

# LIVINGSTON UNION SCHOOL DISTRICT

February 8, 2018

## REGULAR BOARD MEETING

District Board Room  
922 B Street, Livingston

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

### AGENDA

#### I. CALL OPEN SESSION TO ORDER

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

#### II. CLOSED SESSION (DISTRICT OFFICE CONFERENCE ROOM)

A. Public Employee Performance Evaluation: Superintendent

B. Conference with Labor Negotiator

District Negotiator: Superintendent, Andrés Zamora

Employee Organization(s): CSEA and Unrepresented Personnel

C. Claim against the District for Damages to Person or Property—Claim No. 180003

#### III. RECONVENE TO OPEN SESSION

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

#### IV. PLEDGE OF ALLEGIANCE

#### V. REPORT AND/OR ACTION OF CLOSED SESSION ITEMS

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

#### VI. PUBLIC COMMENTS

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

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

#### VII. CORRECTIONS TO AND APPROVAL OF AGENDA

**VIII. REPORTS, SPECIAL PRESENTATIONS, SHOWCASES, AND RECOGNITIONS**

- A. Showcase: District Food Nutrition Services
- B. Superintendent's Reports and Updates

**IX. CONSENT AGENDA**

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

- A. Approval of January 11, 2018 Regular Meeting Minutes
- B. Approval of Warrants
- C. Approval of Designated Personnel Items
- D. Approval to Delete Board Policy
- E. Approval of Out-of-State Travel

**X. NEW BUSINESS**

**A. SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION: FIRST READ, BOARD POLICY: BP/AR 6142.1**

Presentation will be provided from Prevention Organized To Educate Children on Trafficking (PROTECT) agency. Board policy is being presented as a first read for input and discussion and includes new AB 1227 requirement related to human trafficking.

**B. NATIONAL SCHOOL COUNSELING WEEK: RESOLUTION NO. 11—2017/2018**

The Board will be requested to adopt a resolution in support of National School Counseling Week.

**C. DISTRICT LCAP UPDATE: STUDENT ACHIEVEMENT (GOALS 1, 3 & 4)**

Staff will provide an update on the progress of student achievement.

**D. DISTRICT LCAP UPDATE: APPROVAL OF SUMMER ACADEMY PROPOSAL (GOAL 3)**

Staff will provide an overview of the summer academy for 2018 and request that the Board approve the program proposal.

**E. APPROVAL OF 2018-2019 BUDGET DEVELOPMENT GUIDELINES AND ASSUMPTIONS**

The Board will be requested to approve the District's Budget Development Guidelines and Assumptions for 2018-2019.

**X. NEW BUSINESS, Continued**

**F. AFRICAN-AMERICAN HISTORY MONTH: RESOLUTION NO. 12—2017/2018**

The Board will be requested to adopt a resolution recognizing African-American History Month.

**G. CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION (CSEA) INITIAL PROPOSAL FOR 2017-2018 CONTRACT NEGOTIATIONS AND PUBLIC COMMENTS**

CSEA will sunshine its initial proposal for 2017-2018 contract negotiations with the District and provide the public an opportunity to comment on CSEA's proposal.

**H. LUSD'S INITIAL PROPOSAL FOR 2017-2018 CONTRACT NEGOTIATIONS WITH CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION (CSEA) AND PUBLIC COMMENTS**

The district will sunshine its initial proposal for 2017-2018 contract negotiations with CSEA and provide the public an opportunity to comment on LUSD's proposal.

**I. BOARD POLICY REVISION: BP 5111 "ADMISSION"**

The Board will be requested to approve policy revisions.

**J. BOARD POLICY REVISION: BP/AR 5111.1 "DISTRICT RESIDENCY"**

The Board will be requested to approve policy revisions.

**K. FIRST READ, BOARD POLICY: BP 6144 "CONTROVERSIAL ISSUES"**

Policy will be presented as a first read for input and discussion.

**L. COMMUNICATION, INFORMATION, AND FUTURE AGENDA ITEMS**

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

**XI. ADJOURNMENT**

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

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

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

Board Consideration:       Action                       Information/Discussion

Enclosure(s):                      Calendar of Events and Enrollment Report

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- A. Showcase: District Food Nutrition Services**—Director of Food Services, Rebecca Jameson, will showcase the district’s food nutrition program. Miss Jameson will cover any recent changes, improvements, and successes related to health and nutrition for LUSD students.
  
- B. Superintendent’s Reports and Updates:** Superintendent Zamora and staff will verbally report on various “district happenings,” which are not included in written reports and are of importance and of interest to the Board.

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**Agenda Item IX: Consent Agenda**

Board Consideration:  Action  Information/Discussion

Attachment(s): Personnel Attachment (pg. 2.1)

Enclosure(s): January 11, 2018 Regular Meeting Minutes and Warrant Register

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- A. Approval of Minutes:** January 11, 2018 regular meeting minutes (enclosed).
- B. Approval of Warrants:** Warrant register for the month of February.
- C. Approval of Designated Personnel Items:** See attachment A (pg. 2.1)
- D. Approval to Delete Board Policy:** AR 5111.12 "Residency Based on Parent Employment" per recommendation from CSBA, language in this policy has been incorporated into existing district policy BP/AR 5111.1 "District Residency".
- E. Approval of Out-of-State Travel:** International Society for Technology in Education (ISTE) Conference & Expo in Chicago, Illinois from June 23, 2018 to June 27, 2018.
  - 1. Lupe Perez, YC teacher
  - 2. Denise Guillen, YC teacher
  - 3. Alfredo Gonzalez, YC teacher
  - 4. Lucy Carbajal, YC teacher
  - 5. Jeanette Gonzalez, CP teacher
  - 6. Gina Abarca, SH teacher replacing previously approved Maria Gonzalez, SH teacher
  - 7. Susan Neu, SH teacher replacing previously approved Rachel Fuentes, SH teacher

Recommended Action

To approve consent agenda.

**ATTACHMENT A**

***Revised 2/8/2018***

**Livingston Union School District  
Consent Agenda – Personnel Items  
Board Meeting – February 8, 2018**

**Public Employees: Certificated**

A. Resignation/Retirements:

Jorge Soria, Teacher, Yamato Colony, Resignation, effective 2/7/18.

**Public Employees: Classified**

A. Employment Approval:

1. Vanessa Ramirez, Academic Clinician, Yamato Colony, Employment, effective 2/13/18.
2. Humberto Ixta, School Custodian, MOT, Employment, effective 2/1/18.
3. Adriana Cervantes, Yard Duty, Campus Park, Employment, effective 1/23/18.
4. Ana Espinoza, Yard Duty, Selma Herndon, Employment, effective 1/22/18.
5. Marlene Ramirez, CDC Secretary, Prusso Child Development Center, Employment, effective 2/13/18.

B. Resignations/Retirements:

1. Maytte Hernandez, Yard Duty, Selma Herndon, Resignation, effective 1/19/18.
2. Tomasia Vasconcelos, Cook's Helper, Campus Park, Resignation, effective 2/14/18.
3. Melissa Magana-Flores, CDC Secretary, Prusso Child Development Center, Resignation, effective 2/9/18.

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**Agenda Item X, A: Sexual Health and HIV/AIDS Prevention Instruction:  
First Read, Board Policy: BP/AR 6142.1**

Board Consideration:       Action                       Information/Discussion

Attachment(s):              BP 6142.1 (pgs. 3.1 - 3.8)

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Background

The California Healthy Youth Act (Education Code sections 51930-51939), requires school districts to ensure that all students in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education. "Comprehensive sexual health education" means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections (EC 51931).

In addition, effective January 1, 2018, AB 1227 requires that instruction include information about sexual abuse and human trafficking at least once in both middle and high school.

Discussion

In accordance with the California Healthy Youth Act, the primary purpose of this policy is to provide students with:

- Knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy;
- Knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family;
- Understanding of sexuality as a normal part of human development
- Integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end;
- Knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors
- Knowledge and skills on how to avoid becoming victims of exploitation and human trafficking

Regional Director, Amanda Taggart, of Prevention Organized To Educate Children on Trafficking (PROTECT) will give a presentation on the new AB 1227 requirement on human trafficking instruction.

Recommended Action

Policy presented as a first read for Board review and discussion.

Instruction

**BP 6142.1(a)****SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION**

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention and human trafficking education. The district's educational program shall provide students with the knowledge and skills necessary to protect them from sexually transmitted infections and unintended pregnancy and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote understanding of sexuality as a normal part of human development and the development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family. The district's human trafficking education shall teach 7th grade students how to avoid becoming victims of exploitation, and help students understand the problem of human exploitation and learn ways to address the problem through service initiatives.

*(cf. 5030 - Student Wellness)*

*(cf. 6142.8 - Comprehensive Health Education)*

Comprehensive sexual health education and HIV prevention education and human trafficking education shall be offered at least once in middle school to all students in grades 7- 8. (Education Code 51934)

The district's curriculum shall support the purposes of the California Healthy Youth Act as specified in Education Code 51930-51939, be unbiased and inclusive of all students in the classroom, and be aligned with the state's content standards. The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.25 - Availability of Condoms)*

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

*(cf. 6143 - Courses of Study)*

**Parent/Guardian Consent**

Annually, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education and human trafficking education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

*(cf. 5022 - Student and Family Privacy Rights)*

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)



**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****BP 6142.1(b)***Legal Reference:***EDUCATION CODE**220 *Prohibition of discrimination*33544 *Inclusion of sexual harassment and violence in health curriculum framework*48980 *Notice at beginning of term*51202 *Instruction in personal and public health and safety*51210.8 *Health education curriculum*51225.35 *Instruction in sexual harassment and violence; districts that require health education for graduation*51240 *Excuse from instruction due to religious beliefs*51513 *Materials containing questions about beliefs or practices*51930-51939 *California Healthy Youth Act*67386 *Student safety; affirmative consent standard***HEALTH AND SAFETY CODE**1255.7 *Parents surrendering physical custody of a baby***PENAL CODE**243.4 *Sexual battery*261.5 *Unlawful sexual intercourse*271.5 *Parents voluntarily surrendering custody of a baby***UNITED STATES CODE, TITLE 20**1232h *Protection of student rights*7906 *Sex education**Management Resources:***CSBA PUBLICATIONS***Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008**Health Framework for California Public Schools: Kindergarten through Grade 12, 2003***WEB SITES**CSBA: <http://www.csba.org>California Department of Education, *Sex Education and HIV/STD Instruction*: <http://www.cde.ca.gov/ls/he/se>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>California Safe Schools Coalition: <http://www.casafeschools.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>U.S. Food and Drug Administration: <http://www.fda.gov>Policy  
approved:LIVINGSTON UNION SCHOOL DISTRICT  
Livingston, California

Instruction

**AR 6142.1 (a)****SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION**Definitions

Comprehensive sexual health education means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections and human trafficking education. (Education Code 51931)

HIV prevention education means instruction on the nature of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS. (Education Code 51931)

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

Age appropriate refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. (Education Code 51931)

Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists. (Education Code 51931)

General Criteria for Instruction and Materials

The Superintendent or designee shall ensure that the district's comprehensive sexual health and HIV prevention instruction and human trafficking education and materials: (Education Code 51933)

1. Are age appropriate
2. Are factually and medically accurate and objective
3. Align with and support the following purposes as specified in Education Code 51930:
  - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy
  - b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family
  - c. To promote understanding of sexuality as a normal part of human development

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****AR 6142.1 (b)**

- d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end
  - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors
4. Are appropriate for use with students of all races, genders, sexual orientations, and ethnic and cultural backgrounds; students with disabilities; and English learners

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 6174 - Education for English Learners)*

5. Are available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code
6. Are accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids
7. Do not reflect or promote bias against any person in protected categories of discrimination pursuant to Education Code 220
8. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships
9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes
10. Encourage students to communicate with their parents/guardians and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so
11. Teach the value of and prepare students to have and maintain committed relationships such as marriage
12. Provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, and intimidation
- (cf. 5145.3 - Nondiscrimination/Harassment)*
13. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities
14. Do not teach or promote religious doctrine

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****AR 6142.1 (c)**Components of Sexual Health and HIV Prevention Education

The district's comprehensive sexual health education and HIV prevention education for students in grades 7-8, in addition to complying with the criteria listed above in the section "General Criteria for Instruction and Materials," shall include all of the following: (Education Code 51934)

1. Information on the nature of HIV and other sexually transmitted infections and their effects on the human body
2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use
3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections, and that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy

The instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.

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

4. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention
5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing
6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others
7. Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV

This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and that testing is the only way to know if one is HIV-positive

8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****AR 6142.1 (d)**

9. Information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to:
  - a. Parenting, adoption, and abortion
  - b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5
  - c. The importance of prenatal care
  
10. Information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence, and sex/human trafficking

Professional Development

The district's comprehensive sexual health education and HIV prevention education and/or human trafficking education shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections as well as new developments in the understanding of human trafficking. (Education Code 51931, 51933, 51934)

The Superintendent or designee shall cooperatively plan and conduct in-service training for all district personnel who provide HIV prevention education and/or human trafficking education, through regional planning, joint powers agreements, or contract services. (Education Code 51935)

*(cf. 4131 - Staff Development)*

In developing and providing in-service training, the Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV prevention education and/or human trafficking education and with the California Department of Education (CDE). (Education Code 51935)

The district shall periodically conduct in-service training to enable district personnel to learn new developments in the scientific understanding of HIV and/or human trafficking. In-service training shall be voluntary for personnel who have demonstrated expertise or received in-service training from the CDE or Centers for Disease Control and Prevention. (Education Code 51935)

The Superintendent or designee may expand HIV in-service training to cover the topic of comprehensive sexual health education for district personnel teaching comprehensive sexual health education to learn new developments in the scientific understanding of sexual health. (Education Code 51935)

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****AR 6142.1 (e)**Use of Consultants or Guest Speakers

The Superintendent or designee may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health and HIV prevention education and/or human trafficking education or to provide training for district personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction and/or human trafficking education. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (Education Code 51933, 51934, 51936)

Parent/Guardian Notification

At the beginning of each school year or at the time of a student's enrollment, the Superintendent or designee shall notify parents/guardians about instruction in comprehensive sexual health education and HIV prevention education and human trafficking education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (Education Code 48980, 51938)

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV prevention education are available for inspection
2. That parents/guardians have a right to excuse their child from comprehensive sexual health or HIV prevention education, or research on student health behaviors and risks, or human trafficking education provided they submit their request in writing to the district
3. That parents/guardians have a right to request a copy of Education Code 51930-51939
4. Whether the comprehensive sexual health or HIV prevention education or human trafficking education will be taught by district personnel or outside consultants

If the district chooses to use outside consultants or to hold an assembly with guest speakers to deliver comprehensive sexual health or HIV prevention education or human trafficking education, the notification shall include: (Education Code 51938)

- a. The date of the instruction
- b. The name of the organization or affiliation of each guest speaker
- c. Information stating the right of the parent/guardian to request a copy of Education Code 51933, 51934, and 51938

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given. (Education Code 51938)

**SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION****AR 6142.1 (f)**

*(cf. 5145.6 - Parental Notifications)*

Nonapplicability to Certain Instruction or Materials

The requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent shall not apply to the following: (Education Code 51932)

1. A description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education

*(cf. 6142.93 - Science Instruction)*

2. Instruction or materials that discuss gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and do not discuss human reproductive organs and their functions

Regulation  
approved:

LIVINGSTON UNION SCHOOL DISTRICT  
Livingston, California

**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, B: National School Counseling Week: Resolution No. 11—2017/2018**

Board Consideration:     Action                     Information/Discussion

Attachment(s):            Resolution No. 11 (pgs. 4.1)

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Background

February 5-9, 2018 is National School Counseling Week. The week-long celebration is sponsored by the American School Counselor Association (ASCA) in recognizing the unique contribution of professional school counselors within U.S. school systems and how students are different as a result of what school counselors do. National School Counseling Week highlights the tremendous impact school counselors can have in helping students achieve school success and plan for a career.

Discussion

In support of National School Counseling Week, the attached resolution acknowledges LUSD’s school counselors for being actively engaged in helping all students to become academically and socially prepared to make a meaningful contribution in society.

Continuing the momentum, Livingston Middle School’s counseling program met the criteria to become a Recognized ASCA Model Program by the American School Counselors Association. Livingston Middle is one of only a few school districts in the State to have achieved this national distinction. This recognition attests to the unwavering commitment of our school counselors.

LUSD school counselors will be in attendance and receive recognition by the Board for the exceptional work they do for students.

Recommended Action

To adopt the proposed resolution in support of our school counselors and recognizing National School Counseling Week.



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

**RESOLUTION NO. 11—2017-2018**

"National School Counseling Week"

February 5-9, 2018

**WHEREAS**, school counselors are employed in public and private schools to help students reach their full potential; and

**WHEREAS**, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

**WHEREAS**, school counselors help parents focus on ways to further the educational, personal and social growth of their children; and

**WHEREAS**, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and

**WHEREAS**, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and

**WHEREAS**, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school;

**THEREFORE**, the Governing Board of Livingston Union School District does hereby affirm its commitment to supporting the school counselors of Livingston Union School District and recognizes February 5–9, 2018, as National School Counseling Week.

**PASSED AND ADOPTED** at a regular meeting of the Governing Board of the Livingston Union School District held on February 8, 2018.

Ayes:

Absent:

Noes:

Abstain:

\_\_\_\_\_  
Vernon Boyd, President

\_\_\_\_\_  
Luis Enrique Flores, Vice President

\_\_\_\_\_  
Anne Land, Clerk

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Yolanda Correia, Trustee

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Kanwaldeep Bains, Trustee

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Andrés Zamora, Superintendent/Secretary

**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, C: District LCAP Update: Student Achievement (Goals 1, 3 & 4)**

Board Consideration:       Action                       Information/Discussion

Enclosure(s):                      2018 Academic Achievement Report (pgs. 5.1 – 5.8)

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Background

State of California has changed its formula to measure student achievement. It used to look solely at students' performance on the California Standardized Testing "CST". CST ended on July 1, 2013, and was replaced by the California Assessment of Student Performance and Progress (CAASPP). Not only did the state replace the assessment, but it also changed how it measured student performance in California's public schools. It no longer utilized one factor to measure performance; in fact the new system uses multiple factors to measure performance. This new system also does not assign schools with a specific score, but actually measures progress in different categories. Under the new system, there are 10 indicators that are looked at. The state selected 6 out of the 10 indicators, and the remaining four were to be local indicators. Academic performance is one of the six indicators in addition to high school graduation, suspension rate, English Learner Progress, Chronic Absenteeism, and Preparation for College/Career selected by the state.

Discussion

A written report on the achievement progress of LUSD students has been prepared by Assistant Superintendent of Instruction and Pupil Services, Kuljinder Sekhon. This report provides an update on student performance on local assessments, intervention, and number of 8<sup>th</sup> graders on track to graduate in spring 2018. Similarly to the state, LUSD should view the achievement report as **one of the six indicators** to measure student performance.

Recommended Action

Presented for information and discussion. No action required.



## **LUSD Student Achievement and Support Services Report**

### **February 2018**

Livingston Union School District's Local Control Accountability Plan is comprised of its goals and actions. All goals and actions are devised to fulfill the district's mission, "All students will be prepared as 21<sup>st</sup> Century global citizens. They will be proficient readers and writers who can solve problems and think critically, be adaptive and flexible, able to collaborate successfully in groups, effectively utilize technology as a learning and communication tool, demonstrate a positive work ethic, and make meaningful contributions to their school and their community." Emphasis on all goals and actions is on student learning, student social emotional growth, and student success. LUSD had been monitoring student learning and success much in advance to California's new accountability system. The new California accountability system consists of multiple measures to assess progress of student growth unlike the previous system which focused solely on one measure of California's Standardized Testing and Reporting. The new system entails attendance, suspension rates, English Learner (EL) progress, and student achievement on the California Assessment of Student Performance and Progress (CAASPP) Summative Assessment.

Updates on CAASPP results, attendance, discipline, and EL progress have been provided. This report provides an update on LUSD's progress on local achievement measures including reading, Interim Assessment Blocks, intervention, and eighth grade graduation rates.

LUSD has always stressed on the importance of early literacy skills, and research states third grade reading proficiency can predict middle school and high school success rate. LUSD monitors student reading progress by using a research supported program for its validity, STAR Reading Program by Renaissance Learning. The district has been using this program for many years for accelerated reader but began to use its STAR Reading grade equivalent scores for reclassification and monitoring reading progress in the last four years.

The other local benchmarks currently used are Interim Assessment Blocks (IABs) provided by California Department of Education through the Smarter Balanced Assessment Consortium that also provides the summative CAASPP assessment. The Interim Assessment Blocks are California Common Core Standards aligned. The IABs assist teachers in monitoring student progress and help guide instruction pertaining to the standards assessed.

## ASSESSMENT DATA

Below consists of STAR Reading Data for third grade as it is the district's goal to increase the number of students reading at grade level by third grade, Interim Assessment Block results for grades 3<sup>rd</sup>-8<sup>th</sup>, data highlights and areas of growth.

STAR Reading Data		
Third Grade	Fall 2016 Grade Equivalent	Fall 2017 Grade Equivalent
Campus Park	2.2	2.6
Selma Herndon	2.6	2.5
Yamato Colony	2.2	2.6

## IAB FALL 2016 & FALL 2017

3 <sup>RD</sup> GRADE ELA						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
<b>Campus Park</b>	Reading Informational Text	38.33% (n: 23/60)	1.67% (n: 1/60)	Read Informational Text	49.23% (n:32/65)	6.15% (n:4/65)
<b>Selma Herndon</b>	Read Informational Text	54.12% (n: 46/85)	16.47% (n: 14/85)	Read Informational Text	44.44% (n=32/72)	13.89% (n:10/70)
<b>Yamato Colony</b>	Read Informational Text	50% (n: 35/70)	21.43% (n:15/70)	Read Informational Text	40.79% (n:31/76)	11.84% (n:9/76)

3 <sup>RD</sup> GRADE MATH						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
<b>Campus Park</b>	Operations and Algebraic Thinking	29.33% (n:22/75)	5.33% (n:4/75)	Numbers and Operations in Base 10	41.54% (n:27/65)	10.77% (n:7/65)
<b>Selma Herndon</b>	Operations and Algebraic Thinking	49.41% (n:42/85)	8.24% (n:7/85)	Numbers and Operations in Base 10	38.66% (n:46/119)	8.4% (n:10/119)
<b>Yamato Colony</b>	Operations and Algebraic Thinking	45.71% (n:32/70)	20% (n:14/70)	Numbers and Operations in Base 10	32.89% (n:25/76)	47.37% (n:36/76)

4 <sup>TH</sup> GRADE ELA						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Campus Park	Read Informational Text	54.88% (n: 45/82)	10.98% (n:9/82)	Read Informational Text	50.59% (n: 43/85)	12.94% (n: 11/85)
Selma Herndon	Read Informational Text	68.75% (n: 66/96)	16.67% (n:16/96)	Read Informational Text	38.71% (n:12/31)	41.94% (n:13/31)
Yamato Colony	Read Literary Text	54.65% (n: 47/86)	8.14% (n:7/86)	Read Informational Text	69.51% (n: 57/82)	17.07% (n:14/82)

4 <sup>TH</sup> GRADE MATH						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Campus Park	Numbers and Operations Base 10	43.21% (n:35/81)	22.22% (n:18/81)	Numbers and Operations Base 10	54.12% (n: 46/85)	11.76% (n:10/85)
Selma Herndon	Numbers and Operations Base 10	45.74% (n: 43/94)	7.45% (n:7/94)	Numbers and Operations Base 10	47.69% (n:31/65)	16.92% (n:11/65)
Yamato Colony	Numbers and Operations Base 10	24.42% (n: 21/86)	18.6% (n:16/86)	Numbers and Operations Base 10	46.34% (n: 38/82)	14.63% (n:12/82)

5 <sup>TH</sup> GRADE ELA						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Campus Park	Read Literary Text	44.3% (n: 35/79)	25.32% (n: 20/79)	Read Literary Text	61.04% (n: 47/77)	22.08% (n: 17/77)
Selma Herndon	Read Literary Text	51.06% (n: 24/47)	19.15% (n: 9/47)	Read Literary Text	58.59% (n: 58/99)	13.13% (n: 13/99)
Yamato Colony	Read Informational Text	61.9% (n: 52/84)	19.05% (n: 16/84)	Read Literary Text	52.81% (n: 47/89)	13.48% (n: 12/89)

5 <sup>TH</sup> GRADE MATH						
School	2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Campus Park	Numbers and Operations Base 10	40% (n: 32/80)	13.75% (n:11/80)	Numbers and Operations Base 10	50.63% (n: 40/79)	8.86% (n: 7/79)
Selma Herndon	Numbers and Operations Base 10	37.14% (n: 39/105)	0.95% (n: 1/105)	Numbers and Operations Base 10	32% (n: 32/100)	1% (n: 1/100)
Yamato Colony	Numbers and Operations Base 1	33.73% (n: 28/83)	4.82% (n: 4/83)	Numbers and Operations Base 10	40.45% (n: 36/89)	5.62% (n: 5/89)

## LIVINGSTON MIDDLE

6 <sup>TH</sup> GRADE ELA					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Argument Performance Task	39.26% (n: 64/163)	44.79% (n: 73/163)	Narrative Performance Task	42.01% (n: 71/169)	30.18% (n: 51/169)

6 <sup>TH</sup> GRADE MATH					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Ratio and Proportional Relationships	22.98% (n:37/161)	5.59% (n: 9/161)	Ratio and Proportional Relationships	20.68% (n: 49/237)	4.64% (n: 11/237)

7 <sup>TH</sup> GRADE ELA					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Explanatory Performance Task	21.76% (n: 52/239)	71.97% (n: 172/239)	Explanatory Performance Task	30.83% (n: 78/253)	54.94% (n: 139/253)

7 <sup>TH</sup> GRADE MATH					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Ratio and Proportional Relationships	40.08% (n:95/237)	4.22% (n: 10/237)	Number System	41.92% (n: 96/229)	6.55% (n: 15/229)

8 <sup>TH</sup> GRADE ELA					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Explanatory Performance Task	6.38% (n: 6/94)	88.3% (n: 83/94)	Read Literary Texts	46.44% (n: 124/267)	20.97% (n: 56/267)

8 <sup>TH</sup> GRADE MATH					
2016 Assessment	% of students near standard	% of students above standard	Fall 2017 Assessment	% of students near standard	% of students above standard
Expressions & Equations and Proportionality	56.34% (n: 151/268)	2.61% (n: 7/268)	Expressions & Equations & Proportionality	43.03% (n: 108/251)	3.19% (n: 8/251)

## DATA HIGHLIGHTS

- Third grade 2017 fall grade equivalent on STAR Reading is 4 months higher at two of the school sites in comparison to 2016 STAR Reading.
- Third grade Read Informational Text IAB results for fall 2017 show a 15% increase in students near and above standards at Campus Park in comparison to 2016 results.
- Although the third grade 2017 math assessment was different from the 2016 math assessment, there was an over 27% increase at Yamato Colony in the percentage of students above standard in the 2017 assessment in comparison to 2016.
- There was over a 25% increase in fourth grade at Selma Herndon in the percentage of students above standard in the fall 2017 administration of Read Informational Text IAB assessment in comparison to 2016.
- The percentage of students near or above standard in 4<sup>th</sup> grade mathematics is higher at two out of three schools for fall 2017 in comparison to 2016.
- Although the math assessments for 7<sup>th</sup> grade are different, the number of students near or above standard is slightly higher in fall 2017 than 2016 results.

## AREAS OF GROWTH

It is important to acknowledge that the data being compared consists of same grade levels with different students, and in some grade levels the assessment implemented in fall 2017 does not mirror the assessment implemented in fall 2016.

- The percentage of 3<sup>rd</sup> grade students near or at standard in ELA and Math for fall 2017 at Selma Herndon is lower than 2016.
- The percentage of 4<sup>th</sup> grade students near or at standard in ELA for fall 2017 is slightly lower at Campus Park in comparison to 2016.
- The percentage of students at or near standard is lower at YC in fall 2017 assessment in comparison to 2016; however, the two assessments are different.
- The percentage of students at or near standard is lower in 6<sup>th</sup> grade ELA/Math, 7<sup>th</sup> grade ELA, and 8<sup>th</sup> grade ELA/Math in LMS's fall 2017 assessment results in comparison to 2016. However, the fall 2017 assessments for 6<sup>th</sup> ELA, 7<sup>th</sup> Math, 8<sup>th</sup> ELA are different from 2016.

LUSD’s analysis of the fall 2017 data illustrates there are successes and areas of growth at each of our school sites. All school sites have been working diligently in identifying essential standards, and in addressing the importance of effective daily classroom instruction. Each of the school sites held academic conversations with their teachers analyzing data and next steps. Schools have identified their areas of focus to ensure students are making academic growth in reading, writing, and mathematics. Site principals shared their site progress and next steps with the Superintendent and cabinet members during the January Academic Conferences.

## SUPPORT BY ACADEMIC CLINICIANS

To ensure students receive effective daily classroom instruction, LUSD has provided its school sites with on-going professional development, collaboration and with support staff. One group of support staff LUSD has invested in is the academic clinicians. There are two academic clinicians at each of the school sites who provide direct student services during and after school. They are providing support in a small group setting in or outside of the classroom to help struggling students with reading and mathematics.

Academic Clinicians have been serving in this capacity for the past four years. They have been serving students in grades K-8, English learners including new comers and long term English learners, foster, and at risk students. Students identified for services are selected on teacher recommendation, STAR reading level, language fluency, and failing grades at the middle school. Based on the student need, support is provided in reading, math, and language. As students are provided support, their progress is monitored regularly on classwork and assessments. The goal of the support is to exit students with skills in reading and/or math so they are ready to perform at grade level.

**Below is data consisting of students who were provided intervention support by academic clinicians:**

FIRST TRIMESTER DATA – FALL 2017 ELEMENTARY							
	K	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	Total
Number of students in intervention	n/a	59	69	56	94	64	342
Number exited due to growth in the first trimester	n/a	25	16	15	13	15	84

\*These numbers include afterschool intervention.

3-YEAR TOTAL NUMBER COMPARISON			
	2015-2016 Total	2016-2017 Total	2017-2018 Total
Number of students in intervention	388	326	342
Number exited due to growth in the first trimester	55	78	84
Percentage %	14%	24%	25%

**The number of students receiving intervention increased in 2017-2018 in comparison to 2016-2017. The percentage of students exited from intervention also increased by 1 percent.**



FIRST TRIMESTER DATA – FALL 2017 MIDDLE SCHOOL				
	6	7	8	Total
Number of students in intervention	75	30	11	116
Number exited due to growth in the first trimester	38	11	7	56

\*These numbers include afterschool intervention.

3-YEAR TOTAL NUMBER COMPARISON			
	2015-2016 Total	2016-2017 Total	2017-2018
Number of students in intervention	183	177	116
Number exited due to growth in the first trimester	71	80	56
Percentage %	39%	45%	48%

**The number of students receiving intervention by Academic Clinicians have decreased at the middle school, however, the percentage of students exiting have increased.**

## SUPPORT FOR MIDDLE SCHOOL GRADUATION RATES

Livingston Middle School has set 95% graduate rate goal for numerous years. In the 2016-2017 school year, not only did LMS meet its goal of 95% but it also exceeded it. Again, this year LMS wants to ensure its eighth grade graduation rate is 95% or higher. Like last year, LMS’s administrators, teachers, counselors, and support staff have been working diligently in providing students at risk of not graduating with opportunities to graduate. Furthermore, the counselors have been communicating with students and parents in ensuring students take full advantage of these opportunities.

A Student Success Plan “SSP” meeting is held when students are at-risk (three or more credit deficient) of not achieving graduation eligibility requirements. The purpose of the meeting is to ensure an in-depth review of the student’s current progress. All available supports are reviewed, explained and offered. The student, parent, grade level teacher representative, school counselor and an administrator are present for these meetings.

### **Opportunities for Credit Recovery (The Credit Recovery Classes are referred to as Opportunity Classes)**

- Summer Academy 2017
- Fall Break: November 18, 20, 21 & 22
- Winter Break: December 18, 19, 20 & 21
- Upcoming Spring Break: April 2, 3, 4 & 5
- Before school & after school homework help is offered to students who are “credit deficient”
- Summer Academy 2018: Students in 6<sup>th</sup> and 7<sup>th</sup> grades are being identified for needing a credit recovery opportunity

### **Participation Rates**

- Fall 2017 credit recovery opportunity—31 eighth grade students were identified needing credit recovery opportunity.
  - 29 out of the 31 submitted their permissions slips;
  - 25 students received one credit;
  - 4 students did not earn credit due to attendance or behavior
- Winter 2017 credit recovery opportunity—27 eighth grade students and 25 seventh grade (52 total) students were identified in need of an opportunity for credit recovery.
  - 46 of the 52 submitted permission slips;
  - 35 students earned one credit;
  - 11 students did not earn credit due to attendance or behavior

### **Number of students at Risk of not graduating after 1<sup>st</sup> trimester**

46 of 8<sup>th</sup> grade students are credit deficient, and 25 of 7<sup>th</sup> grade students are credit deficient. These students will be invited to attend the next round of Credit Recovery Opportunity in April 2018.

<b>FIRST TRIMESTER CREDIT DEFICIENT NUMBERS</b>			
	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>
<b>Total Enrollment</b>	306	290	280
<b>Number of students</b>	72	60	46
<b>Percent at Risk of not graduating</b>	24%	21%	16%

As of January 24, there are 4 eighth grade students who are not eligible to meet the credit requirements for graduation. However, these students will have an opportunity to request an appeal.

**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, D: District LCAP Update: Approval of Summer Academy Proposal (Goal 3)**

Board Consideration:     Action                       Information/Discussion

Attachment(s):              Summer Academy Program Proposal (pgs. 6.1 – 6.7)

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Background

For the past three years LUSD has been offering an enriching summer intervention program to its students much below grade level in reading to prevent regression in students' reading, writing and mathematics skills. It has also offered a reading campaign program to all its students to encourage reading throughout the summer. Once again, LUSD will be offering its STREAM Summer Program, Reading Campaign, along with three new additions. The first is a 20-day Spanish program for students in DLA ages 10-12 years. The other two programs are 5 days long and will be offered shortly before first day of school. One of the programs is kinder readiness and the other is enrichment workshop opportunities for students at or above grade level.

Discussion

Assistant Superintendent of Instruction and Pupil Services, Kuljinder Sekhon, has provided a written summary of LUSD's summer 2018 program.

Recommended Action

To approve the operation of the proposed summer academy for 2018.



**SUMMER  
ACADEMY**  
**June 12 – July 10, 2018**

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Livingston Union School District “LUSD” has been providing an enriching summer program since summer 2015. LUSD’s summer program has been an integral part of the district’s Local Control Accountability Plan “LCAP”. LUSD’s first action under its Goal 3 clearly states students who need intervention will receive it through an enriching learning experience. LUSD fulfills this action through its Science, Technology, Reading, Engineering, Art and Mathematics “STREAM” program.

The STREAM Summer Academy is designed to provide an enriching learning experience to students so they will feel engaged in the program without feeling deprived of summer fun. It is essential for students who are performing below grade level to receive instruction during the summer because, “... children experience learning loss when they do not engage in educational activities, many children particularly those from low-income families return to school having lost months of learning. Many also come back less physically fit and with unhealthy weight gain.”(California Department of Education) LUSD’s STREAM Summer Academy provides its students with opportunities to communicate, collaborate, create, and think critically while still working on their foundational skills for reading and mathematics.

Details regarding the summer program are as follows:

## GOAL of LUSD Summer Academy 2018:

The academy's focus is to provide enriching intervention to students who are performing below grade level standards, and who are at greater risk for learning regression during the summer break.

### Student Selection Criteria

In all grade levels with the exception of Transitional Kindergarten/Kindergarten, student selection is based on student reading or academic performance. (Students who are performing at or above grade level will also have an opportunity to participate in the summer academy.)

TK: Teacher Recommendation

Kinder: Teacher Recommendation  
Educational Software for Guiding Instruction (ESGI) Assessment  
Benchmark 2 - Average Percent Correct

1st – 5th: Students much below grade level in reading based on their STAR Reading score, Grade Equivalency (GE) Rank.

6th-7th: Credit Recovery and Failing Grades

<b>Selma Herndon</b>	<b>Grades</b>	<b>Number of Classes</b>	<b>Number of Students</b>
	TK	1	20
	Kdgn.	3	60
	First	3	60
	Second	3	60
	Third	3	60
	SDC (K-2, 3-5)	1	12
	<b>Total</b>	<b>14</b>	<b>272</b>

<b>Livingston Middle</b>	<b>Grades</b>	<b>Number of Classes</b>	<b>Number of Students</b>
	Fourth	3	60
	Fifth	3	60
	Sixth	3	60
	Seventh	4	80
	SDC (6,7,8)	1	12
	<b>Total</b>	<b>14</b>	<b>272</b>

**Total number of Certificated Staff = 28**

## Dates

Teacher Orientations.....April 20, 2018 (3 pm - 6 pm)  
Instructional Days ..... June 12 – July 10, 2018 (20 Days)  
Holiday ..... July 4  
Teacher Non Instructional Days.....June 7, 8, and 11 (PD and Planning-5 hrs. each day)  
Teacher Check-out Day.....July 11 (3 hours)

## Hours at Selma Herndon School

Principal and Secretary ..... 7:30-1:30 pm  
Teachers ..... 7:45-1:00 pm (12:20-1:00 planning time w/ peers at SH)  
Students.....8:00-12:15 pm

## Hours at Livingston Middle School

Principal and Secretary ..... 7:40-1:40 pm  
Teachers ..... 7:55-1:10 pm (12:30-1:10 planning time w/ peers at LMS)  
Students.....8:10-12:25 pm

## Staffing

Total Administrators .....2  
Total Certificated.....28  
Total Classified .....36  
Total Support Staff.....2

- School Counselor (all 20 days)
- School Nurse (4 days total)

## Curriculum and Instruction

Teachers will be provided with areas of focus based on Common Core State Standards. Teachers will work in grade level teams to align curriculum with instruction starting on Teacher Orientation day on April 20<sup>th</sup> and will continue during the three days of planning and preparation prior to the first day of instruction. Teachers will also have 40 minutes of daily collaboration/planning time with peers. The students will be completing a rotation for the following:

- ✓ Science + Reading + Engineering
- ✓ Technology + Reading + Art
- ✓ Math+ Reading
- ✓ (7<sup>th</sup> grade will have Study Skills)

TK- Does not rotate

### K-6<sup>th</sup> Sessions

Session 1: June 12 - June 20 (7 days)

Session 2: June 21 - June 28 (6 days)

Session 3: June 29- July 10 (7 days)

### 7<sup>th</sup> Sessions

Session 1: June 12 - June 18

Session 2: June 19 - June 25

Session 3: June 26 - July 2

Session 4: July 3 - July 10

Students in Special Day Class will be in their classrooms working on their IEP goals. Teachers can integrate STREAM concepts into their instruction. They will also be participating in the PD/Planning. Teachers can look into if there are students who can be mainstreamed to regular ed. classes, however, a paraprofessional will need to go with them.

In addition to the academic focus, there will be importance placed on ensuring students are supported socially and emotionally when a need arises. To help assist with this, a LUSD counselor will be available all 20 days of the program. The school nurse will be available one day a week to support the health aide and students.

Attendance will also be emphasized throughout the program. Sites will integrate spirit days, assemblies, and fun incentives to help students stay in the summer program.

## **Progress Monitoring**

- ✓ Attendance
- ✓ Growth on STAR Reading assessment score for grades 1<sup>st</sup>-5<sup>th</sup>
- ✓ Pre-Post Assessment based on classroom instructional themes

## **Additional Support**

- ✓ Transportation
- ✓ Meals

## **Summer DLA Enrichment Program (Elementary)**

This year LUSD is expanding its summer program to provide students in the elementary DLA program with an enrichment opportunity. Students of the ages 10-12 years old will have an opportunity to become young entrepreneurs through workshops in Spanish focusing on finances, appropriate etiquettes in a social/professional setting. LUSD is contracting with Pequeños Empresarios, Inc., a non-profit organization. Pequeños Empresarios will provide 50 LUSD students with entrepreneurial experience through workshops for 20 days. Workshop titles are the following:

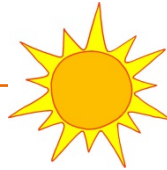
- Leadership and Values
  - This workshop focuses on one's empowerment through respect, responsibility, and generosity
  - Develop Leadership Skills
  - Learn to work in a team
- Planet Care
  - Value the environment
  - Save water, energy
  - Reuse, Reduce & Recycle
- Finance and Business System Workshop
  - Money
  - Budget
  - Bank Accounts
  - Customer Service
  - Business vs. Company
- Manners and Nutrition Workshop
  - Proper etiquettes
  - Importance of personal care (physical fitness, nutrition, personal hygiene)



Each day will be 4 hours long and will take place at Livingston Middle School. In addition to the 80 hours, Pequeños Empresarios will provide 10 hours of parent education on the importance of working with and supporting their children in their goals.

**Parent Notification**

A meeting to notify parents of this opportunity will be held.



**Summer Reading Campaign**



Goal: Provide students who do not attend summer academy with an opportunity to participate in an enriching summer reading program.

Location ..... Campus Park Library and Computer Lab

Dates ..... June 12 – July 10, 2018 (9 days)

Hours ..... 10:30 – 1:00 pm on Tuesdays and Thursdays

Staff..... 1 Library Clerk and 1 Lab Clerk

**Kinder Readiness Program**

Goal: Provide incoming transitional kindergarten and incoming kindergarten students with a weeklong opportunity to become familiar with classroom routines, procedures, and to interact with other students in the classroom setting.

When..... August 6-10, 2018

Where/Time ..... Campus Park..... 8:00-12:00 pm

Selma Herndon ..... 8:10-12:10 pm

**Additional Support**

- ✓ Transportation
- ✓ Meals

## Summer Enrichment Workshops

Goal: Provide enrichment opportunities to students at or above grade level.

When..... August 6-10, 2018

Where ..... To be determined

Time ..... To be determined

**Estimated Cost for Summer Programs: \$340,000**

**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, E: Approval of 2018-2019 Budget Development Guidelines and Assumptions**

Board Consideration:     Action                     Information/Discussion

Attachment(s):            2018-19 Budget Development Guidelines and Assumptions (pgs. 7.1- 7.4)

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Background

The district operates on a fiscal year that begins July 1. The budget process, however, is virtually continuous.

- Forecasts of revenues, expenditures, and student enrollments begin in the fall, a year in advance. A preliminary budget is adopted prior to July 1 but generally continues to be adjusted.
- During the school year, the district confirms its financial status both officially and unofficially.
- After the books for that year are closed, the process ends with an audit certifying the accuracy of the district records.

An important component of the budget development process is the formulation of Guidelines and Assumptions that are the guides used to project revenues and expenditures.

Discussion

Attached is the proposed 2018/2019 General Budget Development Guidelines and Assumptions based on the most recent available income information from Sacramento and our most updated information on projected expenditures. More specific information is anticipated from the Governor’s “May Revise,” after which additional guidelines may be added, including revised revenue projections and preliminary budget allocations. The District will proceed cautiously and conservatively in projecting its revenues for 2018/2019 and make the necessary adjustments as new information unfolds.

The district will also present a brief update on the implications of the Governor’s January budget report to our local district budget.

Recommended Action

To approve the district’s Budget Development Guidelines and Assumptions for 2018-2019.



# **2018-2019 Budget Development Guidelines and Assumptions**

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**Andrés Zamora, Superintendent**  
**Sara Crawley, Director of Fiscal Services**

# LUSD BUDGET DEVELOPMENT GUIDELINES AND ASSUMPTIONS FOR 2018-2019

## General Guidelines

The development of the annual district budget is an important process to ensure resources are allocated toward the district's central mission and priorities as identified in the district's Local Control Accountability Plan (LCAP). The district has established guidelines to support our educational priorities and the long term fiscal solvency of the district.

The Budget will be used as a policy document and not just a statistical text. As such, it will reflect the District's most important goals, including student safety, closing the achievement gap and increasing student learning as described in the adopted Local Control Accountability Plan (LCAP).

Staff and Board will continue to adhere to the best practice in financial management and continually monitor the District's fiscal health and ending balances to ensure the District remains fiscally solvent.

Revenues, restricted and unrestricted, will be used to fund the District's LCAP priorities. Every effort will be made to ensure that categorical programs are self-supporting and do not "encroach" on the General Fund.

Staff will endeavor to acquire new grant funds from Federal, State, Local, and private sources.

All one-time income shall be identified and shall be appropriated to support expenditures that are of a non-recurring nature.

The District will be conservative in estimating revenues and use the prior year P-2 ADA to project LCFF funding.

Per the goals and priorities identified in the LCAP, the district will increase and/or improve services that are consistent with the state's eight priority areas and adopted LCAP goals. Increased and/or improved services will be funded with LCFF supplemental/concentration funds and federal categorical funding.

Base funding will be used for the general operational District expenditures.

NOTE: During the January Budget announcement, Governor Brown proposed a budget to fully fund the LCFF reaching the funding target two years ahead of schedule. If his proposal is adopted, LUSD would stand to receive an estimated increase of \$1,355,496. While this is a needed increase to funding, it is important to be cognizant of risks and increasing expenditures that will impact our budget as we develop our budget and plan for the future.

- Beginning in 2019-2020 funding increases will only be based on COLA. The Department of Finance projects COLA to be between 2.41% - 3.12% in the next three years.
- STRS/PERS employer contributions are projected to increase significantly in the next five years. STRS rates starting with 2017-18 through 2021-22 (14.43%, 16.28%, 18.13%, 19.10%, 19.10%). PERS rates starting with 2017-18 through 2021-22 (15.531%, 17.7%, 20.0%, 22.7%, 23.7%) STRS/PERS increase costs are projected to be greater than future COLA increases in funding.
- Current funding levels are largely dependent on a prosperous economy and largely dependent on the wealthy 1% of Californian's who pay roughly 30% of the state's taxes.
- Losses in funding due to declining enrollment
- Increasing District operational costs (power, fuel, maintenance, utilities etc.)
- Increasing cost toward employee salaries (estimated 2% step and column)

**REVENUE ASSUMPTIONS FOR 2018-2019**

<b>LCFF</b>	Budget 2.51 % COLA, 100% GAP
	<b>Est. Budget:</b> Base \$19,483,334, SCG \$6,569,766 =\$26,053,100 <b>Est. Increase over prior year:</b> Base \$1,127,530, SCG \$227,966 =\$1,355,496
	ADA is budgeted at prior year’s estimate of 2,439.63 (2,421.73 District plus 17.9 County Special Ed). This is a <b>decline of -5.65 over prior years funded ADA. 2018-19 will mark the 3<sup>th</sup> consecutive year that LUSD has experienced declining enrollment.</b> The District will continue to monitor its enrollment and adjust revenue and staffing as needed. <b>The loss of funding as a result of this decline in ADA is estimated to be \$60,336.</b>
	Education Protection Act (EPA) \$2,777,107
	Local Taxes \$2,914,085
	<b>Home to School Transportation</b> is part of the LCFF Formula (base) as an add-on of \$370,175. This amount has not changed since 2012-13. In order to keep the funding, the District must spend an amount equal to or greater than this funding amount. Amount is included in the base portion of the LCFF estimate above.  <b>TK-3 Grade Span Adjustment</b> is part of the LCFF formula and anticipate to receive \$767 per student in grades TK-3. Total contribution is estimated to be \$858,350 of our LCFF funding and is included in the base portion of the LCFF estimate above. We must keep our average class sizes by school site no larger than 24 or we will lose the entire amount.
<b>LOTTERY</b>	Projected for a total of \$194 per ADA <ul style="list-style-type: none"> <li>▪ \$146 for Unrestricted Lottery</li> <li>▪ \$48 for Prop 20 Restricted Lottery</li> </ul>
<b>FEDERAL and STATE CATEGORICAL PROGRAMS</b>	All Federal programs will be budgeted at the 2017-18 level, including Special Education. State programs, are estimated at an increase of COLA.

**EXPENDITURE ASSUMPTIONS FOR 2018-2019**

<b>PERSONNEL</b>	Certificated/Classified Employees <ul style="list-style-type: none"> <li>▪ Step and Column Increases</li> <li>▪ Budget for necessary stipends and extra duty pay</li> <li>▪ Salary increases were budgeted only for the agreements that were settled for the 2018-19 school year.</li> <li>▪ Only over-time and extra time critical to district’s priorities will remain in the budget.</li> <li>▪ Eliminate temporary positions funded by one-time money</li> </ul>
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<b>EMPLOYER PAID STATUTORY BENEFITS</b>	STRS	16.28% (1.85% increase over prior year)
	PERS	17.7% (2.169% increase over prior year)
	Medicare	1.45%
	Social Security	6.2%
	Worker’s Comp.	3.060%
	State Unemployment	.05%
	Retiree H/W	2.0%

<b>HEALTH BENIFITS</b>	Budgeted certificated cap \$16,962 Budgeted classified & management cap \$14,185
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<b>SERVICES, SUPPLIES, CAPITAL OUTLAY, and OPERATING EXPENSES</b>	For Unrestricted Programs, budget only for necessary items and adjust to reflect the District’s priorities and expectations as described in the Local Control Accountability Plan.
	For Restricted Programs, we will match expenditures to the revenues with the exception of Special Education and Routine, Repair & Maintenance program as stated below.

<b>CONTRIBUTIONS FROM UNRESTRICTED TO RESTRICTED PROGRAMS</b>	Routine Repair & Maintenance	\$849,294
	Special Education Encroachment	\$1,140,994
	<b>TOTAL CONTRIBUTIONS</b>	<b>\$1,990,288</b>

<b>CONTRIBUTIONS TO OTHER FUND</b>	Child Development Centers	\$0
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**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, F: African-American History Month: Resolution No. 12—2017/2018**

Board Consideration:  Action  Information/Discussion

Attachment(s): Resolution No. 12—2017/2018 (pgs. 8.1- 8.2)

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Background

Black History Month was originally created as Black History Week in 1926 by Carter G. Woodson with the intention to bring to light important historical developments in the areas of civil rights, social justice and the appreciation of racial and cultural differences. The federal government later acknowledged the expansion to the entire month of February as Black History Month also known as African American History Month.

Discussion

The attached resolution celebrates and recognized efforts and achievements made by African-Americans to our nation and society. Furthermore, this resolution supports and encourages school sites to commemorate this month with appropriate instructional activities that are integrated into classroom discussions, art projects, social studies, or language arts.

Recommended Action

To adopt the resolution recognizing the month of February as African-American History Month.



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

**RESOLUTION NO. 12—2017-2018**

"African-American History Month"

February 8, 2018

**WHEREAS**, the Black History Month originated in the United States in 1926 when historian Carter G. Woodson announced the second week in February to be Black History Week; and

**WHEREAS**, in 1976 the week-long celebration was extended to the entire month of February also known as African-American History Month; and

**WHEREAS**, African American history is a large and integral part of American history and should be studied and recognized throughout the year; and

**WHEREAS**, Livingston Union School District recognizes and celebrates the history and contributions of African-American citizens who historically have been overlooked and undervalued in the curriculum of public education institutions; and

**WHEREAS**, African-American students make 0.7% of the District's total student population; and

**WHEREAS**, corresponding school activities held during this month encourage students to continue to strive for the best education as a means to fulfill their potential; and

**WHEREAS**, Livingston Union School District recognizes that each student needs an opportunity to understand the common humanity underlying all people; to develop pride in his or her own identity and heritage; and to understand, respect, and accept the identity and heritage of others; and

**WHEREAS**, the History-Social Science Framework for California Public Schools, K-12, states that the history curriculum of community, state, region, nation, and world must reflect the experiences of men and women and of different racial, religious, and ethnic groups and must be integrated at every level; and

**THEREFORE**, the Governing Board of Livingston Union School District does hereby recognize February 2018 as National African-American History Month and encourages all schools of the district to recognize and celebrate the month through relevant activities and instructional programs.

**PASSED AND ADOPTED** at a regular meeting of the Governing Board of the Livingston Union School District held on February 8, 2018.

Ayes:

Absent:

Noes:

Abstain:

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Vernon Boyd, President

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Luis Enrique Flores, Vice President

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Anne Land, Clerk

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Yolanda Correia, Trustee

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Kanwaldeep Bains, Trustee

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Andrés Zamora, Superintendent/Secretary

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

February 8, 2018

**Agenda Item X, G: California School Employees’ Association (CSEA) Initial Proposal for 2017-2018 Contract Negotiations and Public Comments**

Board Consideration:       Action                       Information/Discussion

Attachment(s):              None

Background

“Sunshining” is the first step in the contract negotiation process. Each side “sunshines” or presents at a public meeting the sections of the contract it wants to change via negotiations. The Collective Bargaining Agreement (CBA) between the District and the California School Employees Association (CSEA) classified bargaining unit remains in full force and effect up to and including June 30, 2020.

In accordance with Government Code 3547, meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed after the submission of the proposal to enable the public to become informed and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.

Discussion

Pursuant to Government Code §3547, the initial proposal shall be presented at a public board meeting, and thereafter shall be a public record. At this time the public will have an opportunity to comment and get clarification on items identified on CSEA’s proposal. This is not a time for public negotiations or discussion between the parties.

**President Boyd will open the meeting for public comments.**

Recommended Action

No action required.

LIVINGSTON UNION SCHOOL DISTRICT

Regular Board Meeting

February 8, 2018

**Agenda Item X, H: LUSD’s Initial Proposal for 2017-2018 Contract Negotiations with CSEA and Public Comments**

Board Consideration:       Action               Information/Discussion

Attachment(s):              None

Background

“Sunshining” is the first step in the contract negotiation process. Each side “sunshines” or presents at a public meeting the sections of the contract it wants to change via negotiations. The Collective Bargaining Agreement (CBA) between the District and the California School Employees Association (CSEA) classified bargaining unit remains in full force and effect up to and including June 30, 2020.

In accordance with Government Code 3547, meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed after the submission of the proposal to enable the public to become informed and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.

Discussion

Board members will discuss the district’s “initial proposal” during closed session. The District’s initial proposal will then be made public during the open session and thereafter shall be a public record. A copy will also be made available for the CSEA President.

The public will then have an opportunity to comment and get clarification on items identified on the District’s proposal. This is not a time for public negotiations or discussion between the parties.

**President Boyd will open the meeting for public comments.**

Recommended Action

No action required.

**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, I: Board Policy Revision: BP 5111 "Admission"**

Board Consideration:       Action                       Information/Discussion

Attachment(s):              BP 5111 (pgs. 11.1 – 11.3)

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Background

This policy complies with AB 699 and California's compulsory education law that requires all children ages 6-18 years to attend school regardless of specified characteristics, including immigration status. Thus, undocumented students not only have a right to attend, but they are mandated to do so.

Discussion

Board policy was revised to clarify that students cannot be denied a free public education on the basis of their citizenship or immigration status, including their status as undocumented children. The policy also prohibits the district from collecting information or inquiring into a student's citizenship or immigration status or deny enrollment of a student on the basis of citizenship or immigration status.

Recommended Action

To approved policy revisions as proposed.

**Students**

BP 5111(a)

**ADMISSION**

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

*(cf. 5111.1 - District Residency)*  
*(cf. 5125 - Student Records)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*

The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child's last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

*(cf. 6173 - Education for Homeless Children)*  
*(cf. 6173.1 - Education for Foster Youth)*  
*(cf. 6173.2 - Education of Children of Military Families)*

In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

*(cf. 5119 - Students Expelled from Other Districts)*  
*(cf. 6173.3 - Education for Juvenile Court School Students)*

The Superintendent or designee shall not inquire into or request documentation of a student's citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student's or parent/guardian's citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*

**ADMISSION**

BP 5111(b)

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5118 - Open Enrollment Act Transfers)*

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

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

*Legal Reference:*

EDUCATION CODE

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

48350-48361 Open Enrollment Act

48850-48859 Educational placement of homeless and foster youth

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49452.9 Health care coverage options and enrollment assistance

49700-49704 Education of children of military families

HEALTH AND SAFETY CODE

120325-120380 Education and child care facility immunization requirements

121475-121520 Tuberculosis tests for students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade;

201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 42

11431-11435 McKinney Homeless Assistance Act

**ADMISSION**

BP 5111(c)

*Legal Reference, Continued:*

*Management Resources:*

**CSBA PUBLICATIONS**

*Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, Feb 2017*  
**U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS**

*Fact Sheet: Information on the Rights of All Children to Enroll in School*

*Dear Colleague Letter: School Enrollment Procedures, May 8, 2014*

**WEB SITES**

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

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

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

*U.S. Department of Justice: <http://www.justice.gov>*

Policy

adopted: October 20, 1992

revised: August 9, 2012

revised: December 17, 2015

revised:

**LIVINGSTON UNION SCHOOL DISTRICT**

Livingston, California



**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, J: Board Policy Revision: BP/AR 5111.1 "District Residency"**

Board Consideration:       Action                       Information/Discussion

Attachment(s):                      BP/AR 5111.1 (pgs. 12.1 - 12.7)

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Background

This policy addresses Education Code 48200 which requires districts to provide an education to any student who resides within the district's attendance area and specifies additional circumstances under which students will be deemed to meet the residency requirements for school attendance.

Discussion

As in the previous policy (BP 5111), revisions to this policy reaffirm that LUSD does not inquire into a student or family's immigration status for the purpose of establishing district residency.

In addition, CSBA recommended to delete board policy 5111.12 "Residency Based on Parent Employment" (item on consent agenda) and incorporate its language into this policy as one alternative for establishing district residency.

Recommended Action

To approve the policy revisions as proposed.

**Students**

BP 5111.1(a)

**DISTRICT RESIDENCY**

The Governing Board desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

*(cf. 5116 - School Attendance Boundaries)*

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5145.6 - Parental Notifications)*

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

*(cf. 5111 - Admission)*

*(cf. 5125 - Student Records)*

**When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.**

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

**Investigation of Residency**

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

**DISTRICT RESIDENCY**

BP 5111.1(b)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

**DISTRICT RESIDENCY**

BP 5111.1(c)

*Legal Reference:***EDUCATION CODE**220 *Prohibition of discrimination*35160.5 *Intradistrict open enrollment*35351 *Assignment of students to particular schools*46600-46611 *Interdistrict attendance permits*48050-48054 *Nonresidents*48200-48208 *Compulsory education law, especially:*48204 *Residency requirements*48204.1-48204.2 *Evidence of residency*48300-48316 *Student attendance alternatives, school district of choice program*48350-48361 *Open Enrollment Act transfers*48645.5 *Former juvenile court school students, enrollment*48852.7 *Education of homeless students; immediate enrollment*48853.5 *Education of foster youth; immediate enrollment*48980 *Notifications at beginning of term*52317 *Regional occupational program, admission of persons including nonresidents***FAMILY CODE**6550-6552 *Caregivers***GOVERNMENT CODE**6205-6210 *Confidentiality of residence for victims of domestic violence***CODE OF REGULATIONS, TITLE 5**432 *Retention of student records***UNITED STATES CODE, TITLE 42**11431-11435 *McKinney-Vento Homeless Assistance Act***COURT DECISIONS***Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47**Management Resources:***CSBA PUBLICATIONS***Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017**Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014***U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS***Fact Sheet: Information on the Rights of All Children to Enroll in School**Dear Colleague Letter: School Enrollment Procedures, May 8, 2014***WEB SITES**CSBA: <http://www.csba.org>California Department of Education: <http://www.cde.ca.gov>California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>U.S. Department of Justice: <http://www.justice.gov>Policy  
approved:**LIVINGSTON UNION SCHOOL DISTRICT**  
Livingston, California

**Students**

AR 5111.1(a)

**DISTRICT RESIDENCY**

Students attending Livingston Union School District must provide proof of residency prior to admission and whenever requested to do so by the District.

Criteria for Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student is admitted through an interdistrict attendance option. (Education Code 48204, 48356)

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5118 - Open Enrollment Act Transfers)*

4. The student lives with a caregiving adult within district boundaries. (Education Code 48204)
5. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

~~In addition, district residency status may be granted to a student if at least one parent/guardian is physically employed within district boundaries. (Education Code 48204)~~

~~*(cf. 5111.12 - Residency Based on Parent/Guardian Employment)*~~

**[The following language was incorporated from deleted Board Policy 5111.12]**Residency Based on Parent/Guardian Employment (Allen Bill Transfers)

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer. (Education Code 48204)

**DISTRICT RESIDENCY**

AR 5111.1(b)

2. The school facilities are overcrowded at the relevant grade level.
3. Other circumstances exist that are not arbitrary. (Education Code 48204)

The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

The district may annually request the student's parent/guardian to provide proof of employment in order to determine the student's continuing eligibility.

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204 (three percent of ADA or 25 students, whichever is greater, for districts with an ADA of 501-2,500; and one percent of ADA or 75 students, whichever is greater, for districts with an ADA of 2,501 or more).

**Proof of Residency**

Proof of residency shall be required upon a student's initial enrollment in the District and annually thereafter by completing the "Yearly Emergency Updated" form. Each school office shall verify each student's district residency and school attendance area status and retain a copy of the document or written statement offered as verification in the student's mandatory permanent record.

*(cf. 5111 - Admission)*

*(cf. 5125 - Student Records)*

Upon enrollment and when residency is in question, evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district and school attendance area, including, but not limited to, any of the following: (*Education Code 48204.1*)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt containing the management company or rental property owner's name and telephone number. The District may contact the management company or property owner to verify residency.

**DISTRICT RESIDENCY**

AR 5111.1(c)

3. Original copy of a current utility service contract, statement, or payment receipt containing the name and address of the student's parent/guardian
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

*(cf. 5141 - Health Care and Emergencies)*

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

*(cf. 6173 - Education for Homeless Children)*

*(cf. 6173.1 - Education for Foster Youth)*

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

**~~Failure to Verify Residency [LANGUAGE MOVED TO PAGE 1 & 2]~~**

~~When the District reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. (Education Code 48204.1)~~

~~Upon investigation, the district determines that a student's enrollment or attempted enrollment is based on false or unreliable evidence of residency, he/she shall deny or revoke the student's enrollment. Before any such denial or revocation is final, the parent/guardian shall be notified of the facts leading to the decision. Parents will be advised to register their child in the proper district or school of residency or request for an "Inter" or "Intra" District Transfer form as soon as possible. The parent/guardian will be allowed to provide new material evidence of residency, to the school office or designee within 10 school days of being notified. The Superintendent or designee shall review any new evidence and make a final decision within 10 school days.~~

**DISTRICT RESIDENCY**

AR 5111.1(d)

Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

*(cf. 3580 - District Records)*

Regulation  
approved: November 8, 2012  
revised: December 17, 2015  
[revised:](#)

**LIVINGSTON UNION SCHOOL DISTRICT**  
Livingston, California



**LIVINGSTON UNION SCHOOL DISTRICT**

Regular Board Meeting

February 8, 2018

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**Agenda Item X, K: First Read, Board Policy: BP 6144 "Controversial Issues"**

Board Consideration:       Action                       Information/Discussion

Attachment(s):              BP 6144 (pgs. 13.1 - 13.3)

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Background

Policy addresses instruction related to controversial issues, determining the appropriateness of material and subject matter, rights of expressing an opinion without discrimination/harassment and parents right to opt out.

Discussion

The policy addresses expectations for administrators, teachers, and guest speakers when providing instruction on controversial issues. It provides parents/guardians the opportunity to opt out of instruction on controversial issues only when required by law and clarifies the district's right to limit teacher expressions of personal opinion when teachers are in the classroom and therefore acting on behalf of the district.

Recommended Action

Policy presented as a first read for board review and discussion.

**Instruction****BP 6144 (a)****CONTROVERSIAL ISSUES**

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may provoke strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

*(cf. 6141.2 - Recognition of Religious Beliefs and Customs)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*  
*(cf. 6142.3 - Civic Education)*  
*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.94 - History-Social Science Instruction)*  
*(cf. 6143 - Courses of Study)*

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*  
*(cf. 6161.11 - Supplementary Instructional Materials)*

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
3. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.
4. Students shall be assured of their right to form and express an opinion without jeopardizing their grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.

*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 5121 - Grades/Evaluation of Student Achievement)*

**CONTROVERSIAL ISSUES****BP 6144 (b)**

*(cf. 5145.2 - Freedom of Speech/Expression)*  
*(cf. 6145.5 - Student Organizations and Equal Access)*

5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.

*(cf. 5131 - Conduct)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5137 - Positive School Climate)*

6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.

7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the speaker shall be informed of the expectations and goals regarding the instruction to be presented.

*(cf. 6145.8 - Assemblies and Special Events)*

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, parents/guardians shall be notified prior to instruction that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction may be offered an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues may communicate directly with the teacher or principal and/or use appropriate district complaint procedures.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

**CONTROVERSIAL ISSUES****BP 6144 (c)***Legal Reference:***EDUCATION CODE***220 Prohibition of discrimination**48950 Freedom of speech**51240 Excuse from health instruction due to religious beliefs**51500 Prohibited instruction or activity**51510 Prohibited study or supplemental materials**51511 Religious matters properly included in courses of study**51513 Materials containing questions about beliefs or practices**51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate**51930-51939 California Healthy Youth Act; comprehensive sexual health and HIV prevention education**60040 Portrayal of cultural and racial diversity**60044 Prohibited instructional materials**60045 Criteria for instructional materials***COURT DECISIONS***Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)**Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)**Garcetti v. Ceballos, (2006) 547 U.S. 410*Policy  
adopted:**LIVINGSTON UNION SCHOOL DISTRICT**  
Livingston, California