolution #28-2008/2009 as presented.

Moved:

Seconded by:

Vote:

**RESOLUTION #36-2008/2009 (HR), ACTION TO PARTIALLY RESCIND  
RESOLUTION #28-2008/2009 (HR) (REGARDING LAYOFF/REDUCTION OF  
CLASSIFIED PERSONNEL)**

BE IT RESOLVED that the Governing Board of the Culver City Unified School District hereby determines that the following one classified Instructional Assistant – Special Education IIA position be reinstated to its original hours.

<b><u>Position</u></b>	<b><u>No. Affected</u></b>	<b><u>IMPACT</u></b>
Instructional Assistant – Special Education IIA – 6 hours per day, school year	1	Reinstate

BE IT FURTHER RESOLVED by the Governing Board as follows:

1. That events occurring since the Board's original decision of March 24, 2009, to reduce classified services, lead the Board to conclude that it is in the best interest of the District and the pupils of the District to recall the notice issued to the affected employees in said positions named above pursuant to Resolution #28-2008/2009 (HR), and not to reduce those services as specified above.
2. That the Superintendent or her designee(s) may give notice to the affected classified employees of the Board's rescission of its earlier action taken in Resolution #28-2008/2009 (HR).
3. That said reinstatement shall become effective on June 30, 2009, subject to negotiations to the extent required by law.

Adopted by the Governing Board of the Culver City Unified School District on June 9, 2009, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Board