

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR MEETING**

Site Visit

Trustees

John Thibeau, President

John Paff, Clerk

Debbie Crandell

Bill Phillips

Brian Swanson

Lexi Rohrer, Student Rep

DATE: Thursday, September 22, 2016

TIME: 7:00 p.m. Open Session

LOCATION: Robert Down Elementary School- Ottertorium
485 Pine Avenue
Pacific Grove, CA 93950

The Board of Education welcomes you to its meetings, which are regularly scheduled for the first and third Thursdays of the month. Regular Board Meetings shall be adjourned by 10:00 pm, unless extended to a specific time determined by a majority of the Board. This meeting may be extended no more than once and may be adjourned to a later date. Individuals who require special accommodation, including but not limited to an American Sign Language interpreter, accessible seating or documentation in accessible formats, should contact the Superintendent at least two days before the meeting date.

Any writings or documents that are public records and are 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 435 Hillcrest Avenue, Pacific Grove during normal business hours.

AGENDA AND ORDER OF BUSINESS

I. OPENING BUSINESS

- A. Call Public Session to Order
- B. Roll Call
- C. Adopt Agenda
- D. Pledge of Allegiance

II. SITE PRESENTATION

Once a year, Board meetings are held at all school sites. This provides administration and staff with an opportunity to showcase their school's accomplishments.

Robert Down's presentation: *Go for Gold!*

III. COMMUNICATIONS

- A. Written Communication
- B. Board Member Comments
- C. Superintendent Report
- D. PGUSD Staff Comments (Non Agenda Items)

IV. INDIVIDUALS DESIRING TO ADDRESS THE BOARD

Public comment on any item of interest to the public that is within the Board's jurisdiction will be heard. The Board may limit comments to no more than three (3) minutes for each agenda or non-agenda item; a total time for public input on each item is 20 minutes, pursuant to Board Policy 9323. Public comment will also be allowed on each specific action item prior to Board action thereon. This meeting of the Board of Education is a business meeting of the Board, conducted in public. Please note that the Brown Act limits the Board's ability to respond to public comment. The Board may choose to direct items to the Administration for action or place an item on a future agenda.

V. PRESENTATION/INFORMATION/DISCUSSION

Golden Award Choir Presentation

5

Recommendation: (Matt Bell, Pacific Grove High School Principal) The Administration recommends that the Board hear a presentation regarding the choir at the high school in conjunction with earning a Girl Scout Golden Award.

VI. CONSENT AGENDA

Items listed under the Consent Agenda are considered to be routine and/or may have been discussed at a previous Board meeting. There is no discussion of these items prior to the Board vote unless a member of the Board requests specific items be discussed and/or removed from the Consent Agenda. Each item on the Consent Agenda approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

- | | Page |
|---|------|
| A. <u>Minutes of September 8, 2016 Regular Board Meeting</u> | 6 |
| Recommendation: (Ralph Gómez Porras, Superintendent) Approval of minutes as presented. | |
| B. <u>Certificated Assignment Order #3</u> | 11 |
| Recommendation: (Billie Mankey, Director of Human Resources) The Administration recommends adoption of Certificated Assignment Order #3. | |
| C. <u>Classified Assignment Order #3</u> | 14 |
| Recommendation: (Billie Mankey, Director of Human Resources) The Administration recommends adoption of Classified Assignment Order #3. | |
| D. <u>Acceptance of Donations</u> | 16 |
| Recommendation: (Rick Miller, Assistant Superintendent) The District Administration recommends that the Board approve acceptance of the donations. | |
| E. <u>Out of County or Overnight Activities</u> | 17 |
| Recommendation: (Rick Miller, Assistant Superintendent) The Administration recommends that the Board approve or receive the request as presented. | |
| F. <u>Quarterly Report on Williams Uniform Complaints</u> | 23 |
| Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends that the Board review and approve the information in this quarterly report, per Ed. Code. 35186(d). | |

- G. Declaration of Surplus Property for 2016 Butterfly Parade Bazaar 25
 Recommendation: (Rick Miller, Assistant Superintendent) The District Administration recommends that the Board declare the identified property as surplus and authorize sale and disposal in accordance with Board Policy 3270 in conjunction with the Butterfly Bazaar.

Move: _____ Second: _____ Vote: _____

VII. PUBLIC HEARING: Approval of Resolution #984 Regarding Sufficiency of Instructional Materials for Fiscal Year 2016-2017 26

The Governing Board shall hold a public hearing or hearings at which the Governing Board shall encourage participation by parents, teachers members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board. [EC60119(a)(1)]

Open Public Hearing _____ Close Public Hearing _____

VIII. ACTION/DISCUSSION

- A. Approval of Resolution #984 Regarding Sufficiency of Instructional Materials for Fiscal Year 2016- 2017 31

Recommendation: (Ani Silva) The Administration recommends that the Board review and approve Resolution #984 regarding Sufficiency of Instructional Materials for fiscal year 2016-17.

Move: _____ Second: _____ Roll Call Vote: _____
 Thibeau ___ Paff ___ Crandell ___ Phillips ___ Swanson ___

- B. Approval of Board Bylaw 9270 Conflict of Interest Code Amendments and Resolution #985 35

Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends the Board review and accept the amended Conflict of Interest Code Board Bylaw 9270 and corresponding Resolution #985.

Move: _____ Second: _____ Roll Call Vote: _____
 Thibeau ___ Paff ___ Crandell ___ Phillips ___ Swanson ___

- C. Board Calendar/Future Meetings 70

Recommendation: (Ralph Gómez Porras, Superintendent) The Administration recommends that the Board review and possibly modify the schedule of meeting dates on the attached calendar and determine, given information from the Administration, whether additional Board dates or modifications need to be established.

Move: _____ Second: _____ Vote: _____

IX. INFORMATION/DISCUSSION

- A. 2015-2016 California Assessment of Student Performance and Progress (CAASPP) Results 73
Recommendation: (Ani Silva, Director of Curriculum and Special Projects; Matthew Binder, Director of Educational Technology) The District Administration recommends that the Board review the 2015-2016 California Assessment of Student Performance and Progress results.

Board Direction: _____

- B. Future Agenda Items 76
Recommendation: (Ralph Gómez Porras, Superintendent) The Administration recommends that the Board review the list of future agenda items and direct Administration to add items to the list and/or schedule items for a particular agenda.

Senior Class Projects Review (November 17)
California Healthy Kids Survey Follow-Up (October 27)
Spanish Class at Elementary Schools
Pebble Beach Housing Project

Board Direction: _____

X. ADJOURNMENT

Next regular meeting: October 6, 2016 – PG Middle School Library

SUBJECT: Golden Award Choir Presentation

PERSON(S) RESPONSIBLE: Matt Bell, Pacific Grove High School Principal for Olivia Cain

RECOMMENDATION:

The Administration recommends that the Board hear a presentation regarding the choir at the high school in conjunction with earning a Girl Scout Golden Award.

BACKGROUND:

Olivia Cain came and spoke to the Board last spring about her desire to create a choir class at the high school that was an official class and not a club as the choir currently exists. Concurrently, she had set the formation of a choir as foundational to her earning her Girl Scout Golden Award. As part of earning the Golden Award, she needs to present her plan to the Board.

INFORMATION:

The presentation will consist of Olivia giving the history of the choir, her analysis of the current configuration of the choir as well as the impacts of creating a class. Additionally, the choir will attend and be part of the presentation.

FISCAL IMPACT:

There is no fiscal impact to the presentation itself. There would be a potential fiscal impact if the Board chooses to act on any of the recommendations.

PACIFIC GROVE UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
Minutes of Regular Meeting of September 8, 2016 – Forest Grove Elementary

I. OPENED BUSINESS

- A. Called to Order 7:04 p.m.
- B. Roll Call

President:	Trustee Thibeau
Clerk:	Trustee Paff
Trustees Present:	Trustee Crandell
	Trustee Swanson
Trustees Absent:	Trustee Phillips
Administration Present:	Superintendent Porras
	Assistant Superintendent Miller
Board Recorder:	Mandi Freitag
Student Board Member:	Lexi Rohrer

C. Adopted Agenda

MOTION Paff/Crandell to adopt agenda as presented.
Public comment: none
Motion CARRIED 4 – 0

D. Pledge of Allegiance Led By: Principal Buck Roggeman

II. SITE PRESENTATIONS

Forest Grove’s presentation: *A Positive Place to Learn*

Forest Grove Elementary Principal Buck Roggeman focused the presentation to the Board on showing the school at work, including improved student writing, improved student math problem solving, visual/performing arts, increased parent involvement and communication, and implementation of mindful school program.

The Instructional Leadership Team sat as a round table in front of the Board, answering questions, discussing team building, strengths and academic needs.

Finally, teachers from each grade presented student work and projects to show development and improvement.

The Board thanked Forest Grove for their teamwork, thanked the students and parents for their involvement.

III. COMMUNICATIONS

A. Written Communication

The Board received written communication on the Co-Op Preschool, Kinder Classroom, follow-up on the Tech Night.

Superintendent Porras received a letter on behalf of the Monterey County Emergency

Services, acknowledging the hard work of Director of Student Safety Barbara Martinez. Additional written communication included the LCAP approval from the Monterey County Office of Education.

B. Board Member Comments

Student Representative Rohrer updated the Board on the Homecoming activities.

Trustee Swanson attended two Back to School nights, saying they were eye-opening and attended by lots of parents.

Trustee Crandell said she was happy to be at Forest Grove Elementary School for the Board meeting.

Trustee Paff noted the exciting evening at the PG High School Back to School Night. Trustee Paff attended the Tech Night at PG Middle School, saying it was well-received. Trustee Paff also attended the City Council meeting the previous evening. Finally, Trustee Paff asked that the PG Middle School water fountain on the field be fixed.

C. Superintendent Report

Superintendent Porras was pleased to report that two additional Kindergarten teacher positions were posted in response to the class size concerns, noting a letter was sent out to parents informing them of the additional support. Superintendent Porras also noted a letter went out to Co-Op Preschool parents informing them that the \$30 snack fee was being refunded.

D. PGUSD Staff Comments (Non Agenda Items)

Robert Down Elementary School Principal Linda Williams thanked the Board for their caring attitude regarding concerns expressed at the previous Board meeting, helping to provide support in reducing class sizes.

Forest Grove Elementary School Principal Buck Roggeman mirrored sentiments.

Nicki Klevan thanked the Board for their efforts in reducing class sizes, but reminded the Board that every school needs art and music rooms.

PG High School Principal Matt Bell updated the Board on the upcoming week including Coffee with the Principal, a parent night at Carmel regarding party culture and related risks, and finally explained to the Board the upcoming movie presentation at PG High School which involves difficult topics in order to prepared students and parents.

Safety Director Barbara Martinez introduced School Resource Officer Billy Hawkins. Officer Hawkins introduced himself to the Board.

PG Middle School Principal Sean Roach congratulated Forest Grove on a great presentation, and also noted the recent Tech Night at the site.

Director of Student Services Clare Davies said it was a great joy to open two new special classrooms and thanked Director Matt Kelly and the facilities team.

Director of Education Technology Matthew Binder thanked Principal Williams and Principal Roach for the Tech Nights at their school sites and invited the Board to attend the upcoming Tech Night at Forest Grove Elementary.

IV. INDIVIDUALS DESIRING TO ADDRESS THE BOARD

Evan Clark with Troop 90 explained his Eagle Scout Presentation idea to the Board, which is building and setting up a Little Free Pantry. Superintendent Porras asked Clark to put his proposal in writing and submit it to Principal Bell at PG High School, as well as work with Director of Nutrition Dianne Hobson.

Parent Henry Niggos thanked the Board of Trustees, Superintendent Porras, Assistant Superintendent Miller and Principal Roggeman for their services and hard work.

Pine Ave Preschool Co-Op Parent Sarah Boyle updated the Board on feedback from the health department regarding the Pine Ave Preschool kitchen.

Kilene Brosseau spoke as a parent regarding concerns over class sizes.

Barbara Meister of the Monterey Bay Aquarium spoke on the City of Pacific Grove tax Measure P and its impact on non-profits.

Rudy Fischer spoke in support of Measure P and the costs for city improvements that impact the schools.

V. CONSENT AGENDA

- A. Minutes of August 25, 2016 Regular Board Meeting
- B. Certificated Assignment Order #2
- C. Classified Assignment Order #2
- D. Acceptance of Donations
- E. Out of County or Overnight Activities
- F. Cash Receipts Report No. 9 and 1
- G. Revolving Cash Report No. 1
- H. 2016-17 Budget Revision #1
- I. Approval of Contract with Wonder Woofs K-9 Narcotic Search Unit

MOTION Crandell/Paff to approve consent agenda as presented.

Public comment: none

Motion CARRIED 4 – 0

VI. ACTION/DISCUSSION

- A. Approval of the Pacific Grove Adult Education Teachers Compensation Adjustment

MOTION Swanson/Paff to approve the Pacific Grove Adult Education Teachers Compensation Adjustment.

Public comment: none

Motion CARRIED 4 – 0

B. Approval Resolution #983 for the Gann Limits for 2015-16 and 2016-17

MOTION Paff/Swanson to approve Resolution #983 for the Gann Limits for 2015-16 and 2016-17.

Public comment: none

Motion CARRIED roll call vote 4 – 0

C. Acceptance of the 2015-16 Unaudited Financial Report

Assistant Superintendent Rick Miller presented information to the Board. The Board discussed this item.

MOTION Paff/Crandell to acceptance of the 2015-16 Unaudited Financial Report.

Public comment: none

Motion CARRIED 4 – 0

D. Board Calendar/Future Meetings

The Board requested a safety report/discipline update be added to the Board Calendar/Future Meetings in September and May.

MOTION Crandell/Swanson to approve the Board meeting calendar as amended.

Public comment: none

Motion CARRIED 4 – 0

VII. INFORMATION/DISCUSSIONA. Quarterly District Safety Update

Director of Safety Barbara Martinez presented information to the Board.

B. Review of Special Education Contracts

Director of Student Services Clare Davies presented information to the Board. Corrected the number of students noted in the Board packet as 17, not 12 students. The Board asked that Director Davies clarify the language in the excel sheets.

C. Information on the Measure P Tax Initiative of the City of Pacific Grove

The Board discussed this item.

MOTION Paff/Swanson to extend the meeting until 10:30 p.m.

Public comment: none

Motion CARRIED 4 – 0

The Board takes no position on Measure P. Directed Superintendent Porras to provide information to the non-profits that support the school district.

Public Comment:

Rudy Fisher offered to be a point of contact if the Board or non-profits should have any questions regarding the Measure P.

D. Facilities, Maintenance, and Operations Update

Director of Maintenance and Operations Matt Kelly provided an update to the Board. The Board discussed this item.

E. Future Agenda Items

Olivia Caine Presentation on Choir Class (September 22)
Senior Class Projects Review (November 17)
California Healthy Kids Survey Follow-Up (October 27)
Spanish Class at Elementary Schools

The Board requested adding Pebble Beach Housing Project as a future agenda item.

VIII. ADJOURNED

10:20 p.m.

Approved and submitted:

Dr. Ralph Gómez Porras
Secretary to the Board

SUBJECT: Certificated Assignment Order #3

PERSON(S) RESPONSIBLE: Billie Mankey, Director II, Human Resources

RECOMMENDATION:

The administration recommends adoption of Certificated Assignment Order #3

BACKGROUND:

Under Board Policies #4200 and #4211, the Human Resource Office is directed by the Superintendent and the Board of Education to employ the most highly qualified person available for each position. Recruitment and selection procedures include dissemination of vacancy announcements to newspapers, trade journals, the internet through the Pacific Grove Unified School District website, Monterey County Office of Education website and other recruitment websites in California. The recommendation to hire a selected candidate is made after weighing the information obtained by the complete application package, the interview process, and confidential reference checks. No inquiry is made with regard to the age, sex, race, color, religion, national origin, disability or sexual orientation.

INFORMATION:

Persons listed in the Certificated Assignment Order are being recommended to the Board of Education for employment in the District. No individual is recommended to the Board of Education for employment prior to receipt of the criminal background summary.

FISCAL IMPACT:

Funding has been approved and allocated for these items.

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
CERTIFICATED PERSONNEL ASSIGNMENT ORDER NO. 3
September 22, 2016**

TEMPORARY, ADDITIONAL ASSIGNMENT:

Before/After School EL Tutoring, 3 hours per week, paid at the hourly instructional rate, effective 2016-17 school year:

FGE: Kim Shurtz

PGHS – Janine Olin, Nicole Bulich (shared assignment)

2016-17 PGHS Counseling Project Work – 4 Year Plans, paid at the hourly PGTA Instructional Rate, effective through June 2, 2017 only and funded through the 10th Grade Counseling Budget:
Kristin Paris, Pat Rolander

2016-17 District ILT members, annual stipend of \$800 per year to be paid 50% at the end of each semester:

RDE – Kate Uppman

FGE – Beth Cina

CHS – Kim Shurtz

PGHS – Jenn Erickson, Lauralea Gaona

2016-17 District Tech Ninjas, annual stipend of \$800 per year to be paid 50% at the end of each semester:

RDE – Karen Levy

2016-18 Pacific Grove Unified BTSA Induction Coach Stipends

Employee	Position	BTSA Student	BTSA Funding
Julie Kelly	BTSA Induction Coach	Maurisa Alt (yr. 1)	\$1,800

2016-17 Pacific Grove High School Curriculum Stipends and Special Assignments

Employee	Assignment	Stipend % or # of Sections	Funding
Brad Woodyard	CHS Lead Teacher	1.0	GF
Dave Hoffman	Band	1.0 – Fall, 1.0 Spring	GF
Michelle Bouleware	Musical	1.0	GF
Michelle Bouleware	Vocal Music Coach	1.0	GF
Katie Selfridge	English Dept. Chair	26	GF
Shane Steinback	Social Science Dept. Chair	25	GF
Joe D’Amico	Math Dept. Chair	24	GF
Donna O’Donnell	P.E. Dept. Chair	10	GF
Nick Lackey	SPED Dept. Chair	16	GF
Amanda Mello	Science Dept. Chair	23	GF
Desma Johnson	Foreign Language Dept Chair	16	GF
Jenn Erickson	CTE Dept Chair	15	GF

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
CERTIFICATED PERSONNEL ASSIGNMENT ORDER NO. 3
September 22, 2016**

2016-17 Pacific Grove High School Sports - Fall

Sport	Employee	Assignment	Stipend	Funding
	Todd Buller	Athletic Director	1.0	GF
Football (4.5 Stipends)	Chris Morgan	Varsity Head Coach	1.0	GF
Football	John Montanez	Varsity Assistant Coach	.5	GF
Football	Todd Buller	Varsity Assistant Coach	.5	GF
Football	Jeff Gray	Varsity Assistant Coach	.5	GF
Football	Doug Garrett	JV Assistant Coach	1.0	GF
Football	Jeff Bautista	JV Assistant Coach	.5	GF
Football	Jeremiah Smith	JV Assistant Coach	.5	GF
Volleyball (2.0 Stipends)	Molly Kennedy	Varsity Head Coach	1.0	GF
Volleyball	Kendra Lis	JV Assistant Coach	1.0	GF
Girls Golf (1.0 Stipend)	Becky Goldfinch	Head Coach	1.0	GF
Cross Country (2.0 Stipends)	Tom Light	Head Coach	1.0	GF
Cross Country	Steve Watkins	Assistant Coach	1.0	H.S. Athletics - Cross Country
Girls Tennis (1.0 Stipends)	Kathy Buller	Head Coach	1.0	GF
Cheerleading (1.0 Stipend)	Linda Lyon	Head Coach	1.0	GF

SUBSTITUTES:

Angela Ayers
Marc Boyd
James Burten
Miriam Solis

SUBJECT: Classified Assignment Order #3

PERSON(S) RESPONSIBLE: Billie Mankey, Director II, Human Resources

RECOMMENDATION:

The administration recommends adoption of Classified Assignment Order #3.

BACKGROUND:

Under Board Policies #4200 and #4211, the Human Resource Office is directed by the Superintendent and the Board of Education to employ the most highly qualified person available for each position. Recruitment and selection procedures include dissemination of vacancy announcements to newspapers, trade journals, the internet through the Pacific Grove Unified School District website, Monterey County Office of Education website and other recruitment websites in California. The recommendation to hire a selected candidate is made after weighing the information obtained by the complete application package, the interview process, and confidential reference checks. No inquiry is made with regard to the age, sex, race, color, religion, national origin, disability or sexual orientation.

INFORMATION:

Persons listed in the Classified Assignment Order are being recommended to the Board of Education for employment in the District. No individual is recommended to the Board of Education for employment prior to receipt of the criminal background summary.

FISCAL IMPACT:

Funding has been approved and allocated for these items.

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
CLASSIFIED PERSONNEL ORDER NO. 3
September 22, 2016**

NEW HIRE:

AVID TUTORS, PGMS/PGHS, not to exceed 7.25 hours per week, paid per time sheet, Range 30, Step A, effective September 7, 2016 through June 2, 2017 only (funded through AVID Grant)

Nehemias Tamayo

Alyssa Samaniego

Andrew Chyo

Kameron Herrera

Samantha Vargas

INCREASE/DECREASE IN HOURS:

Cecelia Caro, PGAS, Instructional Assistant (Parent Ed Program) voluntarily reduces her annual work calendar from 10 months, to 185 day work calendar, effective 2016-17 school year.

LEAVE OF ABSENCE:

Lindsey Terry, Administrative Specialist (Student Services Dept.), requests a leave of absence for maternity and child rearing, effective approximately November 15, 2016 through February 8, 2017.

SUBJECT: Acceptance of Donations

PERSON(S) RESPONSIBLE: Rick Miller, Assistant Superintendent for Business Services

RECOMMENDATION:

The Administration recommends that the Board approve acceptance of donations referenced below.

INFORMATION:

During the past month the following donations were received:

Forest Grove Elementary School

None

Robert H. Down Elementary School

None

Pacific Grove Middle School

None

Pacific Grove High School

Darren McClure	\$5,000	(Stadium scoreboard)
Ohiopyle Prints	106.82	(undesignated)
Wells Fargo	134.61	(V. Michael classroom)

Pacific Grove Community High School

None

Pacific Grove Adult School /Lighthouse Preschool & Preschool Plus Co-op

None

Pacific Grove Unified School District

None

Ref: Donations

SUBJECT: Out of County or Overnight Activities

PERSON(S) RESPONSIBLE: Rick Miller, Assistant Superintendent for Business Services

RECOMMENDATION:

The Administration recommends that the Board approve or receive the request as presented.

BACKGROUND:

Board Policy 6153 requires prior approval of all school sponsored trips. Out of County/State or overnight trips require Board approval. Other trips may be approved by the Superintendent or designee.

INFORMATION:

The attached list identifies an overnight/Out of County/State trip(s) being proposed by a school site at this time.

FISCAL IMPACT:

The request has an identified cost and associated source of funds. The activities expose the District to increased liability with a resulting potential for financial impact.

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
OUT-OF-COUNTY OR OVERNIGHT ACTIVITIES

<u>DATE</u>	<u>STUDENTS/CLASS</u>	<u>TRANSPORTATION</u>	<u>COST</u>	<u>FUNDING SOURCE</u>
<u>DESTINATION</u> September 27 Gizditch Apple Farm Watsonville, CA	<u>ACTIVITY</u> 1st Grade Class Apple picking	PGUSD Bus	\$264	Walk w/ Pride
April 22, 2017 Beach Boardwalk Santa Cruz, CA	PGMS Music Students Music competition	Charter	\$1885	undisclosed
May 5-6, 2017 DATE CHANGE Disneyland Anaheim, CA	Senior Class Grad Night Event	Charter	\$13,677+	Various

FAXED
RD 9/9
+Transp

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
REQUEST FOR OFF CAMPUS ACTIVITY

Apple Farm
Consent Agenda Item E

INSTRUCTIONS: Submit this form to the Transportation Department if transportation requires use of buses or vans. Other forms go directly to Business Office. After District and/or Board approval, the form will be returned to the school site. For in-state or non-overnight activities submit form two weeks in advance of activities.

**BOARD APPROVAL IS REQUIRED FOR ALL OUT-OF-STATE OR OVERNIGHT ACTIVITIES.
THE REQUEST MUST BE APPROVED BY THE BOARD PRIOR TO THE EVENT. THEREFORE THE
REQUEST MUST BE SUBMITTED AT LEAST TWO (2) WEEKS PRIOR TO BOARD MEETING
PRIOR TO THE EVENT**

Date of Activity Sept 27, 16 Day of Activity Tuesday
Place of Activity Gzduch Apple Farm
School Robert Down Grade Level 1st
School Departure Time 11:00 AM PM must leave by 1 PM
Pickup Time From Place of Activity 12:45 AM PM
Name of Employee Accompanying Students Michelle Evans, Rachel Allaine
Number of Adults 12 Number of Students 50
Class or Club _____
Description of Activity Picking apples, seeing the orchards
Education Objective Culminating activity for apple unit
List All Stops Gzduch Ranch, Watsonville
Means of Transportation: () 84 Passenger () 72 Passenger () 48 Passenger () 18 Passenger
() Charter () Auto* () Walk () Other**

*#s 1, 2, 3, 5, 6, & 7 Must Be Completed Before Submitting To The Business Office /Transportation Department *

1. NOTE: Board Regulation 3541.1 Requirements Will Be Complied With When Using Private Autos (Teachers Initials)
2. If using vans, you MUST list who the drivers are.
3. Cost of Activity \$ 300 (\$150 from each walk w/ \$120 deposit paid from Evans)
4. Cost of Transportation \$ + bus pride
Total Cost (Activity + Transportation) \$ _____
5. Fund to be Charged for all activity expenses: () Acct. Code Walk w/ Pride
() Students
() Other
6. Requested By Michelle Evans Date 9/1/16
Employee's Signature (Employee accompanying students on activity)
7. Recommend Approval [Signature] Date 9-2-16
Principal's Signature

Transportation Department/District Office Use Only

Bus(s) () Available () Not Available

Date Received 9/7/16

Cost Estimate \$ 264

Approved By [Signature] Transportation Supervisor

Date 9/9/16

Approved By [Signature] Assistant Superintendent

Date _____

Date of Board Approval September 22, 2016



Updated 7/24/14

9/7/16

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
REQUEST FOR OFF CAMPUS ACTIVITY

Consent Agenda Item E

INSTRUCTIONS: Submit this form to the Transportation Department if transportation requires use of buses or vans. Other forms go directly to Business Office. After District and/or Board approval, the form will be returned to the school site. For in-state or non-overnight activities submit form two weeks in advance of activities.

BOARD APPROVAL IS REQUIRED FOR ALL OUT-OF-COUNTY, OUT-OF-STATE, OR OVERNIGHT ACTIVITIES. THE REQUEST MUST BE APPROVED BY THE BOARD PRIOR TO THE EVENT, THEREFORE THE REQUEST MUST BE SUBMITTED AT LEAST TWO (2) WEEKS PRIOR TO THE BOARD MEETING PRIOR TO THE EVENT

Date of Activity 4/22/17 Day of Activity Saturday

Place of Activity Santa Cruz HS. + Boardwalk

School PGMS Grade Level 6-8

School Departure Time 6:30 (AM) PM

Pickup Time From Place of Activity 8pm AM (PM)

Name of Employee Accompanying Students Barbara Priest

Number of Adults 15 Number of Students ~120

Class or Club PGMS Music Dept.

Description of Activity Adjudicated Music Festival for curriculum

Education Objective Appreciating, performing, student assessment

List All Stops SC HS + Santa Cruz Beach Boardwalk

Means of Transportation: two 84 Passenger () 72 Passenger () 48 Passenger () 18 Passenger () Charter () Auto* () Walk () Other**

FAXED

Feedback

*#s 1, 2, 3, 5, 6, & 7 Must Be Completed Before Submitting To The Business Office /Transportation Department *

1. NOTE: Board Regulation 3541.1 Requirements Will Be Complied With When Using Private Autos (initials)
(Teachers Initials)

2. If using vans, you MUST list who the drivers are. _____

3. Cost of Activity \$ _____

4. Cost of Transportation \$ _____
Total Cost (Activity + Transportation) \$ _____

5. Fund to be Charged for all activity expenses: () Acct. Code _____
() Students _____
() Other _____

6. Requested By [Signature] Employee's Signature AND Printed Name (Employee accompanying students on activity) Barbara Priest Date 9/7/16

7. Recommend Approval [Signature] Principal's Signature Date 9-7-16

Transportation Department/District Office Use Only

Bus(s) () Available () Not Available Date Received 9/9/16

Cost Estimate \$ 1885⁰⁰

Approved By [Signature] Transportation Supervisor Date _____

Approved By [Signature] Assistant Superintendent Date 9/7/16

Date of Board Approval September 22, 2016

RECEIVED
SEP 07 2016
PACIFIC GROVE UNIFIED SCHOOL DISTRICT

PAID
HS 9/9
+ Transp

- DATE CHANGE -
- EMPLOYEE CHANGE -

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
REQUEST FOR OFF CAMPUS ACTIVITY**

INSTRUCTIONS: Submit this form to the Transportation Department if transportation requires use of buses or vans. Other forms go directly to Business Office. After District and/or Board approval, the form will be returned to the school site. For in-state or non-overnight activities submit form two weeks in advance of activities.

BOARD APPROVAL IS REQUIRED FOR ALL OUT-OF-COUNTY, OUT-OF-STATE, OR OVERNIGHT ACTIVITIES. THE REQUEST MUST BE APPROVED BY THE BOARD PRIOR TO THE EVENT, THEREFORE THE REQUEST MUST BE SUBMITTED AT LEAST TWO (2) WEEKS PRIOR TO THE BOARD MEETING PRIOR TO THE EVENT

Date of Activity May 5-6, 2017 Day of Activity Friday - Saturday

Place of Activity Disneyland

School Pacific Grove High School Grade Level Seniors

School Departure Time 4:30 ^{5:15} AM PM

Pickup Time From Place of Activity 2:00 th AM PM

Name of Employee Accompanying Students Doug Garrett

Number of Adults 4-6 Number of Students 120 Approx

Class or Club Senior Class - Class of 2017

Description of Activity Senior Class Grad Trip

Education Objective Celebration of upcoming graduation

List All Stops Fullerton, Grapevine Rest Stop & Paso Robles

Means of Transportation: () 84 Passenger () 72 Passenger () 48 Passenger () 18 Passenger
 5th Passenger Charter () Auto* () Walk () Other**
Discovery Buses

*#'s 1, 2, 3, 5, 6, & 7 Must Be Completed Before Submitting To The Business Office /Transportation Department *

RECEIVED
SEP 09 2016
PACIFIC GROVE
UNIFIED SCHOOL DISTRICT

1. NOTE: Board Regulation 3541.1 Requirements Will Be Complied With When Using Private Autos (Teachers Initials)

2. If using vans, you MUST list who the drivers are.

3. Cost of Activity \$ 92.00 per ticket to Disneyland = \$11,040.00

4. Cost of Transportation \$ TBD - approx

Total Cost (Activity + Transportation) \$

5. Fund to be Charged for all activity expenses: Acct. Code WELLS FARGO ABB DISNEYLAND
 Students STUDENT
 Other DONATIONS, PTA, ALUMNI ASSOC.

6. Requested By Doug Garrett Employee's Signature AND Printed Name (Employee accompanying students on activity) Date 9-8-16

7. Recommend Approval [Signature] Principal's Signature Date 9/7/16

Transportation Department/District Office Use Only

Bus(s) () Available () Not Available Date Received 9/8/16

Cost Estimate \$

Approved By [Signature] Transportation Supervisor Date 9/9/16

Approved By [Signature] Assistant Superintendent Date

Date of Board Approval September 22, 2016 Updated 12/15/15

REVISED
9-8-16

DISCOVERY
11020 COMMERCIAL PARKWAY
CASTROVILLE, CA 95012
831-633-2877 831-633-7113 FAX

09/08/16 10:52am

CHARTER ORDER CONFIRMATION

PAGE 1

Charter Number: 083549 IN

Charter Date: 05/05/17 FRI

Confirmation Date: 04/15/17

Customer Number: PACIFICG01
PACIFIC GROVE UNIF SCHL DIST.
TRANSPORTATION DEPT.
435 HILLCREST AVE.
PACIFIC GROVE 93950
Contact: LISA STACKS
Group: GRAD NIGHT - DISNEYLAND

Home Phone: 831-372-7955
Work Phone: 831-646-6643

P.O. Number:

Remarks:
Drivers Requested:
Bus Type: R MCI 56 PAX

Salesperson: RICH DORR
Number of Passengers: 168
Number of Buses: 3

----- L E A V E -----				*----- A R R I V E -----*			
CITY	ST	DATE	TIME	CITY	ST	DATE	TIME
PACIFIC GROVE	CA	05/05/17	4.30	ANAHEIM	CA		
ANAHEIM	CA			PACIFIC GROVE	CA	05/06/17	10.00

----- P I C K U P I N F O R M A T I O N -----
PACIFIC GROVE H.S. * 615 SUNSET DR * PACIFIC GROVE, CA

----- D E S T I N A T I O N I N F O R M A T I O N -----
DISNEYLAND * HARBOR BLVD * ANAHEIM, CA

----- I T I N E R A R Y -----
CLIENT TO PROVIDE DRIVER'S ROOM
2017 PRICES TO BE DETERMINED.

Charter Grand Total	.00
Payments Received	.00
Balance Due	.00

ADDITIONAL TERMS & CONDITIONS

CANCELLATION FEE IF NOT CANCELLED 7 DAYS PRIOR TO DEPARTURE-\$100.00
CANCELLATION FEE INCREASES AS DEPARTURE DATE APPROACHES
CANCELLATION AT SPOT LOCATION--FULL AMOUNT OF CHARTER TRIP
CHARTERING PARTY AND/OR CHARTERING AGENT RESPONSIBLE FOR ALL DAMAGES

\$100.00 DEPOSIT PER BUS DUE 10 DAYS AFTER RECEIPT OF CONFIRMATION
REMAINING BALANCE DUE 10 DAYS PRIOR TO DEPARTURE
MAKE CHECKS PAYABLE TO: DISCOVERY
CHARTER GRAND TOTAL SUBJECT TO CHANGE IF ANY TRIP INFORMATION CHANGES
PLEASE VERIFY & SIGN CONFIRMATION AND RETURN TO DISCOVERY

SIGNATURE _____ DATE _____

THANK YOU FOR USING DISCOVERY!

SUBJECT: Quarterly Report on Williams Uniform Complaints

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The District Administration recommends that the Board review and approve the information in this quarterly report, per Ed. Code. 35186 (d).

BACKGROUND:

Each quarter the district is required, per Ed. Code 35186(d) to “prepare and submit a report of summarized data on the nature and resolution of all uniform complaints to the district board and county superintendent.”

INFORMATION:

For the first quarter of the 2016/17 academic year, there were no incidents or complaints filed against any of the criteria: Therefore, it is acknowledged that

1. There are sufficient textbooks and instructional materials for each student to use in class;
2. School facilities are clean, safe and maintained in good repair;
3. There are no teacher vacancies or misassignments;
4. All eligible students who did not pass the CAHSEE were notified of the availability of services and the right to file a complaint.
5. Parents, teachers and the public know how to obtain complaint forms.

FISCAL IMPACT:

None.

Quarterly Report on Williams Uniform Complaints
[Education Code § 35186]

District: Pacific Grove Unified School District

Person completing this form: Mandi Freitag Title: Executive Assistant

Quarterly Report Submission Date: October 2016
(Please check one) January 2017
 April 2017
 July 2017

Date for information to be reported publicly at governing board meeting: September 22, 2016

Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials			
Teacher Vacancy or Misassignment			
Facilities Conditions			
TOTALS			

Ralph Gómez Porras
Print Name of District Superintendent


Signature of District Superintendent

September 22, 2016
Date

SUBJECT: Declaration of Surplus Property for 2016 Butterfly Parade Bazaar

PERSON(S) RESPONSIBLE: Rick Miller, Assistant Superintendent

RECOMMENDATION:

The District Administration recommends that the Board declare the identified property as surplus and authorize sale and disposal in accordance with Board Policy 3270 in conjunction with the Butterfly Bazaar.

BACKGROUND:

Under the provisions of the Education Code, school districts are permitted to dispose of surplus material in several different ways. For many years the Pacific Grove Unified School District has put surplus or obsolete material up for public sale at the Butterfly Bazaar.

INFORMATION:

In accordance with Board Policy 3270, the Board is to be informed of the items to be considered surplus and must authorize disposition. The Administration requests authorization to hold a public sale in conjunction with the Butterfly Bazaar for the purpose of disposing of the surplus property identified as follows:

- Surplus furniture
- Surplus non-functioning, electronic equipment
- Obsolete textbooks
- Miscellaneous obsolete and/or non-functioning items no longer usable within the District
- Some of the specific items include:
 - File Cabinets
 - Obsolete computers
 - Obsolete office equipment
 - Tables
 - Desks
 - Chairs
 - Outdated textbooks

The following details apply to this sale:

1. The sale will be held on Saturday, October 1, 2016 at Robert Down School from 10:00 a.m. to 2:00 p.m.
2. No individual item is worth more than \$2,500. (Therefore advertising is not required)
3. All material for sale has been reviewed by District and site personnel and has been deemed to be in excess of our current needs.
4. Obsolete textbooks will be made available to the public at no cost for use for educational purposes, in accordance with Board Policy 3270.
5. Those items which are unsold will be deemed worthless and discarded at a public disposal site.

FISCAL IMPACT:

Any funds raised during the sale will be added to the District General Fund as additional revenue.

SUBJECT: Public Hearing of Resolution #984 Regarding Sufficiency of Instructional Materials for Fiscal Year 2016-2017

PERSON(S) RESPONSIBLE: Ani Silva, Director Curriculum/Special Projects

RECOMMENDATION:

The District Administration recommends that the Board hold a public hearing for Resolution #984 regarding Sufficiency of Instructional Materials for fiscal year 2016-17.

BACKGROUND:

State Education Code Section 60119 and Assembly Bill 831, Chapter 118, Statutes of 2005, which took effect July 26, 2005, requires that the Governing Board hold a public hearing and make a determination, through the adoption of a resolution, as to whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, in each subject, that are consistent with the content and cycles of the State curriculum frameworks and adoption cycles.

If the Governing Board determines that there are insufficient textbooks or instructional materials, or both, the Governing Board shall provide information to classroom teachers and to the public setting forth, for each school in which there is insufficiency, the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each pupil does not have sufficient textbooks or instructional materials.

The Board is required to comply with this requirement in order to annually receive funds through the Instructional Materials Funding Realignment Program (IMFRP).

INFORMATION:

The District is constantly in the process of updating its textbooks and providing instructional materials to meet the requirements of the State curriculum frameworks, content standards, and adoption cycles. At any time there will always be a need for additional revenues to update aging or damaged textbooks and provide additional or replacement instructional materials.

Assembly Bill X4 2 (Chapter 2, Statutes of 2009-10 Fourth Extraordinary Session) signed on July 28, 2009, suspended the process and procedures for adopting instructional materials, including framework revisions, until the 2013-14 school year. Senate Bill 70 (Chapter 7 of the Statutes of 2011) extended that suspension until the 2015-16 school year. Education Code 60119 was amended by Assembly Bill (AB) 1246 effective January 1, 2013 to allow districts to have instructional resources aligned to the Common Core State Standards adopted by the State Board in 2010. AB 1246 also authorizes the State Board of Education to adopt instructional materials for k-8, inclusive, that are aligned to the Common Core Content Standards for Mathematics no later than March 30, 2014. In January 2014, the State Board of Education approved programs for adoption in grades TK-8, Algebra 1 and Integrated Math 1. In November 2015, the state Board of Education approved English Language Arts and English Language Development programs for adoption in grades TK-8.

For the 2014-2015 school years, My Math by McGraw Hill was adopted for grades TK-5 aligned to the Common Core State Standards for Math and Superkids by Zaner Blozer for grades TK-2 aligned to the English Language Arts Common Core State Standards. Glencoe Biology, a program aligned to the Next Generation Science Standards and the Literacy Standards of the Common Core was adopted and implemented for 2014-2015. In 2015-2016 The California Edition of Big Ideas Math by Houghton

Mifflin Harcourt was adopted for grades 6-8 as the core math curriculum. In 2016-2017 the High school math department adopted The California Edition of Big Ideas Math as their core math program for Integrated Math 1, Integrated Math 2, and Integrated Math 3. Benchmark Advance, an English Language Arts and English Language Development program, was adopted for grades 3-5. The middle school English department is currently piloting Study Sync from McGraw Hill, an English Language Arts/English Language Development program and will decide this year if the program is appropriate for adoption in the 2017-2018 school year.

In September of 2013, the State Board of Education adopted the Next Generation Science Standards. The new standards require a different approach to lesson design that relies on the integration of scientific concepts from multiple disciplines for example combining earth and life science topic. Existing textbooks and supplementary materials can support this shift in science instruction, but state approved NGSS aligned curriculum will be available in early 2019. It is appropriate to find at this time that the District has provided sufficient textbooks and instructional materials for all students consistent with the State curriculum frameworks and adoption cycles. The total cost for textbooks expenditures was \$218,965. The district does not receive any additional money for the purchase of instructional materials.

FISCAL IMPACT:

\$218,965



www.pgusd.org

Public Hearing

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
435 Hillcrest Avenue Pacific Grove, CA 93950

Ralph Gomez Porras
Superintendent
(831) 646-6520
Fax (831) 646-6500
rporras@pgusd.org

Rick Miller
Assistant Superintendent
Business Services
(831) 646-6509
rmiller@pgusd.org

PUBLIC HEARING NOTICE

The Pacific Grove Unified School District Governing Board will hold a public hearing on Thursday, September 22, 2016, pursuant to Education Code Section 60119 and 60422, which states in part:

1. The Governing Board shall hold a public hearing or hearings at which the Governing Board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board. [EC60119(a)(1)]

The hearing will be held during the regular Governing Board meeting, which begins at 7:00 p.m. at Robert Down Elementary School at 485 Pine Avenue, Pacific Grove, CA 93950.

This notice posted in accordance with EC 60119(b) on September 14, 2016

1. Robert Down Elementary School
2. Forest Grove Elementary School
3. Pacific Grove Middle School
4. Pacific Grove High School
5. Community High School
6. Pacific Grove Unified School District Office

PACIFIC GROVE UNIFIED SCHOOL DISTRICTResolution No. 984
REGARDING SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR
FISCAL YEAR 2016-2017

WHEREAS, on September 22, 2016 the Board of Pacific Grove Unified School District in order to comply with the requirements of Education Code Section 60119 held a public hearing at 7:00 p.m. which did not take place during or immediately following school hours, and:

WHEREAS, the Governing Board provided at least 10 days notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and:

WHEREAS, the Governing Board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing, and:

WHEREAS, information provided at the public hearing and to the Governing Board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district, and:

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional material, or both, to use in class and to take home to complete required homework assignments, and:

WHEREAS, sufficient textbooks and instructional materials were provided to each student including English Learners, in mathematics, history-social science, and English/language arts, includes the English language development component of an adopted program consistent with the cycles and content of the curriculum frameworks. Grades Tk-2 adopted SuperKids English Language Arts program aligned to Common Core State Standards for implementation in 2014-2015, and: grades 3-5 adopted Benchmark Advance a Language Arts and English Language Development program aligned to Common Core State Standards for implementation in 2016-2017 and:

WHEREAS, the list of State Approved science textbooks (K-8) was released in Fall 2006. The District began the selection process and adoption took place during the 2008-2009 school year. Next Generation Science standards were approved by the State Board of Education on September 4, 2013. Standards aligned materials will be available January 2019. Students have sufficient instructional materials for instruction in the content area of science, and: Science textbooks for an Honors Chemistry was adopted in 2012 and implemented in 2012-2013, Science textbooks for Biology aligned to Common Core State Standards and Next Generation Science standards was adopted for implementation in 2014-2015 and:

WHEREAS, the list of State Approved math textbooks (K-8) was released in Fall 2013. At that time, the District began the selection process and a math adoption took place during the 2014-2015 school year in grades TK-5 with My Math, Big Ideas Math was adopted for grades 6-8 and Big Ideas Math was adopted for high school Integrated Math 1, Integrated Math 2, and Integrated Math 3, and:

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes,

WHEREAS, sufficient laboratory science equipment was provided for science laboratory classes offered in grades 9-12.

NOW THEREFORE, the Governing Board declares that for the 2016-2017 school year, the Pacific Grove Unified School District provided each pupil with sufficient textbooks and instructional materials consistent with the adoption cycles and content of the State curriculum frameworks.

AYES:

NOES:

ABSENT:

Ralph Gomez Porras, Superintendent

SUBJECT: Approval of Resolution #984 Regarding Sufficiency of Instructional Materials for Fiscal Year 2016-2017

PERSON(S) RESPONSIBLE: Ani Silva, Director Curriculum/Special Projects

RECOMMENDATION:

The District Administration recommends that the Board review and adopt the Resolution #984 Regarding Sufficiency of Instructional Materials for fiscal year 2016-17.

BACKGROUND:

State Education Code Section 60119 and Assembly Bill 831, Chapter 118, Statutes of 2005, which took effect July 26, 2005, requires that the Governing Board hold a public hearing and make a determination, through the adoption of a resolution, as to whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, in each subject, that are consistent with the content and cycles of the State curriculum frameworks and adoption cycles.

If the Governing Board determines that there are insufficient textbooks or instructional materials, or both, the Governing Board shall provide information to classroom teachers and to the public setting forth, for each school in which there is insufficiency, the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each pupil does not have sufficient textbooks or instructional materials.

The Board is required to comply with this requirement in order to annually receive funds through the Instructional Materials Funding Realignment Program (IMFRP).

INFORMATION:

The District is constantly in the process of updating its textbooks and providing instructional materials to meet the requirements of the State curriculum frameworks, content standards, and adoption cycles. At any time there will always be a need for additional revenues to update aging or damaged textbooks and provide additional or replacement instructional materials.

Assembly Bill X4 2 (Chapter 2, Statutes of 2009-10 Fourth Extraordinary Session) signed on July 28, 2009, suspended the process and procedures for adopting instructional materials, including framework revisions, until the 2013-14 school year. Senate Bill 70 (Chapter 7 of the Statutes of 2011) extended that suspension until the 2015-16 school year. Education Code 60119 was amended by Assembly Bill (AB) 1246 effective January 1, 2013 to allow districts to have instructional resources aligned to the Common Core State Standards adopted by the State Board in 2010. AB 1246 also authorizes the State Board of Education to adopt instructional materials for k-8, inclusive, that are aligned to the Common Core Content Standards for Mathematics no later than March 30, 2014. In January 2014, the State Board of Education approved programs for adoption in grades TK-8, Algebra 1 and Integrated Math 1. In November 2015, the state Board of Education approved English Language Arts and English Language Development programs for adoption in grades TK-8.

For the 2014-2015 school years, My Math by McGraw Hill was adopted for grades TK-5 aligned to the Common Core State Standards for Math and Superkids by Zaner Blozer for grades TK-2 aligned to the English Language Arts Common Core State Standards. Glencoe Biology, a program aligned to the Next Generation Science Standards and the Literacy Standards of the Common Core was adopted and implemented for 2014-2015. In 2015-2016 The California Edition of Big Ideas Math by Houghton

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In September of 2013, the State Board of Education adopted the Next Generation Science Standards. The new standards require a different approach to lesson design that relies on the integration of scientific concepts from multiple disciplines for example combining earth and life science topic. Existing textbooks and supplementary materials can support this shift in science instruction, but state approved NGSS aligned curriculum will be available in early 2019. It is appropriate to find at this time that the District has provided sufficient textbooks and instructional materials for all students consistent with the State curriculum frameworks and adoption cycles. The total cost for textbooks expenditures was \$218,965. The district does not receive any additional money for the purchase of instructional materials.

FISCAL IMPACT:

\$218,965

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

Resolution No. 984 REGARDING SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR FISCAL YEAR 2016-2017

WHEREAS, on September 22, 2016 the Board of Pacific Grove Unified School District in order to comply with the requirements of Education Code Section 60119 held a public hearing at 7:00 p.m. which did not take place during or immediately following school hours, and:

WHEREAS, the Governing Board provided at least 10 days notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and:

WHEREAS, the Governing Board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing, and:

WHEREAS, information provided at the public hearing and to the Governing Board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district, and:

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has a textbook or instructional material, or both, to use in class and to take home to complete required homework assignments, and:

WHEREAS, sufficient textbooks and instructional materials were provided to each student including English Learners, in mathematics, history-social science, and English/language arts, includes the English language development component of an adopted program consistent with the cycles and content of the curriculum frameworks. Grades Tk-2 adopted SuperKids English Language Arts program aligned to Common Core State Standards for implementation in 2014-2015, and: grades 3-5 adopted Benchmark Advance a Language Arts and English Language Development program aligned to Common Core State Standards for implementation in 2016-2017 and:

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WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes,

WHEREAS, sufficient laboratory science equipment was provided for science laboratory classes offered in grades 9-12.

NOW THEREFORE, the Governing Board declares that for the 2016-2017 school year, the Pacific Grove Unified School District provided each pupil with sufficient textbooks and instructional materials consistent with the adoption cycles and content of the State curriculum frameworks.

AYES:

NOES:

ABSENT:

Ralph Gomez Porras, Superintendent

SUBJECT: Approval of Board Bylaw 9270 Conflict of Interest Code Amendments and Resolution #985

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The District Administration recommends the Board review and accept the amended Conflict of Interest Code Board Bylaw 9270 and corresponding Resolution #985.

INFORMATION:

The update to Board Bylaw 9270 is a legal requirement and has been revised by legal counsel. The following changes have been made:

Summary of Proposed Revisions to Board Bylaw 9270

- Updates the general language of Board Bylaw 9270 to be consistent with the recently updated CSBA model Board Bylaw 9270. This update includes adopting the phrasing style and formatting of the model Board Bylaw 9270.
- Revises and updates the section on Boards that “manage public investments.” This added portion also uses the CSBA model language and deletes previously used language in the current Board Bylaw.
- Revises the section on Conflicts of Interest under Government Code 1090 to be consistent with the current CSBA model language. This added portion also uses the CSBA model language and deletes previously used language in the current Board Bylaw.
- Adds a brief section on common law conflicts of interest from current CSBA model language.
- Adds language regarding “gifts” of travel and related lodging from current CSBA model language.
- Updates legal reference section and citations to be consistent with current CSBA model bylaw.

Re: Appendix to Board Bylaw 9270

- Deletes “Purchasing Agent” as a Category 1 designated employee.
- Deletes “Dean of Students” as a Category 2 designated employee.
- Adds a brief section on “Full Disclosure” regarding required disclosures for those employees designated for full disclosure.

FISCAL IMPACT:

None.

Pacific Grove Unified School District

Board Bylaws

Bylaw #9270

CONFLICT OF INTEREST CODE

Mandated

Action

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 – Role of Board/Powers and Responsibilities – Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices – Scheduling and Posting)

Page 1 of 13

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Adopted: May 27, 1999

Reviewed Sept 7, 2000;

Revised ~~Nov 5~~ September [FILL], 2016

Pacific Grove Unified School District

Board Bylaws

Bylaw #9270

CONFLICT OF INTEREST CODE

Mandated

Action

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4017.2 - All Personnel – Resignation)

(cf. 9222 - Board Members – Resignation)

Conflict of Interest under the Political Reform Act

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

Additional Requirements for Boards that Manage Public Investments

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential

Page 2 of 13

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Adopted: May 27, 1999

Reviewed Sept 7, 2000;

Revised ~~Nov 5~~ September [FILL], 2016

Pacific Grove Unified School District

Board Bylaws

Bylaw #9270

CONFLICT OF INTEREST CODE

Mandated

Action

conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 9321 - Meetings and Notices – Closed Session Purposes and Agendas)

(cf. 9321.1 - Meetings and Notices – Closed Session Action and Reports)

Incompatible Activities

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Conflict of Interest Code

Page 3 of 13

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Adopted: May 27, 1999

Reviewed Sept 7, 2000;

Revised ~~Nov 5~~ September [FILL], 2016

Pacific Grove Unified School District

Board Bylaws

Bylaw #9270

CONFLICT OF INTEREST CODE

Mandated

Action

~~The district's conflict of interest code shall be comprised of the terms of 2CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.~~

~~Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)~~

~~When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)~~

~~When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)~~

~~If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)~~

~~Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)~~

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

~~Board members, employees, or district consultants and designated employees shall not be financially interested in any contract made by the Board or on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)~~

~~A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into~~

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~~a contract, if his/her interest includes, but is not limited to, any of the following:~~ (Government Code 1091.5)

- ~~1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty~~
- ~~2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board~~
- ~~3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091~~
- ~~4. That of a spouse of an officer or employee of the district if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment~~
- ~~5. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records~~
- ~~6. That of a non-compensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records~~
- ~~7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records~~
- ~~8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a~~

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~~commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm~~

~~In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)~~

A Board member shall not be ~~deemed considered~~ to be financially interested in a contract ~~in which if~~ he/she has only a "remote interest," ~~as specified in Government Code 1091, in the contract and if the~~ remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member ~~or district official~~ to enter into the contract. ~~Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)~~

~~In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.~~

~~A Board member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.~~

~~Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)~~

~~A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.~~

~~Disqualification for Board Members Who Manage Public Investments~~

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~~A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:-~~

- ~~1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required (Government Code 87105)~~
- ~~2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. This Board member shall not be counted toward achieving a quorum while the item is discussed (Government Code 87105; 2 CCR 18702.5)~~
- ~~3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (Government Code 87105)~~

~~If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR 18702.5)~~

~~The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code 87105; 2 CCR 18702.5)~~

~~If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR 18702.5)~~

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is

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inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing current gift limitation except when: as described in (Government Code 89506).

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.

2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and #2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering, in accordance with law. (Government Code 89501, 89502)

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The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes.

APPENDIX DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200:

Governing Board Members
Superintendent of Schools

1. Persons occupying the following positions are designated employees in Category 1:

Assistant/Associate Superintendent
~~Purchasing Agent~~

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. ~~Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.~~
- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district

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2. Persons occupying the following positions are designated employees in Category 2:

Director
Principal
Assistant Principal
Maintenance and Operations Director
Program Coordinator
Project Specialist
Supervisor
[Dean of Students](#)

Designated persons in this category must report investments or business positions in or income from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
- b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
- b. Investments, business positions, and source of income, including gifts, loans, and travel payments.

4. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3+)

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- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the district to enter into, modify or renew a contract that requires district approval
- e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party
- f. Grant district approval to a plan, design, report, study or similar item
- g. Adopt or grant district approval of district policies, standards or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704.2, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18700.3+)

A current copy of Regulation 18730 for multi county agencies is available at <http://www.fppc.ca.gov/legal/regs/current/18730.pdf> <http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>

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Legal Reference:
 EDUCATION CODE
 1006 Qualifications for holding office
 35107 School district employees
 35230-35240 Corrupt practices
 35233 Prohibitions applicable to members of governing boards
 35239 Compensation for board members in districts under 70 ADA
 41000-41003 Moneys received by school districts
 41015 Investments

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FAMILY CODE

297.5 Rights, protections and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099~~8~~ Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014~~5~~ Political Reform Act of 1974, especially:

82011 Code reviewing body

82019 Definition of designated employee

82028 Definition of gifts

82030 Definition of income

82033 Definition of interest in real property

82034 Definition of investment

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

89506 Ethics: travel

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18702.5 Public identification of a conflict of interest for Section 87200 filers

18722-18740 Disclosure of interests

18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, (2016) 247 Cal.App.4th 235

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th- 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138 (2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

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- 82 Ops.Cal.Atty.Gen. 83 (1999)
- 81 Ops.Cal.Atty.Gen. 327 (1998)
- 80 Ops.Cal.Atty.Gen. 320 (1997)
- 69 Ops.Cal.Atty.Gen. 255 (1986)
- 68 Ops.Cal.Atty.Gen. 171 (1985)
- 65 Ops.Cal.Atty.Gen. 606 (1982)
- 63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

WEB SITES

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

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

Institute of Local Government: <http://www.ca-ilg.org>

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict of Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

(11/99 ~~7/01~~11/09) ~~11/03~~5/16

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The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 – Role of Board/Powers and Responsibilities – Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 – Meetings and Notices – Scheduling and Posting)

Board members and designated employees shall annually file a Statement of Economic Interest/Form

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700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4017.2 – All Personnel – Resignation)

(cf. 9222 – Board Members – Resignation)

Conflict of Interest under the Political Reform Act

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

Additional Requirements for Boards that Manage Public Investments

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting

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in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 9321 – Meetings and Notices – Closed Session Purposes and Agendas)

(cf. 9321.1 – Meetings and Notices – Closed Session Action and Reports)

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board or on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a “remote interest,” as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into a contract. (Government Code 1091)

A Board member shall not be considered to be financially interested in a contract in which he/she has

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only a “remote interest,” as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including

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a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and #2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes.

APPENDIX

DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200:

Governing Board Members

Superintendent of Schools

1. Persons occupying the following positions are designated employees in Category 1:

Assistant/Associate Superintendent

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within district boundaries, or within

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two miles of district boundaries or of any land owned or used by the district.

- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district
2. Persons occupying the following positions are designated employees in Category 2:
- Director
Principal
Assistant Principal
Maintenance and Operations Director
Program Coordinator
Project Specialist
Supervisor
- Designated persons in this category must report investments or business positions in or income from sources which:
- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
 - b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.
3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
- a. Interests in real property located entirely partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments, business positions, and source of income, including gifts, loans, and travel payments.
4. Consultants are designated employees who must disclose financial interests as determined on

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a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18700.3)

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the district to enter into, modify or renew a contract that requires district approval
- e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party
- f. Grant district approval to a plan, design, report, study or similar item
- g. Adopt or grant district approval of district policies, standards or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18700.3)

A current copy of Regulation 18730 for multi county agencies is available at

<http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35107 School district employees

35230-35240 Corrupt practices

Pacific Grove Unified School District

Board Bylaws

Bylaw #9270

CONFLICT OF INTEREST CODE

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35233 Prohibitions applicable to members of governing boards

41000-41003 Moneys received by school districts

41015 Investments

FAMILY CODE

297.5 Rights, protections and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

82019 Definition of designated employee

82028 Definition of gifts

82030 Definition of income

82033 Definition of interest in real property

82034 Definition of investment

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

89506 Ethics: travel

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18722-18740 Disclosure of interests

18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, (2016) 247 Cal.App.4th 235

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

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92 Ops.Cal.Atty.Gen. 26 (2009)

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Pacific Grove Unified School District

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- 82 Ops.Cal.Atty.Gen. 83 (1999)
- 81 Ops.Cal.Atty.Gen. 327 (1998)
- 80 Ops.Cal.Atty.Gen. 320 (1997)
- 69 Ops.Cal.Atty.Gen. 255 (1986)
- 68 Ops.Cal.Atty.Gen. 171 (1985)
- 65 Ops.Cal.Atty.Gen. 606 (1982)
- 63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

WEB SITES

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

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

Institute of Local Government: <http://www.ca-ilg.org>

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict of Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

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Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

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BEFORE THE GOVERNING BOARD OF
PACIFIC GROVE UNIFIED SCHOOL DISTRICT
COUNTY OF MONTEREY, CALIFORNIA

Resolution No. 985

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Pacific Grove Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Pacific Grove Unified School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and the amended bylaw and appendix containing the district's amended conflict of interest code; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Pacific Grove Unified School District adopts its amended Conflict of Interest Code which includes amended Board Bylaw 9270 and its Appendix of Designated Employees and Disclosure Categories, which appears in Exhibit A to this Resolution.

PASSED AND ADOPTED THIS _____ day of _____, 2016 at a meeting of the Governing Board, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
GOVERNING BOARD

John Thibeau
President of the Governing Board
Pacific Grove Unified School District

EXHIBIT A

Pacific Grove Unified School District

Board Bylaws

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CONFLICT OF INTEREST CODE

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The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 – Role of Board/Powers and Responsibilities – Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 – Meetings and Notices – Scheduling and Posting)

Board members and designated employees shall annually file a Statement of Economic Interest/Form

Pacific Grove Unified School District

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700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4017.2 – All Personnel – Resignation)

(cf. 9222 – Board Members – Resignation)

Conflict of Interest under the Political Reform Act

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

However, a Board member shall participate in the making of a contract in which he/she has a financial interest if his/her participation is required by the rule of necessity or legally required participation pursuant to Government Code 87101 and 2 CCR 18705.

Additional Requirements for Boards that Manage Public Investments

Any Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18707)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting

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in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion and deliberations of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 9321 – Meetings and Notices – Closed Session Purposes and Agendas)

(cf. 9321.1 – Meetings and Notices – Closed Session Action and Reports)

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board or on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a “remote interest,” as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into a contract. (Government Code 1091)

A Board member shall not be considered to be financially interested in a contract in which he/she has

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Bylaw #9270

CONFLICT OF INTEREST CODE

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only a “remote interest,” as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except when: (Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including

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a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and #2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession, unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes.

APPENDIX

DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

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Pacific Grove Unified School District

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a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

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A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18700.3)

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Pacific Grove Unified School District

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SUBJECT: Board Calendar/Future Meetings

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The Administration recommends that the Board review and possibly modify the schedule of meeting dates on the attached calendar and determine, given information from the Administration, whether additional Board dates or modifications need to be established.

BACKGROUND:

The Board has approved Bylaw 9320, which states that regular Board meetings be held on the first and third Thursday of each month, from August through June. At the annual organizational meeting held in December, Trustees approves the meeting calendar as presented. The calendar is reviewed at each Board meeting.

INFORMATION:

Changes to the Board meeting dates must be approved by a majority vote of the Trustees.

Board Meeting Calendar, 2016/17 School Year

Aug. 25	Regular Board Meeting ✓ Student Enrollment Update ✓ Back to School dates ✓ Property tax report ✓ 2016-2017 Consolidated Application ✓ Maintenance/Facilities Update	District Office
Sept. 8	Regular Board Meeting ✓ Unaudited Actual Report ✓ Budget Revision #1 ✓ Safety/Discipline Report	Forest Grove (School Site Visit)
Sept. 22	Regular Board Meeting ✓ Board Goals – review/revise	Robert Down (School Site Visit)
Oct. 6	Regular Board Meeting ✓ Superintendent’s Goals ✓ Strategic Plan/LCAP Review Begins ✓ Bus Ridership	Middle School (School Site Visit)
Oct. 27	Regular Board Meeting ✓ Review of Special Education Contracts	Adult School (School Site Visit)
Nov. 17	Regular Board Meeting ✓ Intent form due (to serve as Board President or Vice President) ✓ Set date for Annual Organizational meeting ✓ Maintenance/Facilities Update	High School (School Site Visit)
Dec. 8	Organizational Meeting ✓ Election of 2016/17 Board President and Clerk ✓ First Interim Report ✓ Budget Revision #2 ✓ Review of Special Education Contracts	District Office

Board Meeting Calendar, 2016/17 School Year

Jan. 12	Regular Board Meeting ✓ Report on Governor's Budget Proposal ✓ Preliminary enrollment projection for 2017/18 ✓ Property Tax Update	Community High School (School Site Visit)
Feb. 2	Regular Board Meeting ✓ Budget projections and assumptions ✓ Possible personnel action presented as information ✓ Preliminary Review of Site Master Schedules ✓ Maintenance/Facilities Update	District Office
Mar. 2	Regular Board Meeting ✓ Second Interim Report ✓ Budget Revision #3 ✓ Possible personnel action (RIF) ✓ Open House schedules reviewed	District Office
Mar. 16	Regular Board Meeting ✓ Budget projections and assumptions ✓ TRAN Resolution ✓ Williams/Valenzuela Uniform Complaint Report	District Office
Apr. 6	Regular Board Meeting ✓ Board Priorities for 2017/18 Instructional Program Design ✓ Review of Strategic plan and LCAP ✓ Begin Superintendent Evaluation ✓ California Day of the Teacher ✓ Week of the CSEA Employee ✓ Approve 2017/18 Board meeting calendar, Aug. – Dec.	District Office
April 27	Regular Board Meeting ✓ Review of Site Master Schedules ✓ Review of Strategic plan and LCAP (as needed) ✓ Review of Facilities Depreciation Schedule	District Office
May 4	Regular Board Meeting ✓ Begin Superintendent Evaluation ✓ California Day of the Teacher ✓ Final Review of Site Master Schedules ✓ Draft 2017/18 Board meeting calendar ✓ Review of Strategic plan and LCAP ✓ Safety/Discipline Report	District Office
May 25	Regular Board Meeting ✓ Week of the CSEA Employee ✓ Retiree Reception ✓ Review Bell Schedule for 2017/18 ✓ Superintendent's evaluation ✓ Identify Board member representatives for graduation ✓ Review Facility Use Fee Schedule ✓ LCAP Public Hearing ✓ Review Governor's revised budget ✓ Present 2017/18 Budget ✓ Maintenance/Facilities Update	District Office
June 8*	Regular Board Meeting ✓ Adopt budget for 2017/18 ✓ Recommend approval of LCAP ✓ Complete Superintendent Evaluation	District Office
June 29	Regular Board Meeting ✓ Approval of contracts and purchase orders for 2017/18	District Office

**Board to determine morning or evening meeting*

SUBJECT: 2015-2016 California Assessment of Student Performance and Progress (CAASPP) Results

PERSON(S) RESPONSIBLE: Ani Silva, Director of Curriculum and Special Projects,
Matthew Binder, Director of Educational Technology

RECOMMENDATION:

The District Administration recommends that the Board review the 2015-2016 California Assessment of Student Performance and Progress results.

BACKGROUND:

The California Assessment of Student Performance and Progress is comprised of the Smarter Balanced Assessments (SBA), administered in grades 3-8 and grade 11 in English Language Arts and Mathematics. The Smarter Balanced Assessment is comprised of two components; a computer adaptive portion and a performance task for both content areas of English Language Arts/Literacy (ELA) and Mathematics. The Smarter Balanced assessments were first administered in 2014-15.

INFORMATION:

The presentation will highlight the following:

- District wide state and county comparison
- Year 1 (2014-2015) versus year 2 (2015-2016) growth comparisons in ELA and Math
- Grade level performance level by claim in ELA and Math
- Cohort growth from one grade level to the next in ELA and Math
- Subgroup (English learners, economic disadvantaged) performance levels
- District action plan to address student needs
 - Professional Learning Communities
 - Site Instructional leadership teams
 - Elementary math and digital coach
 - High and Middle school math coach

The SBA tests skills and abilities that students are expected to master for college and career readiness. These tests include performance tasks that require students to demonstrate critical thinking and problem-solving skills and to apply their knowledge of subject matter by performing complex problems. The assessments are computer adaptive - providing students with a wider range of questions tailored to more accurately identify the knowledge and skills students have mastered. The SBA is also a measure of student academic growth over time and provides teachers and schools important information used to guide instruction as students move from one grade level to the next.

Students receive an overall score for each subject, ranging between 2,000 and 3,000. Overall scores are reported within one of four levels: standard exceeded, standard met, standard nearly met, and standard not met as the tables below indicate (for English Language Arts/Literacy and Math).

English Language Arts/Literacy Scale Score Ranges

Grade	Min Scale Score	Max Scale Score	Achievement Level Scale Score Range for Standard Not Met	Achievement Level Scale Score Range for Standard Nearly Met	Achievement Level Scale Score Range for Standard Met	Achievement Level Scale Score Range for Standard Exceeded
3	2114	2623	2114–2366	2367–2431	2432–2489	2490–2623
4	2131	2663	2131–2415	2416–2472	2473–2532	2533–2663
5	2201	2701	2201–2441	2442–2501	2502–2581	2582–2701
6	2210	2724	2210–2456	2457–2530	2531–2617	2618–2724
7	2258	2745	2258–2478	2479–2551	2552–2648	2649–2745
8	2288	2769	2288–2486	2487–2566	2567–2667	2668–2769
11	2299	2795	2299–2492	2493–2582	2583–2681	2682–2795

Mathematics Scale Score Ranges

Grade	Min Scale Score	Max Scale Score	Achievement Level Scale Score Range for Standard Not Met	Achievement Level Scale Score Range for Standard Nearly Met	Achievement Level Scale Score Range for Standard Met	Achievement Level Scale Score Range for Standard Exceeded
3	2189	2621	2189–2380	2381–2435	2436–2500	2501–2621
4	2204	2659	2204–2410	2411–2484	2485–2548	2549–2659
5	2219	2700	2219–2454	2455–2527	2528–2578	2579–2700
6	2235	2748	2235–2472	2473–2551	2552–2609	2610–2748
7	2250	2778	2250–2483	2484–2566	2567–2634	2635–2778
8	2265	2802	2265–2503	2504–2585	2586–2652	2653–2802
11	2280	2862	2280–2542	2543–2627	2628–2717	2718–2862

(Source: <http://www.cde.ca.gov/ta/tg/ca/sbscalerange.asp>)

The new score reports also highlight students' strengths in key areas (called claims) for both ELA and mathematics. ELA results include information about the students' performance in the areas of reading, writing, listening, and research. Mathematics results include information about students' performance in problem solving, using concepts and procedures, and communicating mathematical reasoning. The student's performances in these key areas for each subject are reported using the following three indicators: below standard, at or near standard, and above standard.

Score reports for students in grade eleven indicate their readiness for credit-bearing, college-level work. For students who took the SBA in the fifth and eighth grade, score reports also include results from the California Standards Tests for Science. However, states (including

California) are in the process of developing a new science assessment aligned with the Next Generation Science Standards.

Comparisons between the 2014-15 results (the first official SBA testing year) and those from 2015-16 can now be made and will better inform decisions around identifying students in greatest need of academic support, planning differentiated instruction, aligning curriculum, and supporting the professional development of staff so that we are better equipped to meet the learning needs of all our students.

FISCAL IMPACT:

None.

SUBJECT: Future Agenda Items

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The Administration recommends that the Board review the list of future agenda items and direct Administration to add items to the list and/or schedule items for a particular agenda.

BACKGROUND:

Board Bylaw 9322 states in part that “Any member of the public or any Board member may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request [from a member of the public] must be submitted to the Superintendent or designee with supporting documents and information ...”

INFORMATION:

Board members have the opportunity at the end of Open Session in a Regular Board meeting to request that items be added to the list for a future meeting. Depending upon the timeliness of the item, it may also be assigned a particular meeting date.

The following is a list of future agenda items as of the September 22, 2016 Regular Board Meeting:

- Senior Class Projects Review (November 17)
- California Healthy Kids Survey Follow-Up (October 27)
- Spanish Class at Elementary Schools
- Pebble Beach Housing Project