

**SOUTHSIDE SCHOOL DISTRICT
REGULAR MEETING, BOARD OF TRUSTEES
Wednesday April 12th, 2023
4991 Southside Road, Hollister, CA 95023
Art Room**

CLOSED SESSION – 5:30 p.m. OPEN SESSION - 6:00 p.m.

AGENDA

- I. Call To Order: 5:30 p.m.
 - a. Roll Call
 - b. Comments from the Public – This is a time for the public to address the Board. (A maximum of 3 minutes will be allotted to each speaker.)
 - c. Recess to Closed Session
- II. Closed Session 5:30 p.m.

Notice is hereby given that a closed session of the Board will be held under the general provisions listed as follows:

- a. PERSONNEL - Closed Session Pursuant to Government Code Section 54957 & 54957.6(a)

- 1. Conference with Labor Negotiator - Certificated “Sunshine Letter”

- b. STUDENT MATTER – Closed Session Pursuant to Government Code Section 35146, 48912 & 49070

- 1. Inter-district Transfer Status

- III. Regular Session 6:00pm

- a. Roll Call

- Present:

- Michael Ruth
 - Julia Otterlei
 - Julie Corrigan
 - Laura Forth
 - Julio Salazar

- Absent:

- b. Report any action taken in closed session

c. Pledge of Allegiance

d. Approval of the Agenda

e. Comments from the Public – This is a time for the public to address the Board. A maximum of 3 minutes will be allotted to each speaker.

IV. Discussion/Action Items

a. Officers' Reports

1. Superintendent/Principal

a. Multiuse room roof update

b. Open House 4/13

c. 8th grade camp 4/17-4/19

d. CAASPP Testing

e. Insurance Claim

f. Mural for Southside School

2. Board Member Comments

3. Board President

4. Parent Club

V. Consent Items

These items are considered routine and may be enacted by the board in one motion. There is no discussion on these items prior to the motion unless a specific item is removed from the consent list.

a. Regular Board Meeting Minutes March 8th, 2023 as presented.

b. Warrants report dated 3/1/23-3/31/23 through date range, as presented.

VI. Discussion/Action Items

a. Board Policy – Bullying 5131 (DISCUSSION)

Rationale: This is an opportunity of the board to discuss the district policy on student bullying. Comparative policies from other districts provide examples of the direction other districts have implemented bullying policy.

Recommendation: N/A

Recommended Motion: N/A

Budget Source: TBD

b. J-13 a. School Instructional minutes and school closure (ACTION)

Rationale: The Request for Allowance of Attendance Due to Emergency Conditions, Form J-13A is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392, 46393 and *California Code of Regulations (CCR)*, Title 5, Section 428. Approval of a Form J-13A request from the California Department of Education, combined with other attendance records, serve to document a local educational agency's (LEA) compliance with instructional time laws and provide authority to maintain school for less than the required instructional days and minutes without incurring a fiscal penalty to the LEA's Local Control Funding Formula (LCFF) funding.

Recommendation: The board to review and approve the Southside J-13 a. application for submission to the California Department of Education

Recommended Motion: That the board motion to approve the Southside J-13(a) application.

Budget Source: N/A

c. School Resource Officer (DISCUSSION)

Recommendation: That the board discuss the topic of a school resource office for Southside school.

Recommended Motion: N/A

Rationale: School safety is a concern across our nation and the board will discuss the position of school resource officer and the viability of having an officer on campus.

Budget Source: N/A

d. Vision for Southside School Community

Rationale: At the March board meeting, board members discussed the desire to review the vision of Southside school. It was requested that the topic of district vision be a standing item on the board agenda.

Recommended Motion: N/A

Recommendation: The board discuss the topic of school vision and mission and establish a plan or pathway toward a revision of the school vision and goals.

Budget Source: N/A

d. New Board Member On-Boarding Materials (DISCUSSION)

Rationale: At the January and March board meetings, board members discussed the desire to review the informational documents needed for new board members joining the Southside school district board of trustees. It was requested that the topic be reviewed as a board agenda item. Topics to consider are:

- CSBA "What It Takes To Lead" pamphlet (attached)
- Copy of the Brown Act
- Print copy of Board Bylaws
- Conduct at Board Meetings
- Protocols for speaking with district staff, members of the public, & the media.
- Electronic access to District Policies, Regulations & Bylaws

Recommended Motion: N/A

Recommendation: The board discuss the topic of new board member on boarding criteria.

VII. Closing Items

a. The next Regular Meeting of the Board is Wednesday May 3rd, 2023, at 6:00 pm.

b. Adjournment

PUBLIC COMMENTS –

Individuals wishing to address the Board on a non-agenda item may do so during the Comments from the Public. However, no action may be taken on an item, which is not on the agenda. The public is welcomed to address the Board on agenda items and may do so at the time it is presented. Guidelines for Comments from the Public will be as follows: A maximum of 5 minutes will be allotted to each speaker with a maximum of 20 minutes to a subject area.

No disruptive conduct will be permitted at any Southside School Board of Trustees meeting.

AGENDA ITEMS –

Individuals wishing to have an item appear on the agenda must submit the request in writing to the Superintendent/Principal two weeks prior to the regularly scheduled meeting. The Board President and Superintendent/Principal will determine what items will be included in the agendas. Regular meetings are held the first Wednesday of each month.

Items listed under the Consent Agenda are considered routine and are acted on by the Board of Trustees as one motion. It is understood that the Administration recommends approval on all consent items. Each item on the Consent Agenda approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Southside School at (831) 637-4439 x 100. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

SOUHSIDE SCHOOL DISTRICT BOARD OF TRUSTEES
4991 Southside Rd. Hollister, CA 95023
REGULAR MEETING: Wednesday, March 8th , 2023
In-Person Meeting

MINUTES

ITEM I – Call to Order: 5:30pm

- a. Meeting called to order** at 5:30pm by Mr. Michael Ruth

Roll Call:

Board Members Present:

- Michael Ruth
- Laura Forth

- Julia Otterlei
- Julio Salazar

Board Members Absent:

- Julie Corrigan

- b. Comments from public –**
c. Recess to Closed Session

ITEM II – Closed Session 5:30pm

Notice is hereby given that a closed session of the Board will be held under the general provisions listed as follows:

- a. Personnel – Closed Session Pursuant to Government Code Section 54957 & 54957.6(a)**
1. Conference with Labor Negotiator – Certificated “Sunshine Letter”

ITEM III

- a. Roll Call – Closed Session ended at 5:50pm regular session started at 5:57pm**

Present:

- Michael Ruth
- Laura Forth

- Julia Otterlei
- Julio Salazar

Absent:

- Julie Corrigan

- b. The Board directed Mr. Schilling to negotiate with the SEA.**
c. Approval of the Agenda – Laura Forth made the motion to approve the agenda and was seconded by Julio Salazar and carried the following vote: Yes – 4; No/Absent/Abstain – 0
- d. Comments from the public – Mrs. Radon shared an update from the first grade class.**

ITEM IV. – DISCUSSION / ACTION ITEMS

a. Officers' Report

1. Superintendent/Principal –

- a. Mr. Schilling shared with the Board on the gym roof project.
- b. Mr. Schilling shared with the Board that the district has been identified for ATSI, targeted support and needed to have an update on the progress included in the LCAP report for this year.
- c. Mr. Schilling shared with the Board that the Parent workshop on Drug Awareness & Prevention was held on 3/7 from 6-7pm and only one parent attended.
- d. Mr. Schilling shared with the Board that Mrs. Abercrombie was planning the 8th grade camp trip on 4/17-4/19.

2. Board Member comments – Mrs. Forth read a statement about the lack of participation and parent support for school activities. She talked about how a small group of parents are doing the lion's share of the work for student projects and activities and how the school needs to rebuild the bridge of parent engagement and participation. Additionally, that the school needs to look within about what is our mission for kids. Mr. Salazar talked about how he worked with the migrant education families at the high school to increase parent involvement. The board talked about possibly doing a survey to find out the barriers to parent involvement. Mrs. Otterlei asked about the issue with other schools and the meeting times of the parent club. Mrs. Radon mentioned the activities that were done in the past with parent club such as Southside Nights. Mrs. Yamanishi mentioned that is always the same parents that do the bulk of the work. Mrs. Forth added that it really starts with us. Mr. Ruth added that he agreed that the board will need to add the mission and vision as a standing item for future meetings.

3. Board President comments – No comments

4. Parent Club –No comments

ITEM V – CONSENT ITEMS

These items are considered routine and may be enacted by the board in one motion. There is no discussion on these items prior to the motion unless a specific item is removed from the consent list.

- a. Regular Board Meeting Minutes February 1st, 2023 as presented.
- b. Special Meeting of the Board Minutes January 24th, 2023
- c. Warrants report dated 2/1/23-2/28/23 through date range, as presented.
- d. Surplus items February 2023

Julia Otterlei made a motion to approve the consent items and Laura Forth second the motion and carried the following vote: Yes –4; No/Absent/Abstain – 0

ITEM VI – DISCUSSION/ACTION ITEMS

- a. Annual Financial Report for Period Ending June 30, 2022 (ACTION)

Rationale: Local educational agencies (LEAs) are required to file two reports during a fiscal year (interim reports and year ending reports) on the status of the LEA's financial health. The first interim report is due December 15 for the period ending October 31. The second interim report is due March 17 for the period ending January 31. Year ending audit reports are required to demonstrate the responsibility to appropriate accounting standards and practices. Mrs. Hansen provided clarification on the findings for the Southside report.

Recommendation Motion: That the Board of Education review and approve the Annual Financial Report for Period Ending June 30, 2022.

Julio Salazar made the motion to approve the Annual Financial Report and was seconded by Laura Forth and carried the following vote: Yes –4; No/Absent/Abstain-0

b. Second Interim Report March 2023 (ACTION)

Rationale: The Second Interim Report prepared by Shannon Hansen, the Director of Business Services for the San Benito County office of Education and reflects the overall fiscal status and three-year projections for Southside school. Mrs. Hansen talked about the ability for the district to meet the financial obligations for the upcoming school year and the questions about the projected budget from the state. An update to the upcoming budget would be provided in the May revision from the state.

Recommended Motion: That the Board of Education review and approve the Second Interim Report as presented.

Laura Forth made the motion to approve Second Interim Report and was seconded by Julia Otterlei and carried the following vote: Yes – 4; No/Absent/Abstain – 0

c. Quarterly Investment of Funds report ending December 31th, 2022 (ACTION)

Recommended Motion: That the Board of Education review and accept the Quarterly Investment of Funds Report ending December 31st, 2022.

Julia Otterlei made the motion to approve Quarterly Investment of Funds Report and was seconded by Laura Forth and carried the following vote: Yes – 4; No/Absent/Abstain – 0

VII. Closing Items

- a. The next Regular Meeting of the Board is Wednesday April 12th, 2023 , at 6:00 pm.
- b. Adjournment

Laura forth made the motion to adjourn the meeting at 6:50pm and was seconded by Julio Salazar and carried the following vote: Yes –4; No/Absent/Abstain – 0

John Schilling, Superintendent/Principal
Southside School District

Michael Ruth, Board President
Southside School District, Board of Trustee

011 SOUTHSIDE ELEMENTARY

Board Warrant Approval List
03/01/2023 - 03/31/2023

J48076 WARRRDC L.00.00 04/03/23 PAGE 0

Report title:
With account detail: N
Date issued range: 03/01/2023 - 03/31/2023
Warrant number range: -
Sort by: Warrant #

Warrant Number	Reference Number	Issue Date	Payee and Purpose	Expenditure
11	00406066 PO230062	03/02/2023	BARNES, ALLISON S. TEACHING ARTIST	
			Sub total:	1,800.00
11	00406141 FV300036 FV300036 FV300036 FV300036 FV300036	03/03/2023	SISC ACCTS PAYABLE-MEDCAL PAYMT VISION INSURANCE DENTAL INSURANCE MEDICAL INSURANCE MEDICAL INSURANCE	
			Sub total:	29,808.70
11	00406142 FV300037	03/03/2023	SISC FLEX PLAN MEDICAL INSURANCE	
			Sub total:	118.18
11	00406147 PO230005 PO230005 PO230005	03/06/2023	FIRST ALARM SERVICES FY 2022-2023 SERVICES FY 2022-2023 SERVICES FY 2022-2023	
			Sub total:	633.11
11	00406148 PO230025	03/06/2023	PALACE BUSINESS SOLUTIONS PURCHASES FY 2022-2023	
			Sub total:	508.67
11	00406149 PO231010	03/06/2023	STATE OF CA DEPT OF JUSTICE SERVICES FY 2022-2023	
			Sub total:	47.00
11	00406150 PO230008	03/06/2023	TORO PETROLEUM CORP PURCHASES FY 2022-2023	
			Sub total:	57.60
11	00406464 PO230048 PO230048	03/15/2023	AT&T SERVICES FY 2022-2023 SERVICES FY 2022-2023	
			Sub total:	95.52
11	00406465 PO230065	03/15/2023	ESTRADA, THOMAS A. SERVICES FY 2022-2023	
			Sub total:	603.75
11	00406466 PO230030 PO230030 PO230030 PO230030 PO230030 PO230030	03/15/2023	JOHNSON LUMBER COMPANY PURCHASES FY 2022-2023 PURCHASES FY 2022-2023 PURCHASES FY 2022-2023 PURCHASES FY 2022-2023 PURCHASES FY 2022-2023 PURCHASES FY 2022-2023	
			Sub total:	184.86

Warrant Number	Reference Number	Issue Date	Payee and Purpose	Expenditure
11	00406467	03/15/2023	PRODUCERS DAIRY FOODS INC	
	PO230015		NUTRITION PURCHASES FY 22-23	
	PO230015		NUTRITION PURCHASES FY 22-23	
	PO230015		NUTRITION PURCHASES FY 22-23	
	PO230015		NUTRITION PURCHASES FY 22-23	
			Sub total:	698.51
11	00406468	03/15/2023	RECOLOGY SAN BENITO COUNTY	
	PO230003		SERVICES FY 2022-2023	
			Sub total:	653.37
11	00406469	03/15/2023	THE DANIELSEN COMPANY	
	PO230011		PURCHASES FY 2022-2023	
			Sub total:	1,054.33
11	00406470	03/15/2023	TORO PETROLEUM CORP	
	PO230008		PURCHASES FY 2022-2023	
			Sub total:	54.49
11	00406471	03/15/2023	WATSONVILLE COAST PRODUCE INC	
	PO230014		PURCHASES FY 2022-2023	
			Sub total:	263.05
			Total Warrants Issued:	36,581.14
			Total Warrants Canceled:	.00
			Total Warrants (Issued - Canceled):	36,581.14

A-1

HSD

BP 5131.2

BOARD POLICY

STUDENTS

BULLYING

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

- (cf. 5131 - Conduct)
- (cf. 5136 - Gangs)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

- (cf. 5145.2 - Freedom of Speech/Expression)
- (cf. 6163.4 - Student Use of Technology)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

- (cf. 0420 - School Plans/Site Councils)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 0460 - Local Control and Accountability Plan)
- (cf. 1220 - Citizen Advisory Committees)
- (cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

- (cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 – Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student is using a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California's Social and Emotional Learning: Guiding Principles, 2018
Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Guidance to Schools: Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010
Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>
California Office of the Attorney General: <http://oag.ca.gov>
Center on Great Teachers and Leaders: <http://gtlcenter.org>
Collaborative for Academic Social and Emotional Learning: <http://casel.org>
Common Sense Media: <http://www.common Sense Media.org>
National School Safety Center: <http://www.schoolsafety.us>
Partnership for Children and Youth: <http://www.partnerforchildren.org>
U.S. Department of Education: <http://www.ed.gov>

Revised: 1/26/16
Revised: 7/24/18

(4/13 10/14) 7/15
(10/14 7/15) 5/18

A-2

» Policy 5131.2: Bullying Spring Grove Joint Union

Status: ADOPTED

Original Adopted Date: 11/12/2015 | Last Revised
Date: 04/02/2020 | Last Reviewed Date: 04/02/2020

see more

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel or retaliate against them for filing a complaint or participating in the complaint resolution process.

- (cf. 5131 - Conduct)
- (cf. 5136 - Gangs)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

- (cf. 0420 - School Plans/Site Councils)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

- (cf. 1312.3 - Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has

been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6163.4 - Student Use of Technology)

Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

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

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

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

A-3

Regulation Status: ADOPTED San Benito High School District

**5131.2:
Bullying**

Original Adopted Date: 06/11/2019 | **Last Revised Date:** 06/09/2020 | **Last Reviewed Date:** 06/09/2020 | **Last** see more

Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression) (cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. **Physical bullying:** An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. **Verbal bullying:** An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. **Social/relational bullying:** An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. **Cyberbullying:** An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)
(cf. 5137 - Positive School Climate)

2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

(cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances

of criminal behavior

Information and Resources

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

(cf. 5141.52 - Suicide Prevention)

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6

4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

(cf. 1113 - District and School Web Sites)

Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education) (cf. 6142.94 - History-Social Science Instruction)

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as

defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5116.2 - Involuntary Student Transfers) (cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Reviewed: June 11, 2019

Revised: June 9, 2020

Students

BP 5131(a)

CONDUCT

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.1 - Bus Conduct)

(cf. 6145.2 - Athletic Competition)

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

Students and parents/guardians shall be notified of school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

2. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

3. Harassment of students or staff, such as bullying, including cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering, in accordance with the section entitled "Bullying/Cyberbullying" below

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

4. Damage to or theft of property belonging to students, staff, or the district

CONDUCT (continued)

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, Theft and Graffiti)

5. Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose, including employment

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the Superintendent/Principal or designee. The Superintendent/Principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

7. Plagiarism or dishonesty in school work or on tests

(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)

8. Inappropriate attire

(cf. 5132 - Dress and Grooming)

9. Tardiness or unexcused absence from school

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

10. Failure to remain on school premises in accordance with school rules

11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

CONDUCT (continued)

Students who violate school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. The Superintendent/Principal or designee shall notify local law enforcement as appropriate.

- (cf. 1020 - Youth Services)*
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*
- (cf. 5020 - Parent Rights and Responsibilities)*
- (cf. 5144 - Discipline)*
- (cf. 5144.1 - Suspension and Expulsion/Due Process)*
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*
- (cf. 6020 - Parent Involvement)*
- (cf. 6145 - Extracurricular and Cocurricular Activities)*
- (cf. 6184 - Continuation Education)*
- (cf. 6185 - Community Day School)*

Students also may be subject to discipline for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts the educational program of the district or any other district in accordance with law, Board policy, or administrative regulation.

Possession/Use of Cellular Phones and Other Mobile Communications Devices

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Except with prior consent for health reasons, students shall not possess or use on school campus personal electronic signaling devices including, but not limited to, pagers; cellular/digital telephones for voice usage, digital imaging, or text messaging or other mobile communications devices such as digital media players, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, and laptop computers.

Bullying/Cyberbullying

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

- (cf. 5137 - Positive School Climate)*
- (cf. 5138 - Conflict Resolution/Peer Mediation)*
- (cf. 6164.2 - Guidance/Counseling Services)*

CONDUCT (continued)

The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying. This instruction may involve parents/guardians, staff, and community members.

(cf. 1220 - Citizen Advisory Committees)
(cf. 6163.4 - Student Use of Technology)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5136 - Gangs)

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent/Principal or designee may establish other processes for students to submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with the grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance.

Students shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the Superintendent, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent/Principal or designee also may file a complaint with the Internet site or service to have the material removed.

Legal Reference: (see next page)

Students**POSITIVE SCHOOL CLIMATE**

The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3515 - Campus Security)
(cf. 3515.2 - Disruptions)
(cf. 5030 - Student Wellness)
(cf. 5131.4 - Student Disturbances)
(cf. 5142 - Safety)
(cf. 5145.3 - Nondiscrimination/Harassment)

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

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

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.6 - Alcohol and Drugs)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

POSITIVE SCHOOL CLIMATE (continued)

- (cf. 5131.9 - Academic Honesty)*
- (cf. 6141 - Curriculum Development and Evaluation)*
- (cf. 6141.6 - Multicultural Education)*
- (cf. 6142.3 - Civic Education)*
- (cf. 6142.4 - Service Learning/Community Service Classes)*
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

The Superintendent/Principal or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

- (cf. 1240 - Volunteer Assistance)*
- (cf. 5126 - Awards for Achievement)*
- (cf. 5131.5 - Vandalism, Theft and Graffiti)*
- (cf. 5148.2 - Before/After School Programs)*
- (cf. 6020 - Parent Involvement)*
- (cf. 6145 - Extracurricular and Cocurricular Activities)*
- (cf. 6145.5 - Student Organizations and Equal Access)*

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

- (cf. 4131 - Staff Development)*
- (cf. 4231 - Staff Development)*
- (cf. 4331 - Staff Development)*

Legal Reference: (see next page)

**REQUEST FOR ALLOWANCE OF ATTENDANCE
DUE TO EMERGENCY CONDITIONS**

Form J-13A

(Revised December 2017)

California Department of Education

School Fiscal Services Division

Website: <https://www.cde.ca.gov/fq/>

Telephone: 916-324-4541

Email: attendanceaccounting@cde.ca.gov

Form J-13A Instructions

Why file:

The Request for Allowance of Attendance Due to Emergency Conditions, Form J-13A is used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code (EC) Section 41422*.
- When one or more schools were kept open but experienced a material decrease in attendance pursuant to *EC Section 46392* and *California Code of Regulations (CCR), Title 5, Section 428*.
- When attendance records have been lost or destroyed as described in *EC Section 46391*.

The California Department of Education's (CDE) approval of the J-13A, combined with other attendance records, serve to document the local educational agency's (LEA) compliance with instructional time laws and provide authority to maintain school for less than the required instructional days and minutes without incurring a fiscal penalty to the LEA's Local Control Funding Formula (LCFF) funding.

How to file:

The Form J-13A is available at <https://www.cde.ca.gov/fg/aa/paj/13a.asp>. Also available on the J-13A Web page are FAQs and supplemental pages for sections B and C in Excel format. All affidavits must have original signatures.

Charter schools must file separately from the authorizing school district or county office of education (COE).

The LEA governing board must approve each request by completing Section E, Affidavit of School District, County Office of Education, or Charter School Governing Board Members. Once the majority of the governing board members have approved the request, the LEA should keep a copy of the request and then submit the original to the county superintendent who must approve the request before it can be submitted to the State Superintendent of Public Instruction, CDE. Charter schools must submit the request to their authorizing LEA for approval, who will then forward to the county superintendent for approval.

The following summarizes the J-13A submittal and CDE review process:

- The county superintendent executes the Affidavit of County Superintendent of Schools, certifying the approval.
- The COE should keep a copy of the request and mail the original request to the listed CDE address.
- Once CDE has received the Form J-13A, the request will go through a review process. If the request is approved, CDE will e-mail the approval letter and a copy of the request to all contacts listed on the form. CDE will also mail a hardcopy of the approval letter. If the request is denied, CDE will e-mail the denial letter and a copy of the request to all contacts listed on the form. CDE will also mail a hardcopy of the denial letter.

Where to file:

Mail the entire original Form J-13A to:
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

General Instructions:

- Multiple emergency events and schools may be included on one Form J-13A. Be sure to include specific detailed information and supporting documents for each event and school.
- If the emergency event resulted in a closure and material decrease, complete sections B and C.
- Supplemental pages for sections B and C are available in Excel format for a request that requires more lines than allocated on Form J-13A.
- Attach supporting documentation. Redact any personally identifiable information. Examples of required supporting documentation:
 - Declaration of a State of Emergency
 - News articles
 - E-mails
 - Invoices

Form J-13A Instructions

- A local safety officer letter for any incident involving police activity, threats, cyber threats, etc.
- A county public health officer letter for any incident involving epidemic-type illness. The letter is to specify that the illness was an epidemic or that there was an increase in the number of cases of a disease above what is normally expected of the population in that area.

SECTION A: REQUEST INFORMATION

Refer to the California School Directory at <https://www.cde.ca.gov/schooldirectory/> for information needed to complete this section.

PART I: LOCAL EDUCATIONAL AGENCY (LEA)

- LEA Name – Enter the name of the school district, COE, or charter school submitting the Form J-13A.
- County Code – Enter the two-digit county code associated with this entity.
- District Code – Enter the five-digit district code associated with this entity.
- Charter Number – If this request is for a charter school, enter the charter number associated with this entity.
- LEA Superintendent or Administrator Name – Enter the name of the superintendent or administrator associated with this entity.
- Fiscal Year – Enter the fiscal year of the requested emergency closure, material decrease and/or lost or destroyed attendance records.
- Address – Enter the LEA's full address including:
 - Number and street
 - County name
 - City
 - State
 - Zip code
- Contact Information – Enter a contact person for this request. Include the following:
 - Name
 - Title
 - Phone number
 - E-mail address

PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST

Select the LEA type associated with the request and, for a school district or COE request, if all or select school sites are included in the request. Only one LEA type may be selected.

PART III: CONDITION(S) APPLICABLE TO THIS REQUEST

Read each condition carefully and select one or more that apply to this request. In addition, indicate if the request is associated with a Declaration of a State of Emergency by the Governor of California.

SECTION B: SCHOOL CLOSURE

This section is used for closures pursuant to *EC* Section 41422. If the request does not include any school closures, select the "Not Applicable" box on the top right corner and proceed to Section C.

PART I: NATURE OF EMERGENCY

Use this field to describe in detail the nature of the emergency(s) that caused the school closure.

PART II: SCHOOL INFORMATION

The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each school closed on a separate line. Use the supplemental Excel form at <https://www.cde.ca.gov/fg/aa/pa/j13a.asp> if more than 10 lines are needed for this request and select the "Supplemental Page(s) Attached" box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code.
- C. Site Type – Enter the site type associated with the school listed in Column A. This site information is need for CDE to determine the specific instructional time requirements for the listed school. Choose one of the following site type options:
 - Charter School
 - Community Day
 - Continuation School
 - County Community
 - Juvenile Court School

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- o Opportunity School
 - o Special Education
 - o Traditional
- D. Days in School Calendar – Provide the number of days in the school calendar. Attach a copy of the school calendar to the request. If the request includes multiple schools, attach a copy of each different school calendar and clearly identify which schools follow each calendar. If all schools have the same school calendar, note “all schools” at the top of the calendar.
- E. Emergency Days Built In – Provide the number of additional days the school has built in to the school calendar to use as make-up days for emergency closures.
- F. Built In Emergency Days Used – Provide the number of built in emergency days the school has used so far in the school year.
- G. Date(s) of Emergency Closure – Enter the date(s) closed for the emergency in the current request.
- H. Closure Dates Requested – Of the dates provided in Column G, enter the dates the school will not be able to make-up, and is requesting as part of the Form J-13A.
- I. Total Number of Days Requested – Enter the total number of days for the dates requested in Column H.

PART III: CLOSURE HISTORY

In this section, provide the closure history for the current and five prior fiscal years for all schools included in the request, regardless if a J-13A request was submitted. For example, if a school had multiple closures in one year, group the closures by fiscal year and nature.

School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No
School #1	0123456	2016-17	12/5, 2/10	Flooding	Yes
School #1	0123456	2016-17	4/17-4/18	Power Outage	No
School #1	0123456	2015-16	12/15-12/8	Road Closures	Yes

SECTION C: MATERIAL DECREASE

This section is used to claim attendance for material decreases pursuant to EC Section 46392. If the request does not include any credits for a material decrease in attendance, select the “Not

Applicable” box on the top right corner and proceed to Section D.

If the attendance of an LEA or a school is less than or equal to 90 percent of “normal” attendance for a reasonable time during or after an emergency event, the LEA may assume that a case exists for claiming emergency attendance credit for the “material decrease” of attendance. According to CCR, Title 5, Section 428, “normal” attendance is the average daily attendance (ADA) for the month of either October or May of the same school year. If the emergency occurred between July and September of the current year, the LEA must wait to submit the request until after October ADA of the current year can be calculated. The October or May ADA is used as a proxy for a normal day of attendance for the emergency day. However, if an emergency occurs in October or May, the LEA may request to use a different month as a proxy for a normal day of attendance for the emergency day.

Pursuant to EC Section 46392, the 90 percent threshold may be waived when the Governor has declared a “State of Emergency.” A copy of the Governor’s declaration should be included in the submittal. Any reduction of attendance in a necessary small school (NSS), even if less than 10 percent, may be considered material.

Attendance must be provided at the school site level. Approval of a districtwide material decrease is contingent upon the inclusion of all district sites, and a districtwide percentage of 90 percent or less on each emergency day. For non-districtwide emergencies, each school must meet the 90 percent threshold on each emergency day for approval of attendance credit.

PART I: NATURE OF EMERGENCY

Use this field to describe in detail the nature of the emergency(s) that caused the material decrease in attendance. Provide a detailed explanation for any gap in between emergencies. Request should be accompanied by supporting documents, if applicable.

PART II: MATERIAL DECREASE CALCULATION

The information provided in Parts II and III will be used to determine if the loss of attendance meets the 90 percent threshold for attendance credit approval (except when the governor declares a state of emergency or in the case of a NSS site), and to calculate the estimated attendance credit

Form J-13A Instructions

amount. The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each school requesting attendance credit on a separate line. Use the supplemental Excel form at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than 10 lines are needed for this request and select the “Supplemental Page(s) Attached” box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code
- C. “Normal” Attendance – Provide the ADA for the school month of October or May of the same school year.

A school month is 20 days, or four weeks of five days each, including legal holidays but excluding weekend makeup classes (*EC* Section 37201). The school calendar begins on the first Monday of the week that includes July 1 or the Monday of the first week of school. As a result, school months can be split between September and October; October and November; April and May; May and June. Therefore, the CDE advises LEAs to use the school month that has the most school days in either October or May.

- D. Dates Used for Determining “Normal” Attendance – Enter the date range of the school month used to provide the ADA in Column C.
- E. Date of Emergency – Enter the date of the emergency. **If the emergency lasted for more than one day, use a separate line for each date.**
- F. Actual Attendance – Provide the actual attendance for the school site on the date of emergency listed in Column E.
- G. Qualifier: 90 Percent or Less (F/C) – Calculated field. If the nature of emergency is consistent with *EC* Section 46392, the school may qualify for an attendance

adjustment when the Actual Attendance (Column F) divided by the “Normal” Attendance (Column C) yields a percentage of 90 percent or less. Exclude any emergency day that yields a percentage of more than 90 percent except when the governor declares a state of emergency or in a case of a NSS site.

- H. Net Increase of Apportionment Days (C-F) – Calculated field. The Actual Attendance (Column F) is subtracted from the “Normal” Attendance (Column C) to determine the Net Increase of Apportionment Days (Column H). When attendance on the date of emergency is greater than the “normal” attendance, this field will yield zero and should be removed from the material decrease calculation table.

If the request is approved, CDE’s approval letter will include the total net increase of apportionment days, which may differ from the amount shown. The LEA will then divide this number by the days in the applicable P-1, P-2, or Annual reporting period to determine the ADA increase.

PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS

Continuation education is an hourly program, therefore the attendance must be provided in hours for continuation schools. Three hours equals one apportionment day. The fields below correspond to the columns on Form J-13A.

- A. School Name – Enter the school name of each continuation school requesting attendance credit on a separate line. Use the supplemental Excel file at <https://www.cde.ca.gov/fq/aa/pa/j13a.asp> if more than five lines are needed for this request and select the “Supplemental Page(s) Attached” box on the top right corner.
- B. School Code – Enter the seven-digit school code associated with the school listed in Column A. Use the California School Directory at <https://www.cde.ca.gov/schooldirectory/> to locate the school code.

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- C. "Normal" Attendance Hours – Provide the attendance hours for the continuation school on the same day of the week prior to, or the week following the emergency.

Example: If the emergency day is on a Tuesday, provide the attendance hours on the Tuesday of the week prior to or following the emergency.

- D. Date Used for Determining "Normal" Attendance – Enter the date of the school day used to provide the attendance hours in Column C.
- E. Date of Emergency – Enter the date of the emergency. **If the emergency lasted for more than one day, use a separate line for each date.**
- F. Actual Attendance Hours – Provide the actual attendance hours for the continuation school on the date of emergency.
- G. Qualifier: 90 Percent or Less (F/C) – Calculated field. If the nature of emergency is consistent with EC Section 46392, the school may qualify for an attendance adjustment when the Actual Attendance Hours (Column F) divided by the "Normal" Attendance Hours (Column C) yields a percentage of 90 percent or less. Exclude any emergency day that yields a percentage of more than 90 percent except when the governor declares a state of emergency or in a case of a NSS site.
- H. Net Increase of Hours (C-F) – Calculated field. The Actual Attendance Hours (Column F) is subtracted from the "Normal" Attendance Hours (Column C) to determine the Net Increase of Hours (Column H). When attendance on the date of emergency is greater than the "normal" attendance, this field will yield zero and should be removed from the material decrease calculation table.

If the request is approved, the approval letter will include the total net increase of hours for all continuation schools on the form, which may differ from the amount shown. The LEA will then convert the hours to apportionment days and divide this number by the days in the applicable P-1,

P-2, or Annual reporting period to determine the ADA increase.

SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

If this request does not include any lost or destroyed attendance records, select the "Not Applicable" box on the top right corner and proceed to Section E.

PART I: PERIOD OF REQUEST

Enter the dates of the records that were lost or destroyed.

PART II: CIRCUMSTANCES

Provide a detailed explanation on the emergency condition(s) and the extent of the lost or destroyed records.

PART III: PROPOSAL

Provide a detailed proposal or estimation in the allotted space.

SECTION E: AFFIDAVIT

A completed affidavit is required before submitting the entire Form J-13A request to CDE.

PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS

- Enter the name of the school district, COE, or charter school.
- Enter the names of the all the board members.
- At least a majority of the board members must sign this affidavit.
- The governing board signatures must be witnessed. The witness person must complete the following fields:
 - Witnessed date
 - Name
 - Signature
 - Title
 - County name

PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER

Only complete for a charter school request. Once the governing board members and witness fields have been completed, this request will be submitted to the charter school's authorizer for approval. An authorizer for a charter school may be

Form J-13A Instructions

a school district, COE or State Board of Education. If approved, the superintendent of the charter school's authorizer will complete the following fields:

- Name
- Signature
- Authorizing LEA Name

PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

All requests must go to the COE for approval. If approved, the COE will complete Part III of the affidavit. The county superintendent's signature must be witnessed.

- Name of the County Superintendent of Schools (or designee)
- Signature of the County Superintendent of Schools (or designee)
- Witnessed date
- Witness name
- Witness signature
- Witness title
- County name
- Contact person/individual responsible for completing the county affidavit. Include the contact person's name, title, phone number and e-mail address.

CALIFORNIA DEPARTMENT OF EDUCATION
REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS
 FORM J-13A, REVISED DECEMBER 2017

SECTION A: REQUEST INFORMATION

- This form is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428.
- Only schools that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K-12 Local Control Funding Formula (LCFF) entitlement should submit this form.
- Refer to the Instructions and frequently asked questions at <https://www.cde.ca.gov/fg/aa/pe/113a.asp> for information regarding the completion of this form.

PART I: LOCAL EDUCATIONAL AGENCY (LEA)

LEA NAME: Southside Elementary		COUNTY CODE: 35	DISTRICT CODE: 67553	CHARTER NUMBER (IF APPLICABLE):
LEA SUPERINTENDENT OR ADMINISTRATOR NAME: John Schilling			FISCAL YEAR: 2022-2023	
ADDRESS: 4991 Southside rd.		COUNTY NAME: San Benito		
CITY: Hollister		STATE: CA	ZIP CODE: 95023	
CONTACT NAME: John Schilling	TITLE: Superintendent/Principal	PHONE: (831) 637-4439	E-MAIL: jschilling@sbcoe.org	

PART II: LEA TYPE AND SCHOOL SITE INFORMATION APPLICABLE TO THIS REQUEST (Choose only one LEA type):

<input checked="" type="checkbox"/> SCHOOL DISTRICT Choose one of the following: <input type="checkbox"/> All district school sites <input type="checkbox"/> Select district school sites	<input type="checkbox"/> COUNTY OFFICE OF EDUCATION (COE) Choose one of the following: <input type="checkbox"/> All COE school sites <input type="checkbox"/> Select COE school sites	<input type="checkbox"/> CHARTER SCHOOL
---	---	--

PART III: CONDITION(S) APPLICABLE TO THIS REQUEST:

SCHOOL CLOSURE: When one or more schools were closed because of conditions described in EC Section 41422. LCFF apportionments should be maintained and instructional time credited in Section B for the school(s) without regard to the fact that the school(s) were closed on the dates listed, due to the nature of the emergency. Approval of this request authorizes the LEA to disregard these days in the computation of ADA (per EC Section 41422) without applicable penalty and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to EC Section 46200, et seq.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

MATERIAL DECREASE: When one or more schools were kept open but experienced a material decrease in attendance pursuant to EC Section 46392 and CCR, Title 5, Section 428. Material decrease requests that include all school sites within the school district must demonstrate that the school district as a whole experienced a material decrease in attendance. Material decrease requests for one or more but not all sites within the school district must show that each site included in the request experienced a material decrease in attendance pursuant to EC Section 46392 and CCR, Title 5, Section 428. The request for substitution of estimated days of attendance for actual days of attendance is in accordance with the provisions of EC Section 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of LCFF apportionments for the described school(s) and dates in Section C during which school attendance was materially decreased due to the nature of the emergency.

There was a Declaration of a State of Emergency by the Governor of California during the dates associated with this request.

LOST OR DESTROYED ATTENDANCE RECORDS: When attendance records have been lost or destroyed as described in EC Section 46391. Requesting the use of estimated attendance in lieu of attendance that cannot be verified due to the loss or destruction of attendance records. This request is made pursuant to EC Section 46391:

"Whenever any attendance records of any district have been lost or destroyed, making it impossible for an accurate report on average daily attendance for the district for any fiscal year to be rendered, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the district and the county superintendent of schools, the Superintendent of Public Instruction shall estimate the average daily attendance of such district. The estimated average daily attendance shall be deemed to be the actual average daily attendance for that fiscal year for the making of apportionments to the school district from the State School Fund."

SECTION B: SCHOOL CLOSURE

Not Applicable (Proceed to Section C)

PART I: NATURE OF EMERGENCY (Describe in detail.)

Supplemental Page(s) Attached

The impact of the winter storms, flooding, and road hazards across the county of San Benito County and out of an abundance of caution, Southside school closed for the date of 3/14/2023 to ensure the safety of students and staff.

PART II: SCHOOL INFORMATION (Use the supplemental Excel form at <https://www.cde.ca.gov/ta/aa/pa/13a.asp> if more than 10 lines are needed for this request. Attach a copy of a school calendar. If the request is for multiple school sites, and the sites have differing school calendars, attach a copy of each different school calendar to the request.)

A	B	C	D	E	F	G	H	I
School Name	School Code	Site Type	Days In School Calendar	Emergency Days Built In	Built In Emergency Days Used	Date(s) of Emergency Closure	Closure Dates Requested	Total Number of Days Requested
Southside Elementary	3567553	Public	180	0	0	03/14/2023	03/14/2023	1

PART III: CLOSURE HISTORY (List closure history for all schools in Part II. Refer to the instructions for an example.)

A	B	C	D	E	F
School Name	School Code	Fiscal Year	Closure Dates	Nature	Weather Related Yes/No

CALIFORNIA DEPARTMENT OF EDUCATION
REQUEST FOR ALLOWANCE OF ATTENDANCE DUE TO EMERGENCY CONDITIONS
 FORM J-13A, REVISED DECEMBER 2017

SECTION C: MATERIAL DECREASE

Not Applicable (Proceed to Section D)

PART I: NATURE OF EMERGENCY (Describe in detail.)

Supplemental Page(s) Attached

PART II: MATERIAL DECREASE CALCULATION (Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/13a.asp> if more than 10 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance (October-May)	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance	Qualifier: 90% or Less (F/C)	Net Increase of Apportionment Days (C-F)
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
			-			0.00%	0.00
Total:		0.00			0		0.00

PART III: MATERIAL DECREASE CALCULATION FOR CONTINUATION HIGH SCHOOLS (Provide the attendance in hours. Use the supplemental Excel file at <https://www.cde.ca.gov/fg/aa/pa/13a.asp> if more than 5 lines are needed for this request. Refer to the instructions for information on completing the form including the definition of "normal" attendance.)

A	B	C	D	E	F	G*	H
School Name	School Code	"Normal" Attendance Hours	Dates Used for Determining "Normal" Attendance	Date of Emergency	Actual Attendance Hours	Qualifier: 90% or Less (F/C)	Net Increase of Hours (C-F)
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
						0.00%	0.00
Total:		0.00			0.00		0.00

*Qualifier should be 90% or less except when the governor declares a state of emergency or in the case of a Necessary Small School (NSS) site.

SECTION D: LOST OR DESTROYED ATTENDANCE RECORDS

Not Applicable (Proceed to Section E)

PART I: PERIOD OF REQUEST The entire period covered by the lost or destroyed records commences with _____ up to and including _____.

PART II: CIRCUMSTANCES (Describe below circumstances and extent of records lost or destroyed.)

PART III: PROPOSAL (Describe below the proposal to reconstruct attendance records or estimate attendance in the absence of records.)

SECTION E: AFFIDAVIT

PART I: AFFIDAVIT OF SCHOOL DISTRICT, COUNTY OFFICE OF EDUCATION, OR CHARTER SCHOOL GOVERNING BOARD MEMBERS – All applicable sections below must be completed to process this J-13A request.

We, members constituting a majority of the governing board of Southside Elementary, hereby swear (or affirm) that the foregoing statements are true and are based on official records.

<u>Board Members Names</u>	<u>Board Members Signatures</u>
<u>Mike Ruth</u>	_____
<u>Laura Forth</u>	_____
<u>Julie Corrigan</u>	_____
<u>Julia Otterlie</u>	_____
<u>Julio Salazar</u>	_____
_____	_____
_____	_____
_____	_____

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 12th day of April, 2023.

Witness: Sylvia Rocha (Name) _____ (Signature) Title: Administrative Secret of San Benito County, California

PART II: APPROVAL BY SUPERINTENDENT OF CHARTER SCHOOL AUTHORIZER (Only applicable to charter school requests)

Superintendent (or designee): John Schilling (Name) _____ (Signature) Authorizing LEA Name: Southside Elementary School District

PART III: AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools (or designee): _____ (Name) _____ (Signature)

Subscribed and sworn (or affirmed) before me, this _____ day of _____, _____.

Witness: _____ (Name) _____ (Signature) Title: _____ of _____ County, California

COE contact/individual responsible for completing this section:
Name: _____ Title: _____ Phone: _____ E-mail: _____

Certification Form for Independent Study Plan

Local Educational Agency: Southside Elementary	CDS Code: 35-67553
Fiscal Year: 2022-2023	County: San Benito

This form shall accompany Form J-13A submittals beginning with fiscal year 2022 23. Instructions on how to complete this form are provided on page 2.

Independent Study Plan Certification


Pursuant to *Education Code (EC)* Section 46393, for Form J-13A submissions due to a school closure and/or material decrease in attendance occurring after September 1, 2021, a school district, county office of education, or charter school that provides a Form J-13A affidavit to the Superintendent, pursuant to *EC* Section 41422 (school closure) or *EC* Section 46392 (material decrease), shall certify that it has a plan for which independent study will be offered to students, pursuant to Article 5.5 (commencing with *EC* Section 51745) of Chapter 5 of Part 28 of Division 4. The independent study plan shall comply with all of the following:

- (1) Independent study is offered to any student impacted by any of the conditions listed in *EC* Section 46392 within 10 days of the first day of a school closure or material decrease in attendance. Students who are individuals with exceptional needs shall receive the services identified in their individualized education programs pursuant to paragraph (9) of subdivision (a) of *EC* Section 56345 and may participate in an independent study program.
- (2) Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
- (3) Notwithstanding subdivision (c) of *EC* Section 51745 or subparagraph (F) of paragraph (9) of subdivision (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.

A copy of the independent study plan, and if applicable, the state or local public health or public safety order that required school closure shall accompany the Form J-13A submitted to the California Department of Education.

I hereby certify that the independent study plan accompanying this Form J-13A submission meets the requirements described above and is true and correct to the best of my knowledge and belief.

School District Superintendent, Charter School Administrator, or County Superintendent (or designee):

Name: John Schilling	Title: Superintendent
Wet Signature: 	Date: 03/16/2023

Certification Form for Independent Study Instructions

The Independent Study Certification and independent study plan is an annual requirement that must be submitted with the local educational agency's (LEA's) first Form J-13A submission in a FY. To the extent that there are no changes to the LEA's certified plan for the FY, all subsequent Form J-13A submissions for the FY do not need to include the certification and certified plan.

How to file:

The Certification Form for Independent Study is available at <https://www.cde.ca.gov/fg/aa/pa/13aforms.asp>. All sections of the form must be completed. The executed certification form and certified independent study plan must be attached to the entire Form J-13A package and mailed to the California Department of Education.

Signature:

The school district superintendent, charter school administrator, county superintendent, or a designee must sign the form. Only an original wet signature is acceptable for the Certification Form for Independent Study.

Where to file:

Mail the entire Form J-13A package to:
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

Questions:

Please send questions about the completion and submittal of this form to attendanceaccounting@cde.ca.gov.

What It Takes To Lead

The role and function of California's school boards



California School Boards Association | 3251 Beacon Blvd. West Sacramento, CA 95691 | 800.266.3382 | Fax 916.371.3407 | www.csba.org

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What It Takes To Lead

The role and function of California's school boards

This guide by the California School Boards Association provides answers to frequently asked questions about school board service. In particular, it may assist those:

- › seeking a better understanding of school board members' responsibilities;
- › seeking a better understanding of how public schools are overseen by school boards acting on behalf of the public;
- › considering whom to encourage to run for the school board;
- › considering whom to vote for in a school board election; or
- › considering whether to run for the school board themselves.

Who are school board members?

School board members are locally elected public officials entrusted with governing public schools in the community. While school board members are elected as individuals, they serve as part of a governance team — one which includes each board member and the superintendent.

Why do we have school boards?

Citizen oversight of local government is the cornerstone of democracy in the United States. It's the foundation that has lasted through the turbulent centuries since our nation came into being. In the book, *Time for Curriculum*, Henry Brickell and Regina Paul note that we use citizen control for "...cities, counties, states, regions, the nation. We use it for sewers, police, roads, firefighting, rivers, libraries, airplanes, prisons, forests, the military — every government function; all staffed by experts, without exception; and all governed by civilians."

It's appropriate, then, that we entrust the governance of our schools to citizens elected by their communities to oversee both school districts and county offices of education. Today, nearly 100,000 citizens serve local communities throughout the nation as school board members, the largest category of elected public officials in the United States. School boards provide direction and oversight for the professionals who manage the day-to-day operations of the schools. They also provide accountability to the community.

What's unique about California's schools?

In California, the public schools serve more than six million students — a collective student body larger than the total population of many other states. Over 5,000 school board members govern the nearly 1,000 school districts and county offices of education in our state. Ours is the largest public school system in the nation, with the most diverse student body. While approximately 40 percent of the state general fund goes to support PreK-14 public education California still lags most other states in per-pupil funding, spending almost \$2,000 less than the national average per pupil and ranking 41st in the nation when considering the cost of living and doing business in California. The state spends less of its overall economy (called effort) relative to the rest of the states.

California school districts vary widely, from isolated rural districts with fewer than 20 students to the largest urban district with over 700,000 students. There are "elementary districts" with grades kindergarten through 6 or 8, "high school districts" with grades 9 through 12 and "unified districts" with grades Pre-K through 12 — all overseen by local boards of education.

The school districts and county offices of education for which board members are responsible are multi-million dollar enterprises. Often they are the largest employer in a community, have the largest transportation and food service operations, and have the greatest number of facilities to maintain.

Serving as a school board member

What is the school board's role and what are its responsibilities?

It's easy to say that school boards "govern" their schools. But what does that mean in everyday practice? The role of the board is to be responsive to the values, beliefs and priorities of its community.

A note regarding county boards of education

Each of the 58 counties in California has a county office of education (COE) that provides valuable services and support to the districts and directly to students in their county. County boards of education and county superintendents are established as a shared governance model. Board responsibilities and the board–superintendent relationship differ between school districts and county offices. For example, the majority of county superintendents are elected, while five are appointed, whereas district superintendents are hired by the school board. Also, there are seven counties in the state that operate as both a county office and a school district. The laws that govern board meetings, however, are generally similar.

The board has five major governing responsibilities:

1. Setting the direction for public schools in the community

Of all the responsibilities of governing boards, none is more central to the purpose of local governance than ensuring that a long-term vision is established for the school system. The vision reflects the consensus of the entire board, the superintendent and district staff, and the community as to what the students need in order to achieve their highest potential. The vision should set a clear direction for the school district/COE, driving every aspect of the district's/COE's program.

2. Establishing an effective and efficient structure

The board is responsible for establishing and maintaining an organizational structure that supports the district's/COE's vision and empowers the professional staff. Although the board doesn't implement policies or programs, the board is responsible for:

- › employing the superintendent and setting policy for hiring other personnel*;
- › overseeing the development and adoption of bylaws and policies;
- › setting a direction for and approving adoption of the curriculum;

- › establishing budget priorities*, adopting the budget and Local Control and Accountability Plan, and overseeing facilities issues*; and
- › providing direction for and adopting collective bargaining agreements*.

3. Providing support

Through its behavior and actions, the board has a responsibility to support the superintendent and staff as they implement the established vision. This involves:

- › acting with a professional demeanor that models the district's/COE's beliefs and vision;
- › making decisions and providing resources that support mutually agreed upon priorities and goals;
- › upholding district/COE bylaws and policies the board has approved;
- › ensuring a positive personnel climate exists*; and
- › being knowledgeable enough about district/COE efforts to explain them to the public.

4. Ensuring accountability to the public

The board represents the community and is accountable to the public for the performance of the schools in the community. The board establishes systems and processes to monitor results, evaluates the school system's progress toward accomplishing the district's vision and communicates that progress to the local community. In order to ensure personnel, program and fiscal accountability, the board is responsible for:

- › evaluating the superintendent and setting policy for the evaluation of other personnel*;
- › monitoring, reviewing and revising policies;
- › serving as a judicial and appeals body;
- › monitoring student achievement and program effectiveness and requiring program changes as indicated;
- › monitoring and adjusting district finances*;
- › monitoring the collective bargaining process*; and
- › evaluating its own effectiveness through board self-evaluation.

5. Demonstrating community leadership

As the only locally elected officials chosen solely to represent the interests of students, board members have

* Area where county board responsibilities may differ from school board responsibilities.

a responsibility to speak out on behalf of children. Board members are advocates for students, the district's/COE's educational programs and public education. They build support within their communities and at the state and national levels.

The board has a responsibility to involve the community in appropriate, meaningful ways and to communicate clear information to the community about district/COE policies, educational programs, fiscal condition and progress on goals. Governing boards must also ensure that the community and stakeholders have engaged in the LCAP development process. These five responsibilities are so fundamental to a school system's accountability to the public in our democratic society that they can only be performed by an elected governing body. Board members fulfill these roles by working together as a governance team with the superintendent to make decisions that will best serve all the students in the community.

What makes an effective school board member?

How board members perform their role is as important as the role itself. Board members' relationships with each other, with the superintendent and other staff, and with the public have a profound impact on a board's effectiveness. These boardsmanship skills affect the board's ability to come to consensus about the direction of the school system, advocate with credibility, and establish a positive climate that encourages the best from staff.

While there is no ideal model of a board member, and while each serves with a unique style, background and perspective, there are some basic characteristics which effective board members have in common. Many of these qualities are acquired through experience and all are important to consider. Fundamental principles of effective governance are reflected in a series of Professional Governance Standards developed with input from board members and superintendents throughout California. Following adoption by the California School Boards Association's Delegate Assembly, the standards have been adopted locally by hundreds of district and county boards across the state. These standards recognize that to be an effective trustee, an individual board member:

- › keeps learning and achievement for all students as the primary focus;
- › values, supports and advocates for public education;

- › recognizes and respects differences of perspective and style on the board and among staff, students, parents and the community;
- › acts with dignity, and understands the implications of demeanor and behavior;
- › keeps confidential matters confidential;
- › participates in professional development and commits the time and energy necessary to be an informed and effective leader;
- › understands the distinctions between board and staff roles, and refrains from performing management functions that are the responsibility of the superintendent and staff; and
- › understands that authority rests with the board as a whole and not with individuals.

Furthermore, working with the superintendent as a "governance team," the board must have a unity of purpose and must:

- › keep the district/COE focused on learning and achievement for all students;
- › communicate a common vision;
- › operate openly, with trust and integrity;
- › govern in a dignified and professional manner, treating everyone with civility and respect;
- › govern within board-adopted bylaws, policies and procedures;
- › take collective responsibility for the board's performance;
- › periodically evaluate its own effectiveness; and
- › ensure opportunities for the diverse range of views in the community to inform board deliberations.

Finally, effective board members focus on closing opportunity gaps. Given persistent gaps that have denied opportunity to many students based on their economic status, race and other factors, board members that are focused on closing these gaps can help to ensure that public schools truly serve all students. Effective board members look at all decisions through an equity lens, meaning that they are focused on allocating resources to students based on their needs and constantly consider how board actions can help to close or widen access to opportunity.

It is vitally important that voters carefully choose the citizens to oversee their schools to whom they entrust their children and their tax dollars. It is equally important that school board

candidates understand the depth of commitment required to effectively fulfill the school board role.

For example, school districts and COEs are governed by boards, not by individual trustees. Understanding the collective decision-making process is an important step in becoming an effective board member. Optional Board Bylaw 9230, Orientation, provides guidance on how newly elected board members will be oriented to their role on the board.

Becoming a school board member

How does someone become a school board member?

The vast majority of California school board members are locally elected. In only one case are county board members appointed by the county board of supervisors.

When a vacancy occurs on a board, the remaining members of the school board may order an election or appoint a board member to serve until the next regularly scheduled election in accordance with law. If the vacancy occurs within four months of the end of the board member's term, the board does not fill the vacancy.

Who is eligible to serve on a school board?

School boards are nonpartisan. Candidates for boards are not required to belong to a political party. In California, you may be elected or appointed to a governing board of a school district if you are:

- › 18 years of age or older;
- › a citizen of the state;
- › a resident of the school district (or county for COE members)
- › a registered voter; and
- › not disqualified by the constitution or laws of the state from holding a civil office.

An employee of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment automatically terminates upon being sworn into office.

Any registered voter is eligible to be a member of the county board of education except the county superintendent of schools, any member of his or her staff, or any employee of a school district that is within the jurisdiction of that county board.

How many people serve on a school board?

While boards may consist of three, five or seven members, the majority of California school boards are composed of five members.

How long are school board terms?

School board members serve for terms of four years. Terms are usually staggered so there will be openings every two years.

When are elections held?

Most school board elections are held in conjunction with November general elections in even-numbered years. The best way to find out the date of the next election is to call the office of the superintendent of the local school district or county office of education.

How are board members elected?

Board members are elected in one of three ways:

- › **At large:** Board members can live anywhere in the district and are elected by all the voters in the district.
- › **By trustee area:** Board members have specific geographic trustee areas in which they must live and are elected only by the residents of that area. It is important to note that all county board members are elected by trustee area.
- › **From trustee area:** Board members must live in particular geographic areas but are elected "at large" by all the voters in the district.

How does someone become a candidate for school board?

Candidates must fill out a "declaration of candidacy" form. In most cases, this must be picked up and filed at the county elections office. In a few counties, it's possible to get forms at the local school district administration office or the county office of education. According to the state Elections Code, declaration of candidacy forms must be filed during a period extending from 113 days to 88 days before the election is to be held. For November elections, candidate filing takes place for several weeks during the summer.

Candidates should consult the county elections office to determine whether or not filing fees or nominating signatures are required. Occasionally a school district election is influenced by a city charter and filing procedures may vary somewhat.

There may be a fee if a candidate wishes to have a candidate statement printed in the voter's guide distributed to all local voters. Some school districts and county offices pay for the printing of this statement for all candidates to their board.

Are there rules about school board campaigns?

School board campaigns range from simple to sophisticated, depending on the candidate and the community. One element all campaigns have in common, however, is the state requirement for reporting campaign finances. State law governs the reporting procedures to be followed. School board candidates who have over \$1,000 in expenditures or receive contributions totaling \$1,000 or more must report contributions and loans received, and expenditures and loan repayments, to the county elections office. School board campaigns range from simple to sophisticated, depending on the candidate and the community.

Once elected, school board members must abide by state requirements dealing with the filing of Statements of Economic Interest relating to conflict-of-interest regulations. These involve public disclosure of economic interests and require public officials, under certain circumstances, to disqualify themselves from making governmental decisions which could affect their financial interests. More information on this topic is available from the California Fair Political Practices Commission in Sacramento.

Where is more information available about the election process?

The county elections office has complete information about the local elections process. The superintendent's office in the local school district or county office of education should be able to provide the name and phone number of the county government office that handles elections. In many counties, candidate handbooks are available. Additional information is available in California's Education Code, Government Code and Elections Code.

Newly elected school board member resources

The California School Boards Association offers a variety of resources and training specific to the needs of school board members.

Professional development

www.csba.org/TrainingAndEvents/GovernanceBasics

CSBA's Orientation for New Trustees at the Annual Education Conference – This one-day, preconference orientation for new trustees prepares new board members for their first 100 days of service.

Institute for New and First-Term Board Members – This innovative two-day seminar is one of the best opportunities for newly elected and first-term trustees to learn about their unique role and responsibilities.

Professional development continues throughout your journey as a school board member. Visit www.csba.org/TrainingAndEvents for a full list of all CSBA trainings.

Publications

Call to Order: A Blueprint for Great Board Meetings – This comprehensive resource includes content regarding the structure and leadership for board meetings as well as parliamentary procedure.

The Brown Act: School Boards and Open Meeting Laws – This guide to the Brown Act is a must-have for any board member.

The School Board Role in Creating the Conditions for Student Achievement: A Review of the Research – This report synthesizes district improvement research and demonstrates how school boards can impact student outcomes.

To view all of CSBA's publications, visit www.csba.org/CSBAStore.

The CSBA website provides a wealth of resources and information for all board members. Visit us at www.csba.org.



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