

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

Trustees

*John Paff, President
Brian Swanson, Clerk
Cristy Dawson
Dr. Frank Rivera III
Carolyn Swanson
Gabriella Gaona, Student Representative*

DATE: Thursday, September 16, 2021

TIME: 5:30 p.m. Closed Session
6:30 p.m. Open Session

LOCATION: IN PERSON
Pacific Grove Unified School District Office
435 Hillcrest Avenue
Pacific Grove, CA 93950

VIRTUAL MEETING

Join Zoom Meeting

<https://pgusd.zoom.us/j/89786223827?pwd=UmFHVDFXU0R1MERqbm9KcG1TQ3FUQT09>

Meeting ID: 897 8622 3827

Passcode: 514405

One tap mobile

+16699006833,,89786223827#,,,,*514405# US (San Jose)

+13462487799,,89786223827#,,,,*514405# US (Houston)

Dial by your location

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+1 253 215 8782 US (Tacoma)

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Meeting ID: 897 8622 3827

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Find your local number: <https://pgusd.zoom.us/j/kd05Lqb3yG>

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 to Order
- B. Roll Call
- C. Adoption of Agenda

Move: _____ Second: _____ Vote: _____

II. CLOSED SESSION

A. Identify Closed Session Topics

The Board of Education will meet in Closed Session to consider matters appropriate for Closed Session in accordance with Education and Government Code.

- 1. Negotiations - Collective Bargaining Session planning and preparation with the PGTA for 2021-22 [Government Code § 3549.1 (d)] Executive session between the public school employer and its designated representatives, Buck Roggeman, Song Chin-Bendib and Ralph Gómez Porras, for the purpose of giving direction and updates.
- 2. Negotiations - Collective Bargaining Session planning and preparation with the CSEA for 2021-22 [Government Code § 3549.1 (d)] Executive session between the public school employer and its designated representatives, Billie Mankey, Song Chin-Bendib and Ralph Gómez Porras for the purpose of giving direction and updates.
- 3. Public Employee Discipline/Dismissal/Release/Complaint (1 case) [Government Code § 54957]

III. RECONVENE IN OPEN SESSION

A. Report action taken in Closed Session:

- 1. Negotiations - Collective Bargaining Session planning and preparation with the PGTA for 2021-22 [Government Code § 3549.1 (d)]
- 2. Negotiations - Collective Bargaining Session planning and preparation with the CSEA for 2021-22 [Government Code § 3549.1 (d)]
- 3. Public Employee Discipline/Dismissal/Release/Complaint (1 case) [Government Code § 54957]

B. Pledge of Allegiance

IV. COMMUNICATIONS

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

V. 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.

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.*

- A. Minutes of September 2, 2021 Board Meeting 9
Recommendation: (Ralph Gómez Porras, Superintendent) Approval of minutes as presented.
- B. Certificated Assignment Order #4 17
Recommendation: (Billie Mankey, Director II of Human Resources) The Administration recommends adoption of Certificated Assignment Order #4.
- C. Classified Assignment Order #4 19
Recommendation: (Billie Mankey, Director II of Human Resources) The Administration recommends adoption of Classified Assignment Order #4.
- D. Acceptance of Donations 22
Recommendation: (Song Chin-Bendib, Assistant Superintendent) The Administration Recommends that the Board approve acceptance of the donations referenced below.
- E. Out of County or Overnight Activities 23
Recommendation: (Song Chin-Bendib, Assistant Superintendent) The Administration recommends that the Board approve or receive the request as presented.
- F. Quarterly Report on Williams Uniform Complaints 27
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. Contract with Chartwell Nonpublic School 29
Recommendation: (Clare Davies, Director of Student Services) The District Administration recommends the Board consent to the placement of a student at Chartwell, Non Public School as per the Individualized Education Plan.

H. Contract for Services with MaryLee Sunseri at Pacific Grove Adult School 32
Recommendation: (Matt Kelly, Director of Facilities and Transportation; Barbara Martinez, Adult School Principal) The District Administration recommends the Board review and approve the contract for services with MaryLee Sunseri to provide Parent Enrichment classes at Pacific Grove Adult School for the Fall Session.

Move: _____ Second: _____ Vote: _____

VII. ACTION/DISCUSSION ITEM A

A. District Update on Response to COVID-19 35
Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration will update the Board, staff and community on current District response and protocols to COVID-19.

Board Direction: _____

VIII. PUBLIC HEARING I/ACTION/DISCUSSION ITEM B

I. Public Hearing Regarding Composition of Trustee Areas Prior to Drawing of Maps 36
Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends the Board hold a public hearing to receive community feedback regarding the California Voting Rights Act and the potential design of maps that outline trustee areas for Board elections.

Open Public Hearing _____ Close Public Hearing _____

B. Consideration and Adoption of Resolution No. 1078: Identify the Criteria the Demographer Will Consider When Developing Trustee-Area Boundaries 49
Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends the Board review and approve Resolution No. 1078: Identify the Criteria the Demographer Will Consider When Developing Trustee-Area Boundaries.

Move: _____ Second: _____ Roll Call Vote: _____

Trustees: Paff ___ B. Swanson ___ Dawson ___ Rivera ___ C. Swanson ___

IX. PUBLIC HEARING II/ACTION/DISCUSSION ITEM C

- II. Public Hearing of Resolution No. 1077 Regarding Sufficiency of Instructional Materials for Fiscal Year 2021-22 53

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 _____

- C. Approval of Resolution No. 1077 Regarding Sufficiency of Instructional Materials for Fiscal Year 2021-22 58

Recommendation: (Ani Silva, Director of Curriculum and Special Projects) The Administration recommends that the Board review and adopt Resolution No. 1077 regarding Sufficiency of Instructional Materials for fiscal year 2021-22.

Move: _____ Second: _____ Roll Call Vote: _____

Trustees: Paff ___ B. Swanson ___ Dawson___ Rivera ___ C. Swanson ___

X. PUBLIC HEARING III/ ACTION/DICUSSION ITEM D

- III. Public Hearing of Pacific Grove Teachers Association Sunshine List for 2021-22 63

Public Hearing – Initial Proposal for Negotiations Submitted by the Pacific Grove Teachers Association with the Pacific Grove Unified School District Board of Education for the 2021-22 School Year.

Open Public Hearing _____ Close Public Hearing _____

- D. Approval of Pacific Grove Teachers Association Sunshine List for 2021-22 66

Recommendation: (Ralph Gómez Porrás, Superintendent) The District Administration recommends that the Board review and approve the sunshine topics for the 2021-22 Pacific Grove Teachers Association negotiations.

Move: _____ Second: _____ Roll Call Vote: _____

Trustees: Paff ___ B. Swanson ___ Dawson___ Rivera ___ C. Swanson ___

XI. PUBLIC HEARING IV/ ACTION/DICUSSION ITEM E

- IV. Public Hearing of the Pacific Grove Unified School District/Pacific Grove Teachers Association Negotiations Sunshine Topics for 2021-22 69
Public Hearing – Initial Proposal for Negotiations Submitted by the Pacific Grove Unified School District Board of Education with the Pacific Grove Teachers Association for the 2021-22 School Year.

Open Public Hearing _____ Close Public Hearing _____

- E. Approval of the Pacific Grove Unified School District/Pacific Grove Teachers Association Negotiations Sunshine Topics for 2021-22 72
Recommendation: (Buck Roggeman, Lead Negotiator) The District Administration recommends that the Board review and approve the sunshine topics for the 2021-22 Pacific Grove Unified School District/Pacific Grove Teachers Association negotiations.

Move: _____ Second: _____ Roll Call Vote: _____

Trustees: Paff ___ B. Swanson ___ Dawson___ Rivera ___ C. Swanson ___

XII. ACTION/DISCUSSION *continued*

- F. Spanish Language Elementary Program 75
Recommendation: (Ani Silva, Director of Curriculum and Special Projects) The District Administration recommends the Board review and provide input and further focused direction around an elementary Spanish language and cultural exposure program, and possibly adding a Spanish section at the Middle School level to best prepare students for High School Level Spanish Language courses.

Move: _____ Second: _____ Vote: _____

- G. California School Board Association Policy Review 93
Recommendation: (Ralph Gómez Porras, Superintendent) In response to a Trustee future agenda item request to have all Board policies reviewed, the District recommends that the Board review the options through California School Board Association and provide direction to Administration.

Move: _____ Second: _____ Vote: _____

- H. Updates to Board Policy and Exhibit 5144 Student Discipline and Policy and Regulation 5144.1 Suspension and Expulsion/Due Process 96
Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends that the Board review and approve the updates to Board Policy and Exhibit 5144 Student Discipline and Policy and Regulation 5144.1 Suspension and Expulsion/Due Process.

Move: _____ Second: _____ Vote: _____

- I. Substitute Teacher Pay Rate 141
Recommendation: (Billie Mankey, Director II of Human Resources) The District Administration recommends the Board review and approve the recommended increase in substitute teacher pay or provide alternate direction.

Move: _____ Second: _____ Vote: _____

- J. New Maintenance Vehicle - Purchase Order to Downtown Ford for one Transit T-150 Van 143
Recommendation: (Matt Kelly, Director of Facilities and Transportation) The District Administration recommends the Board review and approve the purchase of one Transit T-150 Cargo Van for Maintenance.

Move: _____ Second: _____ Vote: _____

- K. Contract for Services with Maverick Networks for District Wide 8x8 Phone System 146
Recommendation: (Matt Kelly, Director of Facilities and Transportation) The District Administration recommends the Board review and approve the contract for services with Maverick Networks for the installation of a District Wide Cloud Based Phone System.

Move: _____ Second: _____ Vote: _____

- L. Board Calendar/Future Meetings 178
Recommendation: (Ralph Gómez Porras, Superintendent) The Administration recommends that the Board review and possibly modify 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: _____

XIII. INFORMATION/DISCUSSION

- A. Review of Solar Power Solutions 182
Recommendation: (Matt Kelly, Director of Facilities and Transportation) The District Administration recommends the Board review, discuss, and provide feedback on future solar power solutions.

Board Direction: _____

B. Future Agenda Items

198

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.

- Added February 4, 2021: Return of affordable housing at a later date when more information becomes available (Fall 2021)
- Added March 4, 2021: A Board member requested a study about making ethnic studies a graduation requirement
- Added June 3, 2021: A Board member requested information about eco-friendly tools, products and supplies
- Added June 17, 2021: A Board member requested a review of what the District learned from COVID
- Added June 17, 2021: A Board member requested a review of WiFi family access
- Added June 17, 2021: A Board member requested parent orientation to the Board meetings
- Added August 19, 2021: A Board member requested a review of discrimination policies and training for staff and students
- Added August 19, 2021: A Board member requested curriculum/training on critical thinking skills and how to navigate social media and the internet for students
- Added September 2, 2021: A Board member requested Board orientation
- Added September 2, 2021: A Board member requested staff recommendation on equity plan by November 18 Board meeting
- Added September 2, 2021: A Board member requested efforts to improve Board relationships

Board Direction: _____

XIV. ADJOURNMENT

Next Special Board meeting: September 25, 2021

Next Regular Board meeting: October 7, 2021

PACIFIC GROVE UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
Minutes of Regular Meeting of September 2, 2021 – District Office/Virtual

I. OPENED BUSINESS

- A. Called to Order 5:31 p.m.

- B. Roll Call

	President:	Trustee Paff
	Clerk:	Trustee Brian Swanson
	Trustees Present:	Trustee Dawson
		Trustee Rivera
		Trustee Carolyn Swanson
Administration Present:		Superintendent Porras
		Asst. Superintendent Chin-Bendib
Board Recorder:		Mandi Ackerman
Student Board Member:		Gabriella Gaona

C. Adopted Agenda

MOTION Dawson/Rivera to adopt agenda as presented.
Public comment: none
Motion CARRIED 5 – 0

II. CLOSED SESSION

A. Identified Closed Session Topics

1. Negotiations - Collective Bargaining Session planning and preparation with the PGTA for 2021-22 [Government Code § 3549.1 (d)] Executive session between the public school employer and its designated representatives, Buck Roggeman, Song Chin-Bendib and Ralph Gómez Porras, for the purpose of giving direction and updates.

2. Negotiations - Collective Bargaining Session planning and preparation with the CSEA for 2021-22 [Government Code § 3549.1 (d)] Executive session between the public school employer and its designated representatives, Billie Mankey, Song Chin-Bendib and Ralph Gómez Porras for the purpose of giving direction and updates.

3. Public Employee Discipline/Dismissal/Release/Complaint (2 cases) [Government Code § 54957]

4. Conference with Legal Counsel Regarding Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case)

B. Public comment on Closed Session Topics

None

C. Adjourned to Closed Session 5:33 p.m.

III. RECONVENED IN OPEN SESSION

6:40 p.m.

A. Reported action taken in Closed Session:

1. Negotiations - Collective Bargaining Session planning and preparation with the PGTA for 2021-22 [Government Code § 3549.1 (d)]

The Board discussed this item.

2. Negotiations - Collective Bargaining Session planning and preparation with the CSEA for 2021-22 [Government Code § 3549.1 (d)]

The Board did not discuss this item.

3. Public Employee Discipline/Dismissal/Release/Complaint (2 cases) [Government Code § 54957]

The Board discussed this item.

4. Conference with Legal Counsel Regarding Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case)

The Board discussed this item.

B. Pledge of Allegiance

Led By: Pacific Grove High School Student Representative Gabriella Gaona

IV. COMMUNICATIONS

A. Written Communication

The Board received multiple letters regarding discipline, grades, COVID protocols and testing, racism, hate speech, special treatment of a Board member’s child, protocols at Pacific Grove High School, a petition to the county regarding mask mandates.

B. Board Member Comments

Pacific Grove High School Student Representative Gaona provided an update on the events and activities happening at Pacific Grove High School.

Trustee Rivera spoke about the Back to School Nights, shoe game and site visits; spoke about the concern for students’ physical, emotional and intellectual health; digital citizenship.

Trustee Dawson spoke about the Back to School Nights.

Trustee Carolyn Swanson spoke about a letter from families regarding reliable, centralized and free COVID testing at school sites, including teachers needing to have a clear plan for Distance Learning during student quarantine; spoke about the article in the Monterey Herald regarding equity; spoke about Board Bylaw 9230 and formally requested Board member orientation.

Trustee Brian Swanson thanked the sites for the Back to School Nights and welcomed Student Representative Gaona.

C. Superintendent Report

Superintendent Porras congratulated the school sites on the Back to School Night events; spoke about equity and equality including informal discussion with students, talks with various agencies regarding cultural proficiency and unconscious bias, conversations with staff, noting the District takes equity and equality seriously and there is more to come.

D. PGUSD Staff Comments (Non Agenda Items)

Pacific Grove High School Assistant Principal Shane Steinback provided an update on the review of ASB Bylaws and the goals of the student body as a result of recent events.

Director of Facilities and Transportation Matt Kelly ordered HEPPA filters for classrooms.

Robert Down Elementary School Principal Sean Keller met with Diversify Our Narrative to discuss concerns, and provided an update on upcoming PTA events.

V. **INDIVIDUALS DESIRING TO ADDRESS THE BOARD**

Beth Shammas spoke about student-led ideas, noting anything to be solved should be led by students; spoke about connectiveness; said the Pacific Grove High School track and field looks beautiful; noted the school did not win the Shoe Game and recommended the Board ask the coaches what they need to win, said it's about school pride.

VI. CONSENT AGENDA

- A. Minutes of August 19, 2021 Board Meeting
- B. Certificated Assignment Order #3
- C. Classified Assignment Order #3
- D. Acceptance of Donations
- E. Warrant Schedules No. 634
- F. Out of County or Overnight Activities
- G. Cash Receipts Report No. 2
- H. A New Plan Year With The American Fidelity Section 125 Flexible Benefit Plan
- I. Memorandum of Understanding between Pacific Grove Adult Education and Gateway Center of Monterey County
- J. Contract for Service Wonder Woofs K-9 Safety Unit
- K. Contract for Services with Tom’s Site Services
- L. Change Order 001 to Otto Construction for the Pacific Grove High School K&L Dry Rot Repairs
- M. Change Order 001 & 002 to Fieldturf USA, Inc. for the Pacific Grove High School Stadium Field and Track Replacement Project
- N. Change Order 001 to Richard Petty Electric for Pacific Grove High School Culinary Improvements
- O. Contract for Services with Monterey Bay Charter School at the Pacific Grove Campus

Trustee Carolyn Swanson pulled items I, K and O.

MOTION Rivera/Dawson to approve consent agenda items A-H, J, L-N.

Public comment: none

Motion CARRIED 5 – 0

VII. ACTION/DISCUSSION

- A. Consent Item I: Memorandum of Understanding between Pacific Grove Adult Education and Gateway Center of Monterey County

Trustee Carolyn Swanson asked questions.

MOTION Dawson/Brian Swanson to approve Memorandum of Understanding between Pacific Grove Adult Education and Gateway Center of Monterey County.

Public comment: none

Motion CARRIED 5 – 0

- B. Consent Item K: Contract for Services with Tom’s Site Services

Trustee Carolyn Swanson asked questions.

MOTION Rivera/Dawson to approve the contract for services with Tom’s Site Services.

Public comment: none

Motion CARRIED 5 – 0

C. Consent Item O: Contract for Services with Monterey Bay Charter School at the Pacific Grove Campus

Trustee Carolyn Swanson asked questions.

MOTION Paff/Dawson to approve the contract for services with Monterey Bay Charter School at the Pacific Grove Campus.

Public comment: none
Motion CARRIED 5 – 0

VIII. INFORMATION/DISCUSSION ITEM A

A. District Update on Response to COVID-19

Superintendent Porras provided a brief update on recently received CDPH guidelines regarding sports and cocurricular; contact tracing; testing sites and availability; appreciation to District Nurse Katrina Powley; current status of implementing state mandate to show proof of vaccine or weekly testing for all employees and volunteers in the District; Monterey County Health Department has returned to reporting cases by zip code, so the District is able to see what is happening closer to Pacific Grove; COVID dashboard on the District website; AB130 regarding in person instruction and independent studies requirements; Teacher on Special Assignments in order to address student learning gaps.

Public comment:

Heloisa Junqueira spoke about self-administered rapid testing, noted families in other districts have an option who are not comfortable with students administering their own tests, asked who will administer the tests, and recommended the District check in with families that are attending Independent Study through North Monterey County.

Jessica Thompson spoke about PCR tests as the gold standard of testing, asked if the District was having any conversations to provide PCR testing, asked the District to update the COVID dashboard on the website regularly.

IX. ACTION/DISCUSSION

D. Approve Resolution No. 1076 for the Gann Limits for 2020-21 and 2021-22

MOTION Brian Swanson/Dawson to approve Resolution No. 1076 for the Gann Limits for 2020-21 and 2021-22.

Public comment: none
Motion CARRIED by roll call vote 5 – 0

E. Approval of the 2020-21 Unaudited Actuals Financial Report

Assistant Superintendent Song Chin-Bendib presented information to the Board. The Board asked questions.

MOTION Paff/Dawson to approve the 2020-21 Unaudited Actuals Financial Report.

Public comment: none
Motion CARRIED 5 – 0

F. Memorandum of Understanding with the California Department of Public Health (CDPH) for SARS-CoV-2 or Rapid Antigen Testing

Assistant Superintendent Song Chin-Bendib presented information to the Board. The Board asked questions. Assistant Superintendent Chin-Bendib noted a change in two of the components of the Unrestricted General Fund surplus or revenue exceeds expenditures of \$939,578 items: Increase of property tax receipts to \$230,424 and All other items to \$125,600.

Public comment:

Jessica Thompson expressed concerns about the number of tests ordered.

MOTION Rivera/Dawson to approve the Memorandum of Understanding with the California Department of Public Health (CDPH) for SARS-CoV-2 or Rapid Antigen Testing.

Motion CARRIED 5 – 0

G. Service Agreement Proposal with Peninsula Messenger Service

MOTION Brian Swanson/Rivera to approve the Service Agreement Proposal with Peninsula Messenger Service.

Public comment: none

Motion CARRIED 5 – 0

H. Measure D Budget Update

Director of Facilities and Transportation Matt Kelly provided information to the Board. The Board asked questions.

Public comment:

Beth Shammas asked why COVID funds were not covering the HVAC; thanked the District for the banner at the Pacific Grove High School track and field; recommended signage in parking lots to assist when schools are hosting events; spoke about the grounds at Pacific Grove High School and the stadium grounds.

MOTION Rivera/Brian Swanson to approve the Measure D Budget Update.

Motion CARRIED 5 – 0

I. California School Board Association Policy Review

Superintendent Porras presented information to the Board. The Board asked questions and discussed this item.

The Board directed Administration to bring this item back including a presentation by CSBA.

Public comment:

Beth Shammas noted when she joined the Board, the Board at the time reviewed all the policies and created a Board subcommittee, encouraged the Board to read the policies.

No action taken.

J. Updates to Board Policy and Exhibit 5144 Student Discipline and Policy and Regulation 5144.1 Suspension and Expulsion/Due Process

Trustee Carolyn Swanson had additional edits/recommendations.
The Board directed Administration to bring this item back with those recommended edits.

No action taken.

K. Board Calendar/Future Meetings

No action taken.

X. INFORMATION/DISCUSSION

B. Future Agenda Items

- Board requested a renewed discussion about District solar panels (September 16, 2021)
 - Added February 4, 2021: Return of affordable housing at a later date when more information becomes available (Fall 2021)
 - Added March 4, 2021: A Board member requested a study about making ethnic studies a graduation requirement
 - Added March 18, 2021: Return of Foreign Language Program (September 16, 2021)
 - Added June 3, 2021: A Board member requested information about eco-friendly tools, products and supplies
 - Added June 17, 2021: A Board member requested a review of what the District learned from COVID
 - Added June 17, 2021: A Board member requested a review of WiFi family access
 - Added June 17, 2021: A Board member requested parent orientation to the Board meetings
 - Added August 19, 2021: A Board member requested a review of discrimination policies and training for staff and students
 - Added August 19, 2021: A Board member requested curriculum/training on critical thinking skills and how to navigate social media and the internet for students
- CSBA presentation on Policy Plus service Board policy review
 - Trustee requested Board orientation
 - Trustee requested staff recommendation on equity plan by November 18 Board meeting
 - Trustee requested efforts to improve Board relationships

Public comment:

Beth Shammass spoke about the Special Board meeting on September 25 and recommended the Board review the agenda at the regular meeting on September 16 to be clear about what the Board will do at the Special meeting.

XI. CLOSED SESSION

A. Identified Closed Session Topics

- 1. Public Employee Discipline/Dismissal/Release/Complaint (2 cases) [Government Code §54957]

B. Public comment on Closed Session Topics

None

C. Adjourned to Closed Session 9:48 p.m.

XII. RECONVENED IN OPEN SESSION 10:04 p.m.

A. Reported action taken in Closed Session:

- 1. Public Employee Discipline/Dismissal/Release/Complaint (2 cases) [Government Code §54957]

The Board discussed this item.

XIII. ADJOURNED 10:04 p.m.

Approved and submitted:

Dr. Ralph Gómez Porras
Secretary to the Board

- | | |
|---|---|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input checked="" type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Health and Safety of Students and Schools | <input type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Certificated Assignment Order #4

DATE: September 16, 2021

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

Page 1 of 3

RECOMMENDATION:

The District Administration recommends the Board review and approve the Certificated Assignment Order #4

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. 4
 September 14, 2021**

Page 2 of 2

TEMPORARY RE-HIRE:

Kim Shurtz, District GATE Coordinator, \$5,000 stipend to be paid \$2,500 in December and \$2,500 in May, (Chapman Grant Funded)

INCREASE IN ASSIGNMENT:

Maddy Portola, PGHS Science Teacher, increase from 0.60 FTE to 1.0 FTE, regular rate of pay, effective August 2, 2021 (GF transfer of vacant sections)

ADDITIONAL HOURS:

PGHS English Department Teachers, paid per time sheet at the hourly instructional rate, for additional work, mentoring and planning (partial replacement Larry Haggquist)
 Katie Selfridge, Nicole Bulich, Jessica Grogan, Karinne Gordan

2021-22 TECH NINJAS, \$800 total with \$400 paid in December and \$400 paid in May

Brice Gamble, PGMS
 Steve Ibrahim, RDE
 Maryn Sanchez, FGE
 Jessica Grogan, PGHS

SALARY SCHEDULE COLUMN ADVANCEMENT *based on receipt and posting of official transcripts:*

Rebecca Boston, from V to VI + MA, effective July 31, 2021
 Valerie Hooper, from IV to V, effective September 1, 2021
 Nichol Madden, from V to VI+MA, effective July 31, 2021
 Emily McCanney, from V to VI+MA, effective July 31, 2021

SALARY SCHEDULE STEP ADVANCEMENT *based on receipt of verification of years of service:*

George Warren, from Column VI, Step 10+MA+Doctorate, to Column VI, Step 17+MA+Doctorate, effective August 25, 2021

SUBSTITUTES:

Michelle Ford

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Classified Assignment Order #4

DATE: September 16, 2021

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

Page 1 of 3

RECOMMENDATION:

The District Administration recommends the Board review and approve the Classified Assignment Order #4

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 ASSIGNMENT ORDER NO. 4
September 16, 2021**

NEW HIRE:

Julie Mellin, FGE Noon Duty, 1 hr./day, 5 days per week, 180 day work calendar, Range 25, Step A, effective August 27, 2021 (replaces Dana Jones)

Paola Coelho, RDE, Instructional Assistant, 3 hrs./day, 5 days per week, 180 day work calendar, Range 30, Step A, effective September 7, 2021 (replaces transferee Sally Jones)

Rachel Croft, PGHS Crossing Guard, 1.5 hrs./day, 5 days per week, 180 day work calendar, Range 27, Step A, paid per timesheet, effective August 19, 2021 (new position)

INCREASE/DECREASE IN ASSIGNMENT:

Tina Tavares, FGE, Instructional Assistant Transitional Kindergarten, increase in hours from 3 hrs./day to 5 hrs./day, regular rate of pay, effective August 9, 2021 (GF, replaces transferee Sylvia Mah)

Michelle Garcia, PGHS Paraeducator 6.5 hrs./day, 180 day work calendar transfers to Special Education Preschool and voluntarily reduces her assignment to 4.5 hrs./day, 180 day work calendar regular rate of pay, effective August 23, 2021

TEMPORARY INCREASE IN ASSIGNMENT:

Stefany Arriola, PGMS Noon Duty, temporary, short term, 1 hr./day, 5 days per week, regular rate of pay, paid per timesheet and ends May 31, 2022 (ESSER III Funded)

Cheri Diehl, PGMS Noon Duty, temporary, short term, 1 hr./day, 5 days per week, regular rate of pay, paid per timesheet and ends May 31, 2022 (ESSER III Funded)

Laurie Weddington, PGHS, Paraeducator, temporary, short term, 1 hr./day, 5 days per week, Range 37, Step D, paid per timesheet and ends May 31, 2022 (sub for lunch coverage and based on student enrollment)

Norma Barakat, RDE Instructional Assistant, temporary, short term, 1 hr./day, regular rate of pay, paid per timesheet August 31, 2021 through September 3, 2021 only

2021-22 AVID TUTORS, hourly, paid per time sheet, not to exceed 10 hours per week, effective August 5, 2021 through May 31, 2022 (Chapman Grant Funded)

Courtney Vada
Samantha Hernandez
Makenzie Sherrod

CHANGE OF ASSIGNMENT:

Danielle Groshong, RDE, from Instructional Assistant (Title I), 2.25 hrs./day, 180 day work calendar, Range 31, Step E to Instructional Assistant, 3.0 hrs./day, 180 day work calendar, Range 30, Step E, effective August 15, 2021 (replaces Dana Jones)

**PACIFIC GROVE UNIFIED SCHOOL DISTRICT
CLASSIFIED PERSONNEL ASSIGNMENT ORDER NO. 4
September 16, 2021**

Page 3 of 3

RETIREMENT:

Tony Molinski, District Maintenance II, full-time, 12 month work calendar retires effective December 30, 2021 after 13 successful years of service with the Pacific Grove Unified School District

RESIGNATION:

Jonathan Mejia, Director of Technology Systems, resigns effective September 21, 2021 after 5 successful years of employment with the Pacific Grove Unified School District

Morgan Bailey, PGAS, IT Technician, 4 hrs./day, 11.5 month work calendar, resigns effective September 9, 2021

INTERIM APPOINTMENT:

Raymond DeVost, PGHS Informational Technology Technician, will provide interim technology support as temporary Director of Technology Systems during recruitment only, Management Salary Schedule, Step 1, effective September 9, 2021 and ending upon effective recruitment for the Director of Technology Systems position

SUBSTITUTES:

Dianne Hobson, Katrina McFarland

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Acceptance of Donations

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Song Chin-Bendib, 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

None

Pacific Grove Community High School

None

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

None

Pacific Grove Unified School District

None

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Out of County or Overnight Activities

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Song Chin-Bendib, 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>DESTINATION</u>	<u>STUDENTS/CLASS</u> <u>ACTIVITY</u>	<u>TRANSPORTATION</u>	<u>COST</u>	<u>FUNDING SOURCE</u>
Sept. 24-25, 2021 Watsonville High School Watsonville, CA	PGHS Girls Water Polo	District Van	\$425	Athletics/Water Polo
October 6, 2021 Elkhorn Slough Watsonville, CA	Robert Down 4 th grade Ms. Pechan	Auto	None	N/A

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
REQUEST FOR OFF CAMPUS ACTIVITY

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. For ALL other activities, submit request two weeks in advance of activity. I understand.

Date of Activity 09/24/2021 Day of Activity Fri 9/24- Sat 9/25/21

Location of Activity Watsonville High School City Watsonville County Santa Cruz

School PG High School Class or Club Girls Water Polo Grade Level/s 9-12

School Departure Time 8 AM

Pickup Time from Place of Activity n/a PM

Name of Employee Accompanying Students Greg Enterline

Number of Adults 1 Number of Students 14

Description of Activity/Educational Objective
Girls Water Polo Tournament- 2 games per day

List All Stops Games Only

Means of Transportation: District Van**

* Board Regulation 3541.1 Requirements will be complied with when using private Autos JH for GE (Teacher initials)

**If using District vans, driver names must be listed: Greg Enterline

Cost of Activity \$ 325 + Cost of Transportation \$ 100 = Total \$ 425.00

Fund/s to be charged for all activity expenses () Students () Club () PG Pride (x) Other ASB Water Polo

Account Code: ASB Water Polo

Requested by: JH for Greg Enterline / Greg Enterline Date 09/08/2021
Employee Signature (accompanying student activity) Printed Name

Administration Approval/Principal Lito M. Garcia Date 09/08/2021

Transportation Department/District Office Use

() School Bus () Charter () Available () Not available Date Received

Cost Estimate \$

Approved by Transportation Supervisor: Date

Approved by Assistant Superintendent: song chinbendib Date 09/08/2021

Date of Board Approval 09/16/2021

Does form need board approval PGUSD Yes

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
REQUEST FOR OFF CAMPUS ACTIVITY

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,
For ALL other activities, submit request two weeks in advance of activity. I understand.

Date of Activity 10/06/2021 Day of Activity Wednesday

Location of Activity Elkhorn Slough Nature Reserve City Watsonville, CA County Santa Cruz

School Robert Down Elementary Class or Club Mrs. Pechan's Class Grade Level/s 4

School Departure Time 9:15 AM

Pickup Time from Place of Activity 1:30 PM

Name of Employee Accompanying Students Stefanie Pechan

Number of Adults 8 Number of Students 22

Description of Activity/Educational Objective

Field trip to the Elkhorn Slough for an interactive science program using field science, data collection, and microscope lab activities.

List All Stops RHD to Elkhorn Slough Nature Preserve and back to RHD

Means of Transportation: Auto*

* Board Regulation 3541.1 Requirements will be complied with when using private Autos SP
(Teacher initials)

**If using District vans, driver names must be listed:

Cost of Activity \$ 0 + Cost of Transportation \$ 0 = Total \$ 0.00

Fund/s to be charged for all activity expenses () Students () Club () PG Pride () Other

Account Code: n/a

Requested by: Stefanie Pechan / Stefanie Pechan Date 09/06/2021
Employee Signature (accompanying student activity) Printed Name

Administration Approval/Principal Sean B. Keller Date 09/08/2021

Transportation Department/District Office Use

() School Bus () Charter () Available () Not available Date Received

Cost Estimate \$

Approved by Transportation Supervisor: Date

Approved by Assistant Superintendent: song chimbendib Date 09/09/2021

Date of Board Approval 09/16/2021

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Quarterly Report on Williams Uniform Complaints

DATE: September 16, 2021

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 2021-22 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. Parents, teachers and the public know how to obtain complaint forms.

FISCAL IMPACT:

None.

Academic School Year 2020-2021

Non-Williams District Uniform Complaints Quarterly Report

[Education Code § 35186]

Big Sur Unified School District
 Bradley Union School District
 Carmel Unified School District
 Graves School District

Lagunita School District
 Mission Union School District
 Pacific Grove Unified School District
 San Antonio Union School District

San Ardo Union School District
 San Lucas Union School District
 Spreckels Union School District
 Washington Union School District

Form Completed By: _____ Title: _____

Quarterly Report Submission Date: *(Please check one)*

October 2020	April 2021	
January 2021	July 2021	

Date for information to be reported publicly at governing board meeting: _____

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 Misassignments			
Facilities Conditions			
TOTALS			

Print Name of District Superintendent



Signature of District Superintendent

Date

Monterey County Office of Education
 Submit Non-Williams Quarterly Report to: Student Services,
 Juanita Martinez, jmartine@montereycoe.org

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Contract with Chartwell, Non Public School

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Clare Davies, Director of Student Services

RECOMMENDATION:

The District Administration recommends the Board consent to the placement of a student at Chartwell, Non Public School as per the Individualized Education Plan.

BACKGROUND:

As per the student’s Individualized Education Plan, the student requires placement in a nonpublic school that can provide and support the student’s needs.

INFORMATION:

At times, students may need educational programs that are not available within the public schools. Their IEP teams, with parental consent, may place students into a state certified nonpublic day school. The Monterey County Special Education Local Plan Area (SELPA) holds the Master Contract with Chartwell for all county districts that may require placement of a student. Student established residency in PGUSD with an IEP requiring placement in a nonpublic school uniquely designed to provide for the student’s needs.

FISCAL IMPACT:

\$39540
Not previously budgeted.

435 Hillcrest Avenue
Pacific Grove, CA 93950

CONTRACT FOR SERVICES

(To be used for provision of services involving **no** potential for liability exposure for District)

This contract is an agreement between the Pacific Grove Unified School District and
Chartwell School, NPS for services rendered as specified below.

- 1. **Scope of Service:**
To provide placement in a non-public school
- 2. **Expected outcome(s)**
Student will receive special education instruction, case-management, and evaluations
- 3. **Dates of Service:**
August 16, 2021-June 30, 2022
- 4. **Financial Arrangements:**
Up to \$39,540
School Funding Source: 01-6500-0-5750-1180-5800-00-000-2300-0740

August 16, 2021-June 30, 2022:
\$215/day for 180 days (Tuition)
\$120 for 1 hour (IEP Service)
\$720 for 12 sessions (IEP Service)

Consultant: Chartwell School, NPS

Address: 2511 Numa Watson Rd, Seaside, CA 93955

Signed _____ Date _____

District Employee Independent Consultant *

Signed _____ Date _____

Site/Program Administrator – (Check appropriate box below)

Contracted work was assigned using District’s normal employment recruitment process.

Contracted work was not assigned using District’s normal employment recruitment process.
Attached Criteria Page (REQUIRED) identifies reason.

Signed _____ Date _____
Director of Human Resources

Signed _____ Date _____
Asst. Supt./Supt.

ALL SIGNATURES MUST BE OBTAINED BEFORE SERVICES ARE PROVIDED.

***Independent Consultant** must sign and submit a W-9 to District prior to providing service.

Contract for Services Criteria

District/Site Administrator – Please circle criteria that applies and sign below.

- (1) There is a specifically documented cost savings relative to using district employment. (The documentation requirements are specified and must be attached).
- (2) The contract is for new school district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
- (3) **X** The services contracted are not available within the district, cannot be performed satisfactorily by school district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the school district.
- (4) The services are incidental to a contract for the purchase or lease of real or personal property. Contracts under this criterion, known as "service agreements," shall include, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.
- (5) The policy, administrative, or legal goals and purposes of the district cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary school district hiring process. Contracts are permissible under this criterion to protect against a conflict of interest or to ensure independent and unbiased findings in cases where there is a clear need for a different, outside perspective. These contracts shall include, but not be limited to, obtaining expert witnesses in litigation.
- (6) The nature of the work is such that the criteria for emergency appointments apply. "Emergency appointment" means an appointment made for a period not to exceed 60 working days either during an actual emergency to prevent the stoppage of public business or because of the limited duration of the work. The method of selection and the qualification standards for an emergency employee shall be determined by the district. The frequency of appointment, length of employment, and the circumstances appropriate for the appointment of firms or individuals under emergency appointments shall be restricted so as to prevent the use of emergency appointments to circumvent the regular or ordinary hiring process.
- (7) The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the school district in the location where the services are to be performed.
- (8) The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under the district's regular or ordinary hiring process would frustrate their very purpose.

District/Site Administrator

Date

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Contract for Services with MaryLee Sunseri at Pacific Grove Adult School

DATE: 09/16/2021

PERSON(S) RESPONSIBLE: Barbara Martinez, Pacific Grove Adult School Principal

RECOMMENDATION:

The District Administration recommends the Board review and approve the contract for services with MaryLee Sunseri to provide Parent Enrichment classes at Pacific Grove Adult School for the Fall Session.

BACKGROUND:

Pacific Grove Adult Education provides parent education music enrichment workshops for parents enrolled in age related classes. MaryLee Sunseri’s music workshops have supported the parent education classes for many years and have provided parents skills to increase social emotional engagement with their children.

INFORMATION:

Adult students will learn songs and rhythmic movement patterns to engage with their babies and toddlers which are developmentally specific and lead to the development of speech, language and literacy skills. Services are to be provided on the following date(s) via ZOOM.

The contract time frame is to complete the terms of service in Fall Session September 20-December 18 2021. Dates of service are defined in the contract for service

FISCAL IMPACT:

The cost of this program is \$1980.00 budgeted from Adult Ed, Fund 11 Parents’ Place Donations

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

435 Hillcrest Avenue
Pacific Grove, CA 93950

CONTRACT FOR SERVICES

This contract is an agreement between the Pacific Grove Unified School District and MaryLee Sunseri for services rendered as specified below.

- 1. Scope of Service: To provide Parent Training Music Emichment Classes

Evaluation and/or expected outcome(s):

- 2. Adult students will learn songs and rhythmic movement patterns to engage with their babies and toddlers which are developmentally specific and lead to speech, language and literacy skills.

3. Length of the Contract:

Service is to be provided on the following date(s):
Fall Session 2021
1-2-3 Sing With Me: September 20,27 October 4,18 November 1,8,15,29
December 8,13
Wee Chant: September 24 October 1,8,22,29 November 5,12,19 December 3,10,17

4. Financial Consideration:

Consultant to be paid at the rate of:
\$1890 for the Summer 2021 Session

School Funding Source: Fund 11 Adult Education Donations
Account Code: 11-0038-0—4110-1000-5800-00-008-1034-000

Address 380 Martin St, Monterey, CA 93940 Phone:

Signed _____ Date _____
Email _____

[] District Employee [X] Independent Consultant

Signed _____ Date _____
Site/Program Administrator (Check appropriate box below)

[] Contracted work was assigned using District's normal employment recruitment process.

[X] Contracted work was not assigned using District's normal employment recruitment process.
Attached Criteria Page (REQUIRED) identifies reason.

Signed _____ Date _____
Director of Human Resources

Signed _____ Date _____
Assistant Superintendent

ALL SIGNATURES MUST BE OBTAINED BEFORE SERVICES ARE PROVIDED.

* Independent Consultant must sign and submit a W-9 to District prior to providing service.

Contract for Services Criteria

District/Site Administrator – Please circle criteria that apply and sign below.

- (1) There is a specifically documented cost savings relative to using district employment. (The documentation requirements are specified and must be attached).
- (2) The contract is for new school district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
- (3) The services contracted are not available within the district, cannot be performed satisfactorily by school district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the school district.
- (4) The services are incidental to a contract for the purchase or lease of real or personal property. Contracts under this criterion, known as "service agreements," shall include, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.
- (5) The policy, administrative, or legal goals and purposes of the district cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary school district hiring process. Contracts are permissible under this criterion to protect against a conflict of interest or to ensure independent and unbiased findings in cases where there is a clear need for a different, outside perspective. These contracts shall include, but not be limited to, obtaining expert witnesses in litigation.
- (6) The nature of the work is such that the criteria for emergency appointments apply. "Emergency appointment" means an appointment made for a period not to exceed 60 working days either during an actual emergency to prevent the stoppage of public business or because of the limited duration of the work. The method of selection and the qualification standards for an emergency employee shall be determined by the district. The frequency of appointment, length of employment, and the circumstances appropriate for the appointment of firms or individuals under emergency appointments shall be restricted so as to prevent the use of emergency appointments to circumvent the regular or ordinary hiring process.
- (7) The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the school district in the location where the services are to be performed.
- (8) The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under the district's regular or ordinary hiring process would frustrate their very purpose.

)

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: District Update on Response to COVID-19

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The District Administration recommends the Board receive information regarding District response to COVID-19, and provide direction to Administration.

INFORMATION:

The District Administration will update the Board, staff and community on current District response and protocols to COVID-19.

- | | |
|--|--|
| <input type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input type="checkbox"/> Action/Discussion |
| <input checked="" type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input checked="" type="checkbox"/> Public Hearing |

SUBJECT: Public Hearing Regarding Composition of Trustee Areas Prior to Drawing of Maps

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent, Secretary of Board of Education

RECOMMENDATION:

The District Administration recommends the Board hold a public hearing to receive community feedback regarding the California Voting Rights Act and the potential design of maps that outline trustee areas for Board elections.

BACKGROUND:

The Pacific Grove Unified School District Board of Education is currently elected under an “at-large” election system, where trustees are elected by voters of the entire District. Trustees are elected in even-numbered years and serve staggered, four-year terms, such that the next election for three (3) trustees is scheduled for November 2022, with the remaining trustee seats scheduled for election in November 2024. On April 22, 2021, the Board adopted Resolution No. 1069, declaring its intent to transition from at-large to by-trustee area elections, where each Board member must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area.

On August 19, 2021, the Board considered information on the process and potential criteria for drawing trustee boundary maps, and the Board held a statutorily required public hearing to receive input from the community on the composition of trustee areas.

INFORMATION:

The District’s demographers, the National Demographics Corporation, will present information on the process and criteria for drawing the trustee-area boundary maps. Following the presentation, the Board will hold the second of two statutorily required hearings that must be held prior to the preparation of trustee area map options to receive input from the community on the composition of the trustee areas. (Elections Code section 10010(a)(1).)

FISCAL IMPACT:

The cost for demographer and legal services to assist in the development of proposed by-trustee area boundaries is currently estimated to be approximately \$30,000. This cost will be taken out of the General Fund.



Introduction to Districting

September 16,
PGUSD
2021

Regular Meeting of September 16, 2021

Dr. Jeff Tilton, Senior Consultant
National Demographics Corporation

Election Systems

1. “At Large”
2. “From District” or “Residence” Districts
3. “By District”

**The California Voting Rights Act
was written to specifically
encourage by-district elections.**

California Voting Rights Act (CVRA)

- Under the Federal Voting Rights Act (passed in 1965), a jurisdiction must fail 4 factual tests before it is in violation of the law.

- The California VRA makes it significantly easier for plaintiffs to force jurisdictions into “by-district” election systems by eliminating two of the US Supreme Court Gingles tests:
 - ~~■ Can the protected class constitute the majority of a district?~~
 - Does the protected class vote as a bloc?
 - Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
 - ~~■ Do the “totality of circumstances” indicate race is a factor in elections?~~

- Liability is now determined only by the presence of racially polarized voting

CVRA Impact

Switched (or in the process of switching) as a result of CVRA:

- At least 240 school districts
- 34 Community College Districts
- 154 cities
- 1 County Board of Supervisors
- 35 water and other special districts.

Cases So Far:

- Palmdale, Santa Clara and Santa Monica went to trial on the merits. Palmdale and Santa Clara lost. Santa Monica is awaiting a decision.
- Modesto and Palmdale each spent about \$1.8 million on their defense (in addition to the attorney fee awards in those cases).
- Santa Monica has spent an estimated \$7 million so far. Plaintiffs in Santa Monica requested \$22 million in legal fees after the original trial.

Key settlements:

- ✓ Palmdale: \$4.7 million
- ✓ Modesto: \$3 million
- ✓ Highland: \$1.3 million
- ✓ Anaheim: \$1.1 million
- ✓ Whittier: \$1 million
- ✓ Santa Barbara: \$600,000
- ✓ Tulare Hospital: \$500,000
- ✓ Camarillo: \$233,000
- ✓ Compton Unified: \$200,000
- ✓ Madera Unified: about \$170,000
- ✓ Hanford Joint Union Schools: \$118,000
- ✓ Merced City: \$42,000

An estimated \$16 million in total settlements and court awards so far.

Districting Process

Step	Description
Two Initial Hearings August 19 & September 16 <i>6:30 p.m.</i>	<ul style="list-style-type: none"> • Held prior to release of draft maps • Education and to solicit input on the communities in the Districts
Census Data Release August 12, 2021	<ul style="list-style-type: none"> • Census Bureau releases official 2020 Census population data
California Data Release September 20, 2021	<ul style="list-style-type: none"> • California Statewide Database releases California's official 'prisoner-adjusted' 2020 redistricting data
Draft Map Hearing January 20, 2022 <i>6:30 p.m.</i>	<ul style="list-style-type: none"> • Discuss and select final maps; discuss election sequence • Deadline to submit draft maps: January 6, 2022, 5 p.m. • Post draft maps by January 13, 2022, 5 p.m.
Draft Map Hearing February 3, 2022 <i>6:30 p.m.</i>	<ul style="list-style-type: none"> • Discuss and select final map • Discuss and determine election sequence • Deadline to submit draft maps: January 21, 2022, 5 p.m. • Post draft maps by January 27, 2022, 5 p.m.
Map Adoption By March 1, 2022	<ul style="list-style-type: none"> • Final map must be posted at least 7 days prior to adoption

Districting Rules and Goals PUBLIC HEARING I

1. Federal Laws

- ❑ Equal Population
- ❑ Federal Voting Rights Act
- ❑ No Racial Gerrymandering



2. California Criteria for Cities

1. **Geographically contiguous**
2. **Undivided neighborhoods and “communities of interest”**
(Socio-economic geographic areas that should be kept together)
3. **Easily identifiable boundaries**
4. **Compact**
(Do not bypass one group of people to get to a more distant group of people)

3. Other Traditional Redistricting Principles

- ❑ **Respect voters’ choices / avoid head-to-head contests**
- ❑ **Future population growth**

Prohibited: “Shall not favor or discriminate against a political party.”

Defining Neighborhoods PUBLIC HEARING I

1st Question: What is your neighborhood?

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

- Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills
- Areas around parks or schools
- Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.



Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

- Geographic Area, plus
- Shared issue or characteristic
 - Shared social or economic interest
 - Impacted by county policies
- Tell us “your community’s story”

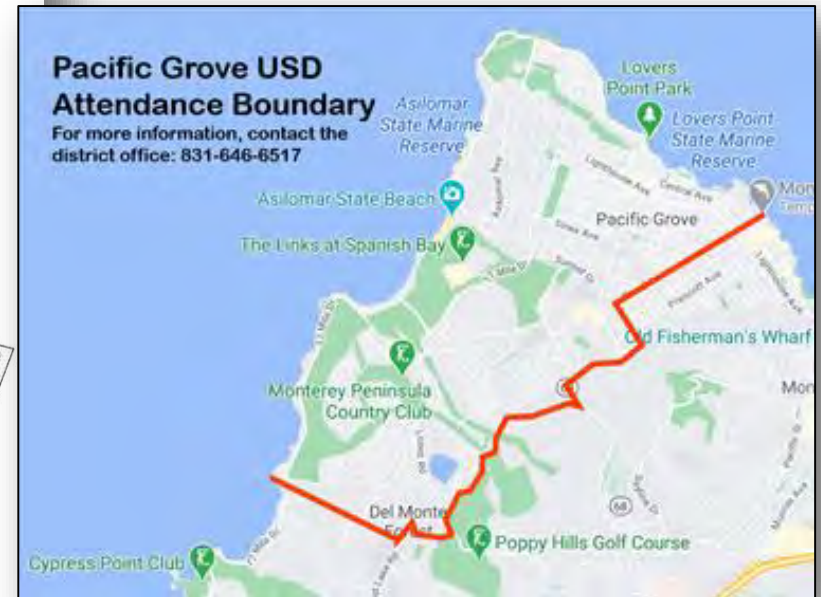
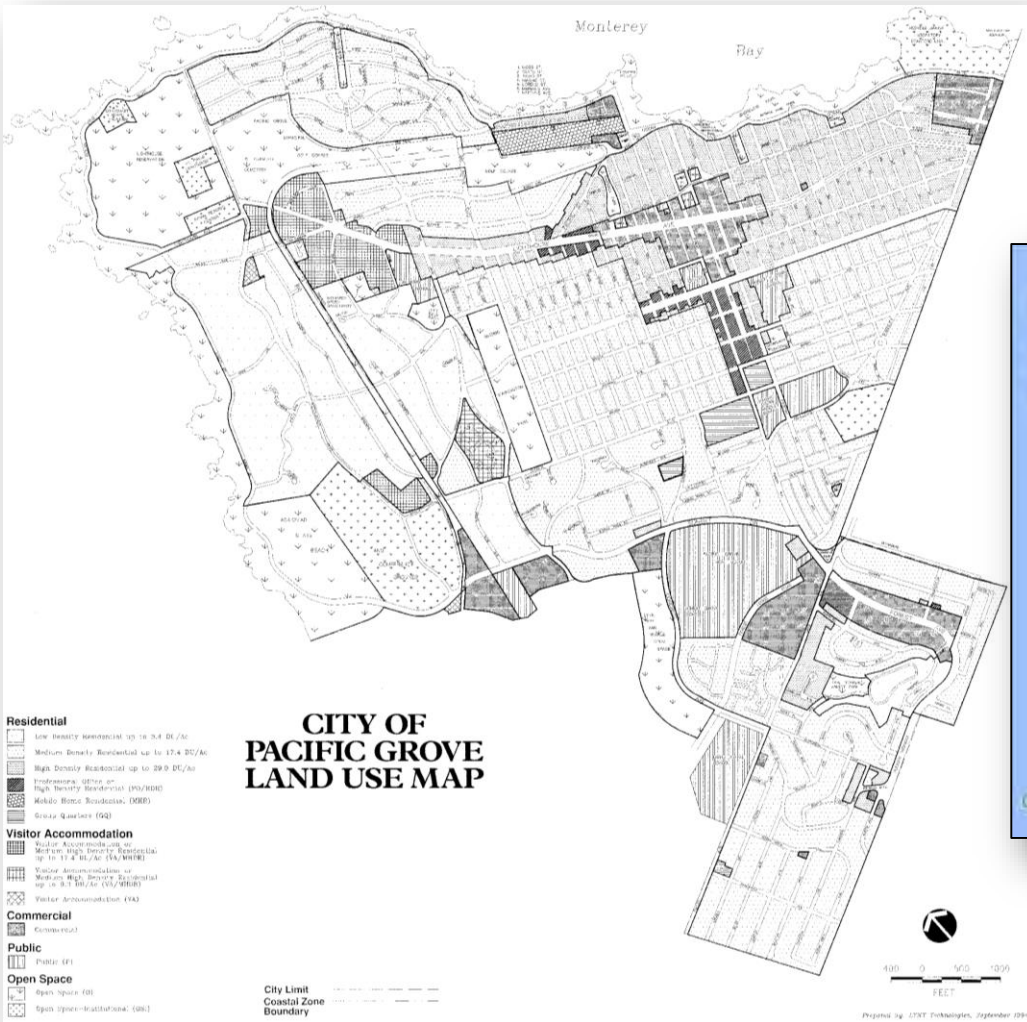
2nd Question: Would this community benefit from being “included within a single district for purposes of its effective and fair representation”?

- Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may not include relationships with political parties, incumbents, or political candidates.

Possible Neighborhoods / Communities

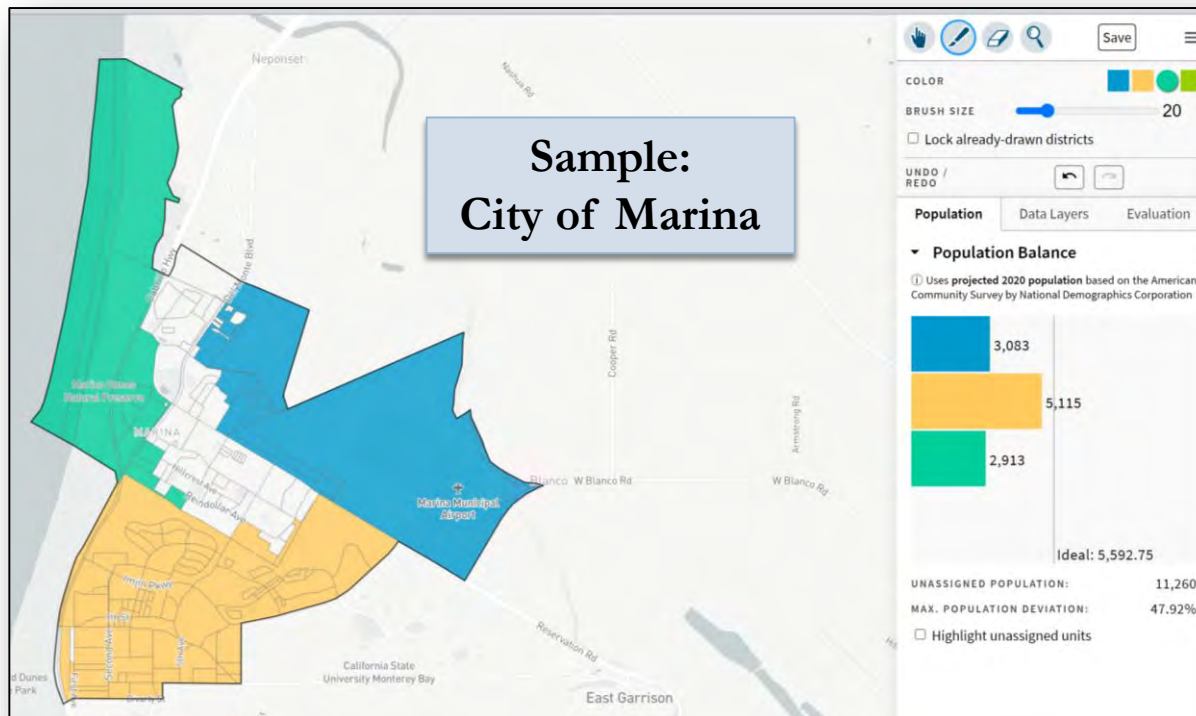
PUBLIC HEARING I



Mapping Tool: DistrictR

“Draw Your Community of Interest” focus

- **districtR.org**
- Also includes simple district-mapping tool; Only available in English
- Similar external options: Representable.org, DrawMyCACommunity.org



Public Hearing & Discussion

PUBLIC HEARING I

- **What is your community of interest and what are its boundaries?**

- **Would you prefer your community of interest be in one trustee area or that it have multiple representatives on the Board?**

Share Your Thoughts



Phone: [831.646.6510](tel:831.646.6510) | Email: rporras@pgusd.org

- | | |
|--|---|
| <input type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input checked="" type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Consideration and Adoption of Resolution No. 1078: Identify the Criteria the Demographer Will Consider When Developing Trustee-Area Boundaries

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent, Secretary of Board of Education

RECOMMENDATION:

The District Administration recommends the Board review and approve Resolution No. 1078: Identify the Criteria the Demographer Will Consider When Developing Trustee-Area Boundaries.

BACKGROUND:

The Pacific Grove Unified School District Board of Education is currently elected under an “at-large” election system, where trustees are elected by voters of the entire District. Trustees are elected in even-numbered years and serve staggered, four-year terms. On April 22, 2021, the Board adopted Resolution No. 1069, declaring its intent to transition from at-large to by-trustee area elections, where each Board member must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area.

On August 19, 2021, and September 16, 2021, the Board considered information on the process and potential criteria for drawing the trustee-area boundary maps, and the Board held statutorily required hearings to receive input from the community on the trustee-area map creation process, pursuant to Elections Code section 10010(a)(1).

INFORMATION:

This resolution will identify criteria to guide the demographer in the development of draft trustee area maps for Board and public consideration. The criteria options are identified in a checklist format as Exhibit A to the resolution, allowing for Board choice. Additional criteria can also be added if desired by the Board.

FISCAL IMPACT:

The cost for demographer and legal services to assist in the development of proposed by-trustee area boundaries is currently estimated to be approximately \$30,000. This cost will be taken out of the General Fund.

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

RESOLUTION NO. 1078

**RESOLUTION TO IDENTIFY THE CRITERIA THE DEMOGRPAHER WILL
CONSIDER WHEN DEVELOPING TRUSTEE-AREA BOUNDARIES**

WHEREAS, the Board of Trustees (“Board”) of the Pacific Grove Unified School District (“District”) are currently elected using an “at-large” election system in which registered voters of the entire jurisdiction elect candidates to the Board;

WHEREAS, on April 22, 2021, the Board adopted Resolution No. 1069, Intent to Initiate a Transition from At-Large to By-Trustee Area Elections Commencing with the 2022 Board Election;

WHEREAS, pursuant to Elections Code section 10010(a)(1), the Board held public hearings on August 19, 2021, and September 16, 2021, to gather public input regarding potential trustee area boundaries;

WHEREAS, the Federal Voting Rights Act (42 U.S.C. Section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color;

WHEREAS, federal law and the Equal Protection Clause require that each trustee area be equal in population; however, deviations (less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria;

WHEREAS, the Board has instructed its demographer to develop draft maps to identify trustee areas that fully comply with legal requirements;

WHEREAS, the Board wishes to provide official criteria for any needed deviations from the general rule of equal population;

WHEREAS, the Board has instructed its demographer to utilize these criteria insofar as practicable, recognizing that not all criteria will carry the same weight in every draft map; and

WHEREAS, the draft maps will be used by the Board to study the possible change to trustee area elections, and to inform and solicit further input from the public.

NOW, THEREFORE, BE IT RESOLVED, that the District Board of Trustees hereby finds, determines and resolves as follows:

1. The above recitals are correct and true.

2. The Board hereby adopts the following criteria, identified in the attached Exhibit A, to guide the demographer and District staff in the development of draft maps and in relation to any necessary deviations as described above.

PASSED AND ADOPTED by the Board of Education of the Pacific Grove Unified School District this 16th day of September 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Paff, President
Board of Education

Ralph Porras, Superintendent
Secretary Board of Education

Exhibit A

Criteria to Guide the Establishment of Trustee Areas

All items designated below by a shaded-in box shall be included. Criteria numbers 1-3 are legally mandated, and therefore have been automatically shaded-in.

- 1. The boundaries of the trustee areas shall be established so that the trustee areas are at least as nearly equal in population as required by law.
- 2. The boundaries of the trustee areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and other applicable law.
- 3. The boundaries of the trustee areas shall be established so that the trustee areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- 4. The boundaries of the trustee areas shall be compact, insofar as practicable.
- 5. The boundaries of the trustee areas shall be created to contain contiguous territory, insofar as practicable.
- 6. The boundaries of the trustee areas shall observe communities of interest.
- 7. The boundaries of the trustee areas may take into account visible features, such as topography and geography, including mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc., insofar as practicable.
- 8. The boundaries of the trustee areas may consider avoiding pairing two or more incumbents in a single trustee-area, to the extent legally allowable.
- 9. The boundaries of the trustee areas may be adjusted to offset expected future population growth, to the extent legally allowable.
- 10. The boundaries of the trustee areas shall comply with such other factors which become known during the redistricting process and are adopted by the Board.
- 11. _____

- 12. _____

- | | |
|--|--|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input checked="" type="checkbox"/> Public Hearing |

SUBJECT: Public Hearing of Resolution #1077 Regarding Sufficiency of Instructional Materials for Fiscal Year 2021-2022

DATE: September 16, 2021

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

RECOMMENDATION:

The District Administration recommends that the Board hold a public hearing of the Resolution #1077 Regarding Sufficiency of Instructional Materials for fiscal year 2021-2022.

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, the Instructional Materials Funding Realignment Program (IMFRP) even though it is not directly funded by the State of California.

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.

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, 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. In 2017-2018 the middle school English department adopted StudySync from McGraw Hill, an English Language Arts/English Language Development program. My Math by McGraw Hill was adopted for grades TK-5 aligned to the Common Core State Standards for Math in 2014-2015. However, for the 2019-2020 school years, the board adopted a new math program SWUN for grades TK-5th grades replacing My Math.

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 topics. Existing textbooks and supplementary materials can support this shift in science instruction, but state approved NGSS aligned curriculum did not become available until the spring of 2019. In grades TK-5, a committee of teachers piloted Stemsscopes and chose this curriculum. However, the decision to adopt and implement this new science program was put on hold due to the COVID pandemic. The district purchased Mystery Science, an online curriculum that teachers will continue to use this school year. The middle school piloted several curriculums in 2020-21 and decided on Elevate Science by Savvas Publishing which was approved by the board for the 2021-2022 school year. 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 \$155,194. The district does not receive any additional money for the purchase of instructional materials.

FISCAL IMPACT:

\$155,194 Instructional Materials General Fund



www.pgusd.org

PUBLIC HEARING II
PACIFIC GROVE UNIFIED SCHOOL DISTRICT

435 Hillcrest Avenue Pacific Grove, CA 93950

Ralph Gomez Porras
Superintendent
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rporras@pgusd.org

Song Chin-Bendib
Assistant Superintendent
Business Services
(831) 646-6509
schinbendib@pgusd.org

PUBLIC HEARING NOTICE

The Pacific Grove Unified School District Governing Board will hold a public hearing on Thursday, September 16, 2021, 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 6:30 p.m. This meeting is being held in person at the District Office, 435 Hillcrest Avenue, Pacific Grove, or virtually. To join the virtual meeting, please visit our website for Zoom link at www.pgusd.org

This notice posted at all school sites in accordance with EC 60119(b) on August 23, 2021

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

Resolution No. 1077 REGARDING SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR FISCAL YEAR 2020-2021

WHEREAS, on September 16, 2021 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 6:30 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: grades 6-8 adopted Study Sync a Language Arts and English Language Development program aligned to Common Core State Standards for implementation in 2017-2018.

WHEREAS, the list of State Approved science textbooks (K-8) was released in January 2019. Next Generation Science standards were approved by the State Board of Education on September 4, 2013. The District began the selection process during the 2019-2020 and 2020-2021 school years. 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, Elevate Science adopted for grades 6-8 in 2021-2022, Mystery Science, an online curriculum for grades TK-5th 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: grades TK-5 adopted SWUN Math for implementation in 2019-2020 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 2021-2022 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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input checked="" type="checkbox"/> Public Hearing |

SUBJECT: Approval of Resolution #1077 Regarding Sufficiency of Instructional Materials for Fiscal Year 2021-2022

DATE: September 16, 2021

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

RECOMMENDATION:

The District Administration recommends that the Board review and approve the Resolution #1077 Regarding Sufficiency of Instructional Materials for fiscal year 2021-2022.

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, the Instructional Materials Funding Realignment Program (IMFRP) even though it is not directly funded by the State of California.

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.

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, 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. In 2017-2018 the middle school English department adopted StudySync from McGraw Hill, an English Language Arts/English Language Development program. My Math by McGraw Hill was adopted for grades TK-5 aligned to the Common Core State Standards for Math in 2014-2015. However, for the 2019-2020 school years, the board adopted a new math program SWUN for grades TK-5th grades replacing My Math.

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 topics. Existing textbooks and supplementary materials can support this shift in science instruction, but state approved NGSS aligned curriculum did not become available until the spring of 2019. In grades TK-5, a committee of teachers piloted Stemsopes and chose this curriculum. However, the decision to adopt and implement this new science program was put on hold due to the COVID pandemic. The district purchased Mystery Science, an online curriculum that teachers will continue to use this school year. The middle school piloted several curriculums in 2020-21 and decided on Elevate Science by Savvas Publishing which was approved by the board for the 2021-2022 school year. 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 \$155,194. The district does not receive any additional money for the purchase of instructional materials.

FISCAL IMPACT:

\$155,194 Instructional Materials General Fund



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ACTION/DISCUSSION C

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

435 Hillcrest Avenue Pacific Grove, CA 93950

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

Song Chin-Bendib
Assistant Superintendent
Business Services
(831) 646-6509
schinbendib@pgusd.org

PUBLIC HEARING NOTICE

The Pacific Grove Unified School District Governing Board will hold a public hearing on Thursday, September 16, 2021, 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 6:30 p.m. This meeting is being held in person at the District Office, 435 Hillcrest Avenue, Pacific Grove, or virtually. To join the virtual meeting, please visit our website for Zoom link at www.pgusd.org

This notice posted at all school sites in accordance with EC 60119(b) on August 23, 2021

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

Resolution No. 1077 REGARDING SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR FISCAL YEAR 2020-2021

WHEREAS, on September 16, 2021 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 6:30 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: grades 6-8 adopted Study Sync a Language Arts and English Language Development program aligned to Common Core State Standards for implementation in 2017-2018.

WHEREAS, the list of State Approved science textbooks (K-8) was released in January 2019. Next Generation Science standards were approved by the State Board of Education on September 4, 2013. The District began the selection process during the 2019-2020 and 2020-2021 school years. 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, Elevate Science adopted for grades 6-8 in 2021-2022, Mystery Science, an online curriculum for grades TK-5th 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: grades TK-5 adopted SWUN Math for implementation in 2019-2020 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 2021-2022 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

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Public Hearing of Pacific Grove Teachers Association Sunshine List for 2021-22

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The Administration recommends that the Board hold a public hearing for the sunshine topics for the 2020-21 Pacific Grove Teachers Association negotiations. [A copy of the sunshine list was posted at each school site ten business days prior to the Board meeting.]

INFORMATION:

Government Code Section 3457 provides the basis and procedures for the recognition of the Pacific Grove Teachers Association's initial proposal for negotiations with the Pacific Grove Unified School District for the 2020-21 school year. The public hearing will provide an opportunity for the community to comment on the following:

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

Item 2: Section III. Benefits

1. Health care coverage for current members
2. Health care coverage for unit members who retire

Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

FISCAL IMPACT:

To be assessed during negotiations.



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PACIFIC GROVE UNIFIED SCHOOL DISTRICT

PUBLIC HEARING III

435 Hillcrest Avenue Pacific Grove, CA 93950

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rporras@pgusd.org

Song Chin-Bendib
Assistant Superintendent
Business Services
(831) 646-6509
schinbendib@pgusd.org

PUBLIC HEARING NOTICE

At the Board of Education meeting to be held at 6:30 p.m. on Thursday, September 16, 2021 (VIRTUAL MEETING), a public hearing is scheduled in compliance with the requirements of Government Code Section 3457 to provide an opportunity for the community to comment on the following:

Initial Proposal for Negotiations Submitted by the Pacific Grove Teachers Association Affiliate of the California Teachers Association for the 2021-22 School Year.

The Pacific Grove Teachers Association, California Teachers Association, has submitted an initial proposal for the collective bargaining agreement between the Board of Education of Pacific Grove Unified School District and their association.

Government Code Section 3457 provides the basis and procedures for the recognition of the Pacific Grove Teachers Association, California Teachers Association's Initial Proposal for Negotiations with the Pacific Grove Unified School District for the 2021-22 school year. New subjects of meeting and negotiating arising after approval of this initial proposal shall be made public within 24 hours.

The Pacific Grove Teachers Association is proposing to negotiate the following sections of the Certificated Bargaining Unit Agreement:

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

Item 2: Section III. Benefits

1. Health care coverage for current members
2. Health care coverage for unit members who retire

Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

Posted: Thursday, September 2, 2021

Copies posted at the PGUSD District Office and school sites

Pacific Grove Teachers' Association (PGTA) Sunshine List
for negotiation with Pacific Grove Unified School District (PGUSD)
2021-2022

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

Item 2: Section III. Benefits

1. Health care coverage for current members
2. Health care coverage for unit members who retire

Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Approval of the Pacific Grove Teachers Association Sunshine List for 2021-22

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

The Administration recommends that the Board review and approve the sunshine topics for the 2020-21 Pacific Grove Teachers Association negotiations.

INFORMATION:

Government Code Section 3457 provides the basis and procedures for the recognition of the Pacific Grove Teachers Association's initial proposal for negotiations with the Pacific Grove Unified School District for the 2020-21 school year. The public hearing will provide an opportunity for the community to comment on the following:

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

Item 2: Section III. Benefits

1. Health care coverage for current members
2. Health care coverage for unit members who retire

Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

FISCAL IMPACT:

To be assessed during negotiations.



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ACTION/DISCUSSION D

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

435 Hillcrest Avenue Pacific Grove, CA 93950

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PUBLIC HEARING NOTICE

At the Board of Education meeting to be held at 6:30 p.m. on Thursday, September 16, 2021 (VIRTUAL MEETING), a public hearing is scheduled in compliance with the requirements of Government Code Section 3457 to provide an opportunity for the community to comment on the following:

Initial Proposal for Negotiations Submitted by the Pacific Grove Teachers Association Affiliate of the California Teachers Association for the 2021-22 School Year.

The Pacific Grove Teachers Association, California Teachers Association, has submitted an initial proposal for the collective bargaining agreement between the Board of Education of Pacific Grove Unified School District and their association.

Government Code Section 3457 provides the basis and procedures for the recognition of the Pacific Grove Teachers Association, California Teachers Association's Initial Proposal for Negotiations with the Pacific Grove Unified School District for the 2021-22 school year. New subjects of meeting and negotiating arising after approval of this initial proposal shall be made public within 24 hours.

The Pacific Grove Teachers Association is proposing to negotiate the following sections of the Certificated Bargaining Unit Agreement:

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

Item 2: Section III. Benefits

1. Health care coverage for current members
2. Health care coverage for unit members who retire

Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

Posted: Thursday, September 2, 2021

Copies posted at the PGUSD District Office and school sites

Pacific Grove Teachers' Association (PGTA) Sunshine List
for negotiation with Pacific Grove Unified School District (PGUSD)
2021-2022

Item 1: Section II. Wages

1. Total compensation for the 2021-2022 and 2022-2023 school years
2. Number of years of service from another district that will be credited to members.
3. Communication between PGUSD and each PGTA member regarding number of years of service (row) and professional growth (column) placement on the pay scale

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1. Health care coverage for current members
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Item 3: Section VIII. Hours of Employment

Renegotiate this section as required based upon new bell schedules developed at the middle school and high school to meet upcoming state start time requirements.

Item 4: Provide CTE teachers with the opportunity to be eligible for permanent status

Item 5: Establish a system for PGUSD to offer stipend positions and negotiate compensation for these positions which are not listed in the current contract.

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Public Hearing of Pacific Grove Unified School District/Pacific Grove Teachers Association Negotiations Sunshine Topics – 2021-22

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Buck Roggeman, Pacific Grove Unified School District Lead Negotiator

RECOMMENDATION:

The District recommends that the Board hold a public hearing for the sunshine topics for 2021-22 Pacific Grove Unified School District/Pacific Grove Teachers Association negotiations.

INFORMATION:

Based on Government Code 3547, Section A, the Pacific Grove Unified School District administration presents (“sunshines”) the following bargaining proposals/topics for inclusion in contract negotiations with Pacific Grove Teachers Association for the 2021-22 school year.

II. Wages

- Total compensation

III. Employee Benefits

D. Teacher Attendance Incentive Plan

V. Leaves

F. Jury Duty Leave

FISCAL IMPACT:

Any adjustment to wages and/or benefits will impact the general fund. Until a settlement is reached, the extent of the impact remains unknown.



www.pgusd.org

PUBLIC HEARING IV
PACIFIC GROVE UNIFIED SCHOOL DISTRICT

435 Hillcrest Avenue Pacific Grove, CA 93950

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Superintendent
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Fax (831) 646-6500
rporras@pgusd.org

Song Chin Bendib
Assistant Superintendent
Business Services
(831) 646-6509
schinbendib@pgusd.org

PUBLIC HEARING NOTICE

At the Board of Education meeting to be held at 6:30 p.m. on Thursday, September 16, 2021 (In Person and Virtual- see www.pgusd.org for the virtual link), a public hearing is scheduled in compliance with the requirements of Government Code Section 3457 to provide an opportunity for the community to comment on the following:

Initial Proposal for Negotiations Submitted by the Pacific Grove Unified School District and the Pacific Grove Teachers Association Affiliate of the California Teachers Association for the 2021-22 School Year.

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The Pacific Grove Unified School District is proposing to negotiate the following sections of the Certificated Bargaining Unit Agreement:

II. Wages

- Total compensation

III. Employee Benefits

- D. Teacher Attendance Incentive Plan

V. Leaves

- F. Jury Duty Leave

Posted: Thursday, September 2, 2021

Copies posted at the PGUSD District Office and school sites

**PGUSD Sunshine List for negotiation with the Pacific Grove Teachers
Association
2021-22**

II. Wages

- Total compensation

III. Employee Benefits

- D. Teacher Attendance Incentive Plan

V. Leaves

- F. Jury Duty Leave

- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Approval of Pacific Grove Unified School District/Pacific Grove Teachers Association Negotiations Sunshine Topics – 2021-22

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Buck Roggeman, Pacific Grove Unified School District Lead Negotiator

RECOMMENDATION:

The District recommends that the Board review and approve the sunshine topics for 2021-22 Pacific Grove Unified School District/Pacific Grove Teachers Association negotiations.

INFORMATION:

Based on Government Code 3547, Section A, the Pacific Grove Unified School District administration presents (“sunshines”) the following bargaining proposals/topics for inclusion in contract negotiations with Pacific Grove Teachers Association for the 2021-22 school year.

II. Wages

- Total compensation

III. Employee Benefits

D. Teacher Attendance Incentive Plan

V. Leaves

F. Jury Duty Leave

FISCAL IMPACT:

Any adjustment to wages and/or benefits will impact the general fund. Until a settlement is reached, the extent of the impact remains unknown.



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ACTION/DISCUSSION E

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

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II. Wages

- Total compensation

III. Employee Benefits

- D. Teacher Attendance Incentive Plan

V. Leaves

- F. Jury Duty Leave

Posted: Thursday, September 2, 2021

Copies posted at the PGUSD District Office and school sites

**PGUSD Sunshine List for negotiation with the Pacific Grove Teachers
Association
2021-22**

II. Wages

- Total compensation

III. Employee Benefits

D. Teacher Attendance Incentive Plan

V. Leaves

F. Jury Duty Leave

- | | |
|--|---|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Spanish Language Elementary Program

DATE: September 16, 2021

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

RECOMMENDATION:

The District Administration recommends the Board review and provide input and further focused direction around an elementary Spanish language and cultural exposure program, and possibly adding a Spanish section at the Middle School level to best prepare students for High School Level Spanish Language courses.

BACKGROUND:

One of the major limitations in our district mentioned by incoming families is the lack of foreign language options in elementary and middle school. We want to make sure that our children are both stewards of multi-culturalism, but are also well-placed to help build job-skills (dual-language literacy) and also begin preparing for 50% bi-literacy upon graduation to meet Global California 2030.

As presented previously to the board in the spring of 2021, there has been interest based on parent request, as well as board interest to provide Spanish language exposure/instruction at the elementary level. Staff has organized a Spanish Language Committee that consists of both staff and parents to create a plan, which has met a few times. We are sharing out preliminary findings of the committee, including local schools that have implemented similar programs successfully, and seeking board direction and support on next steps.

In the past, we presented and discussed a few options to consider for possible implementation. One option for language acquisition is a Dual Language Immersion Instructional Program, which is complex and requires long term planning to implement. A second, more immediately attainable option, is a modified language program which is exposure to the language and culture, however not considered to be an instructional program with bi-literacy and bilingualism as its goal.

INFORMATION:

During committee meetings different options for language and culture delivery were discussed and it was agreed that the most straightforward way to do so at this time was to offer language and cultural exposure as an After School Enrichment (ASE) class, where we could focus on creating a love for culture and communication at the elementary level. It was also discussed that it is important that the Middle School adds a Spanish Language class/section/program. We would like to have a district structure that builds from the bottom up: elementary focusing on systematic culture and language exposure, followed by a middle school language program, that would prepare students for the high school level language program.

Elementary families were surveyed to gain feedback on program ideas. There was a good response of roughly 140 respondents, the majority of which were second grade families. The majority of respondents preferred a 2 or 3 day a week model for a class. A rough outline is that the class could be an hour with a half an hour prep 2 times per week (a similar model to the successful after school Spanish class at Robert Down that was offered to first grade families one hour per week twice a week in past school years).

What the class structure could look like was discussed and some ideas are: inviting native Spanish speaking students into the classes where they could have the opportunity to be “the expert”, basic game time, story time, art projects, music, food, etc. that exposes the students to the culture and the language. Pairing native Spanish speaking students with English speaking students in various ways was also discussed (at grade level and site; and/or high school students working with elementary grade students, etc.).

Further ideas were discussed such as: training Spanish speaking staff to be certified interpreters, observing programs in other districts (example: Carmel USD has a pull-out Spanish language program), consulting with experts in the field for outside expertise, focus groups with Spanish and English speaking families for more voices and input, and parent nights where this is discussed and brainstormed.

Current goals identified are:

- Create short and long range strategic plans (for grades K-5) starting with a culture and language exposure After School Enrichment program this year. We envision this could build into hiring either 2 FTEs (1 per each elementary site) or 1 FTE split between both elementary sites to push in Spanish at both Robert Down and Forest Grove.
- Adding a Spanish section at the Middle School with strong support from Principal Roach. Backwards map from the HS school level. What deficits do students have when they start Spanish at the HS? How can these be addressed at both the elementary and middle school level? We want HS students to have the opportunity to graduate with the Seal of Biliteracy, or a CTE track Translation Certificate.
- Hiring a consultant to evaluate our curriculum and guide-post our options and pathways from **enrichment** to **exposure** to **immersion**.

FISCAL IMPACT:

None at this time. Potential ongoing costs associated could be related to pay for instructors, classroom materials, planning time, etc.

Global California 2030 *Speak. Learn. Lead.*

An Initiative of State Superintendent of Public Instruction Tom Torlakson



California Department of Education
Sacramento 2018

GLOBAL CALIFORNIA 2030



Speak Learn Lead

Publishing Info

Global California 2030 was developed by the Communications and English Learner Support Divisions, California Department of Education (CDE). This publication was edited by Carol Singleton, Scott Roark, Bill Ainsworth, Veronica Aguila, and Elena Fajardo. It was designed by Lunden Almquist with help from Leomel Castellano. It was published by the Department of Education, 1430 N Street, Sacramento, CA 95814. It was distributed under the provisions of the Library Distribution Act and *Government Code* Section 11096.

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- 4 | Mission
- 5 | What is the California Way?
- 6 | Work Underway
- 9 | The Path to a Multilingual California
- 14 | Conclusion

**“If you talk to a man in a language he understands, that goes to his head. If you talk to him in his language that goes to his heart.”
—Nelson Mandela**

The mission of Global California 2030 is to equip students with world language skills to better appreciate and more fully engage with the rich and diverse mixture of cultures, heritages, and languages found in California and the world, while also preparing them to succeed in the global economy.

Executive Summary

California is immersed in the global economy, is a leader in global culture, and is home to flourishing industries that lead the world, including high-tech, entertainment, and agriculture. California also benefits from a diverse population of residents who speak the majority of languages heard on the planet.

As the world becomes more interconnected, fluency in another language opens up opportunities for people to succeed economically and allows them to take part in diverse cultural activities. A wide body of research shows that the study of languages boosts students' mental flexibility, enhancing their ability to learn all subjects. It also introduces people to new cultures and new ways of looking at the world. This broader perspective nourishes innovation and adaptability in all fields and



State Superintendent of
Public Instruction Tom Torlakson

helps to enrich communities economically, culturally, and socially.

California's K-12 education system has made great strides in teaching world languages to students, providing more opportunities for fluency and the benefits fluency brings. But we can and should go further. To better prepare students to succeed in the changing economy and to strengthen California's own rich mixture of cultures and languages, California needs to vastly expand opportunities for students to learn a second and possibly even a third language.

My initiative—Global California 2030—is a call to action. We are inviting educators, parents, legislators, and community and business leaders to join us on the road to a multilingual California. We need support from everyone as our K-12 education system expands access to world language classes, programs, and experiences; trains more bilingual teachers; and

improves the quality and availability of advanced language classes.

By 2030, we want half of all K-12 students to participate in programs leading to proficiency in two or more languages, either through a class, a program, or an experience. By 2040, we want three out of four students to be proficient in two or more languages, earning them a State Seal of Biliteracy.¹

Universities and businesses can begin to support the program today by giving students who earn the State Seal of Biliteracy additional consideration for admission or hiring. Also, I challenge colleges and universities to develop their own Seal of Biliteracy program statewide. Imagine the impact!

Our call for more language proficiency seeks to build on the work already underway at the California Department of Education (CDE) and at schools throughout the state. It amplifies the voice of California voters, who loudly and clearly stated their interest in world languages by passing Proposition 58 in 2016, which eliminates obstructions for dual-immersion programs.²

Global California 2030 is part of a larger effort to better prepare students for twenty-first century careers and college, recognizing that multilingualism is an essential skill. The CDE stands committed to the transformation of our education system we call the “California Way.”

What is the California Way?

- Raising academic standards through the alignment of instruction and assessments that ensure those standards are met
- Providing more equitable funding and local control, allowing communities to determine how to best meet the educational needs of the students they serve
- Giving the public valuable information to help evaluate schools, with descriptions that are easy to understand and help identify successes or areas of need
- Doing all this in a collaborative, positive way in which the CDE is a critical friend that supports the decisions made locally

1. Education Code sections 61460–51464; CDE State Seal of Biliteracy web page. 2018. <https://www.cde.ca.gov/sp/el/er/sealofbiliteracy.asp> (accessed May 1, 2018).

2. CDE. 2018. CA Education for a Global Economy Initiative. <https://www.cde.ca.gov/sp/el/er/caedge.asp> (accessed May 1, 2018).

Work Underway

California's K-12 system is by far the biggest in the nation. We have 6.2 million students. More than 60 languages are spoken in the homes of California's students. These range from commonly known languages

language in their background. This means that over 40 percent of California's K-12 students come to school with knowledge and experience in at least two languages.³

At one point in our recent past,

English learners were viewed only as a challenge to the educational system because these students needed extra support. Today, we recognize that these young people are assets to our state and their local communities. Like all students, they bring a rich cultural and linguistic heritage to our classrooms, making our schools more vibrant and diverse.

The California Department of Education and its partners have made great strides in

improving instruction for English learners by creating the English Language Arts/English Language Development Framework. This resource ensures that English learners are taught intellectually rich subject content while also becoming proficient in English.



such as Spanish, Mandarin, and Vietnamese to less frequently heard languages such as Mixteco, Pashto, and Tongan. About one in four of those students, or 1.3 million, are English learners. An estimated 1.2 million students are proficient in English yet also have another

3. CDE. 2018. DataQuest Reports. <https://data1.cde.ca.gov/dataquest/> (accessed May 1, 2018).

California has developed a groundbreaking plan—the California English Learner Roadmap—for improving instruction and educational structures to support English learners. The Roadmap strengthens comprehensive policies, programs, and practices for English learners.⁴

Our state has provided English Language Development and Spanish Language Development Standards founded on the California State Common Core Standards and the “Estandares en Comun” for English/Spanish language arts and literacy respectively.^{5 6} Our state is in the process of modernizing the World

Language Standards, bringing more rigor and cohesiveness to the study of world languages.⁷

We are all working together to improve and expand professional development for bilingual teachers, language teachers, and teachers of English learners while also encouraging more people to become credentialed bilingual teachers.⁸

We provide support to migrant students through the Mini-Corps program. College and university students planning to become teachers assist students in the 20 migrant regions.⁹ In 20 years, Mini-Corps has produced over 3,500 bilingual teachers. We want to double that number by 2030.

4. CDE. 2018. English Learner Roadmap. <https://www.cde.ca.gov/sp/el/rm/> (accessed May 1, 2018).

5. CDE. 2014. California English Language Development Standards: Kindergarten Through Grade Twelve. Sacramento: CDE. Available at <https://www.cde.ca.gov/sp/el/er/documents/eldstndpublication14.pdf>.

6. San Diego County Office of Education, California Spanish Language Development Standards (Electronic Edition) Kindergarten Through Grade Twelve En Español. Prepublication available at <https://commoncore-espanol.sdcoe.net/CaCCSS-en-Espanol/SLA-Literacy>.

7. CDE. 2018. World Language Standards Guidelines. <https://www.cde.ca.gov/be/st/ss/wlrevisiionguidelines.asp> (accessed May 1, 2018).

8. CDE. 2017. Request for Applications: Bilingual Teacher Professional Development. <https://www.cde.ca.gov/fg/fo/r12/btpdp17rfa.asp> (accessed May 1, 2018).

9. CDE. 2018. Migrant Education Programs and Services. <https://www.cde.ca.gov/sp/me/mep/programs.asp> (accessed May 1, 2018).

“One language sets you in a corridor for life. Two languages open every door along the way.”

—Frank Smith, psycholinguist

We are working closely with Mexico and Spain to expand our teacher exchange program and our joint teacher training efforts. Currently, 31 teachers from Mexico and 70 teachers from Spain have full teaching contracts in public school districts and charter schools throughout the state. In addition, through the Migrant Summer Binational Program, we have increased the number of bilingual teachers from Mexico from 50 teachers to 70. We look forward to an exponential increase in these numbers.

Our state has made a special effort to work with leaders of the Mexican national education system and leaders of the Baja California education system to better serve the students we share. There are about 50,000 students from the U.S., mainly from

California, currently studying in Baja California. There are students from both sides of the border who end up going to school in both nations, and they need to be fluent in both English and Spanish to succeed. The teachers of these students will receive the necessary supports from both nations to provide rigorous education to the students we share.

Furthermore, California is leading the nation in recognizing high school students who demonstrate proficiency in a language in addition to English. Since 2012, over 173,000 graduating high school students have earned the Seal of Biliteracy.



To have another language is to possess another soul.”

—Charlemagne, Emperor, Holy Roman Empire, speaker of Latin, German, and some Greek.

The Path to a Multilingual California

Our call to have more students study and become proficient in a world language, while ambitious, is within reach.

My plan to reach our goal includes the following:

- Work with the Legislature to provide additional funding for programs such as the Bilingual Teacher Professional Development Program, pre-K through twelfth grade, which seeks to provide credentials to an additional 1,190 bilingual teachers
- Work with the institutions of higher learning to advocate more bilingual teacher preparation programs
- Work with the Migrant Education Mini-Corps Program to support the existing pipeline to becoming a bilingual teacher
- Work with the Legislature to provide additional funds to initiate and expand a variety of bilingual program opportunities for all students pre-K through twelfth grade
- Develop a communications campaign to share the academic, social, and economic advantages of graduating students with biliteracy skills
- Urge all school districts to award the State Seal of Biliteracy to qualifying seniors
- Invest in professional development resources for teachers and administrators to build capacity to deliver high-quality, effective biliteracy instruction
- Engage all sectors of the education and business community and parents to support this vision and work for comprehensive implementation

For more information on California Department of Education language resources, go to <https://www.cde.ca.gov/languages/>.

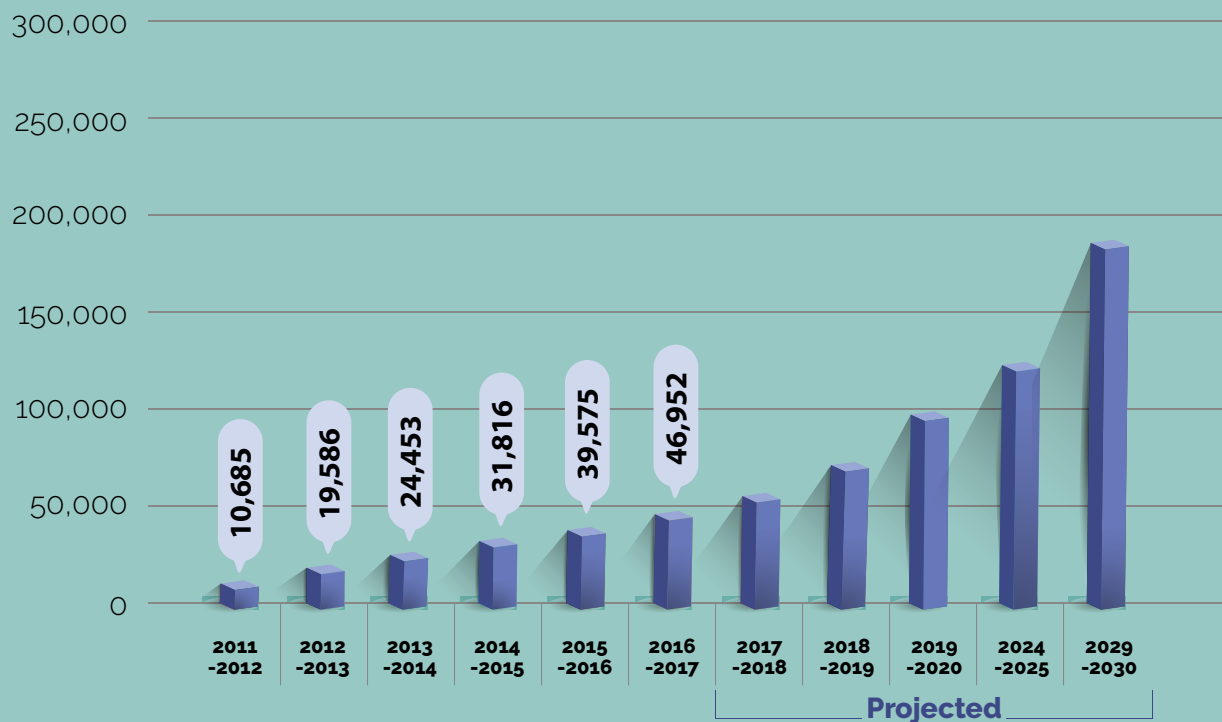
In six years, the number of students receiving the award has quadrupled from 10,685 in 2011–12 to 46,952 in 2016–17. In the 2016–17 school year, graduating high school students earned the State Seal of Biliteracy in 34 different languages.

As part of Global California 2030, our goal is to vastly expand the number of students who know at

least two languages. In 12 years, we want to more than triple the number of students who earn this distinction in 2030.

More students earning the Seal of Biliteracy means more young people will enter the workforce with the skills and knowledge to keep California’s economy thriving and to continue its role as a global leader.

State Seal of Biliteracy



10 11

10. CDE. English Learner Support Division internal data, 2012–2017.

11. Projection

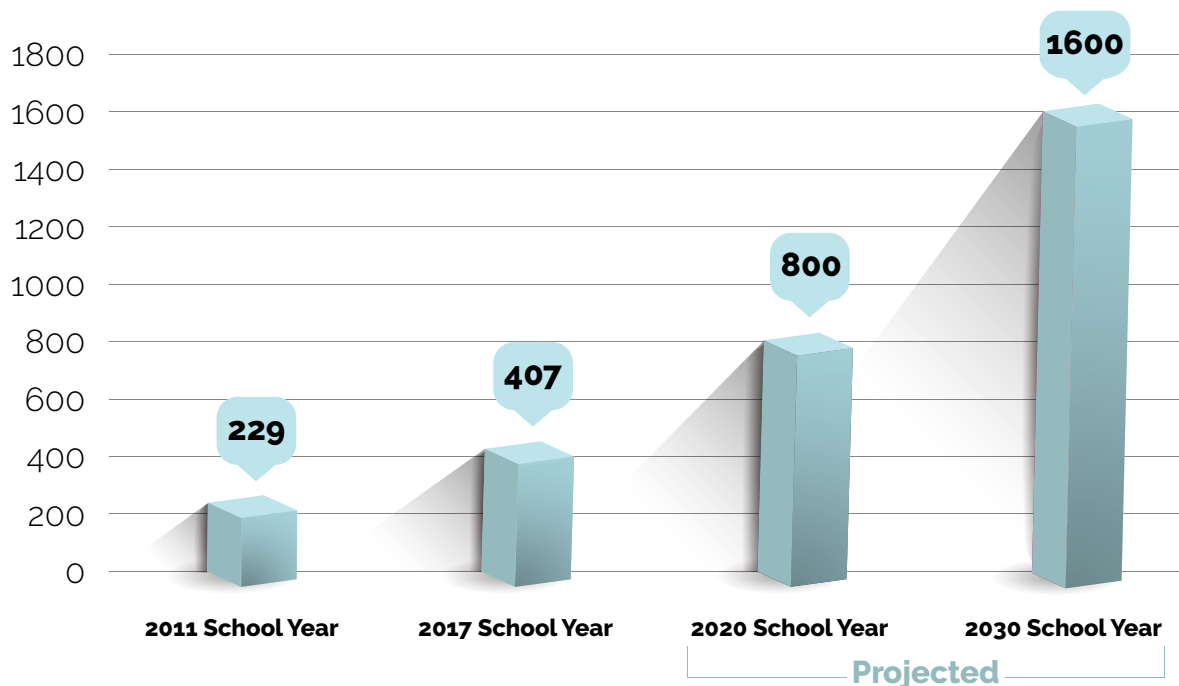
Dual-language immersion programs most frequently use English and Spanish. But California also has programs that offer English/Mandarin, English/Korean, English/Vietnamese, and English/Portuguese, to name a few.¹²

These programs, beginning in kindergarten, deliver instruction in both English and another language. Typically, they start with the majority of instruction in the other language and less in English. Gradually, instruction is half in each language, giving students fluency in two languages. Students typically stay in the program throughout elementary school.

Researchers have found these programs to be extremely beneficial to students, helping them learn all subjects while also giving them the tools to more easily acquire a third language.¹³

Requests by parents for these programs are already on the rise, especially since the passage of Proposition 58 removed barriers to setting up these programs. As part of Global California 2030, we are striving for even more dramatic growth, with the goal of quadrupling the number of programs from 407 in 2017 to 1,600 in 2030.

Number of Dual Immersion Schools



14

12. California Association for Bilingual Education. 2017. Dual-Language Immersion Directory. <http://www.resources.gocabe.org/index.php/home/directory-of-dual-language-immersion-programs/> (accessed May 1, 2018).

13. CDE. 2010. Improving Education for English Learners: Research-Based Approaches. Sacramento: CDE.

14. CDE. 2018. DataQuest Reports. <https://data1.cde.ca.gov/dataquest/> (accessed May 1, 2018). Projections for future years. September 16, 2021

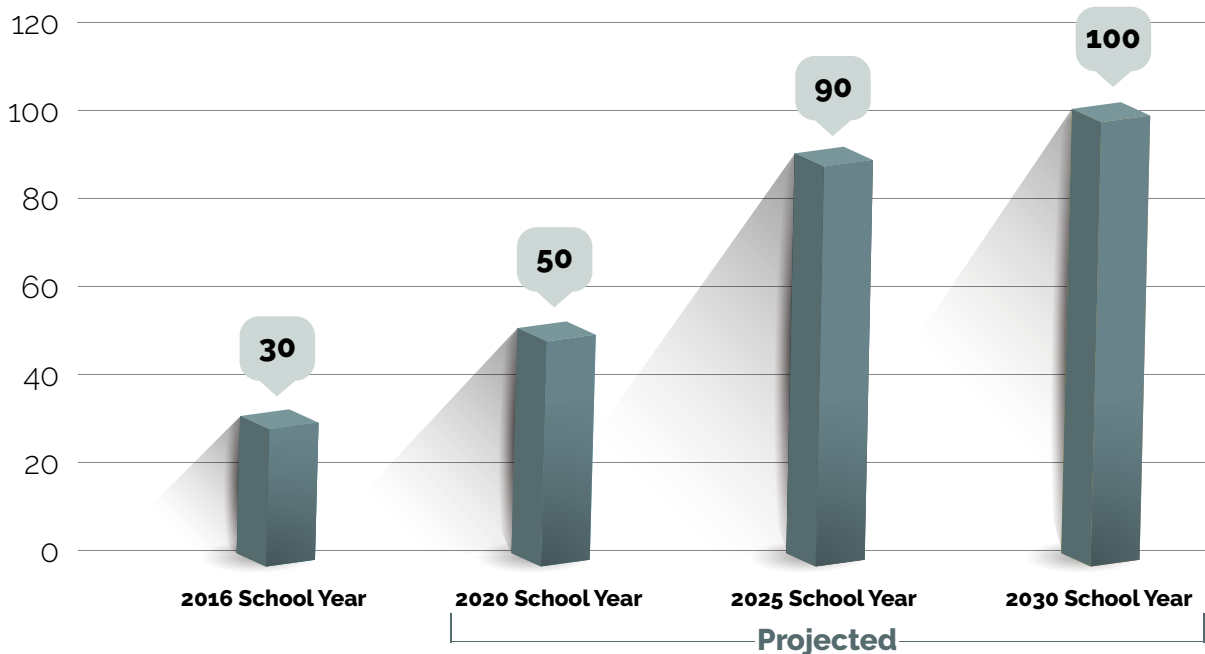
Of course, vastly expanding the number of students who speak two or more languages will require more teachers and more programs to train those teachers. In 2016, California had 30 state-approved programs. By 2030, we want that number to grow to 100.

More bilingual teachers means that every school where parents want a program will have teachers with the high levels of academic language skill and authorization to teach in

the two languages. By 2030, we want to double the number of teachers authorized to teach two languages.

More language classes means parents who want particular types of programs or courses for their child will have access to them.

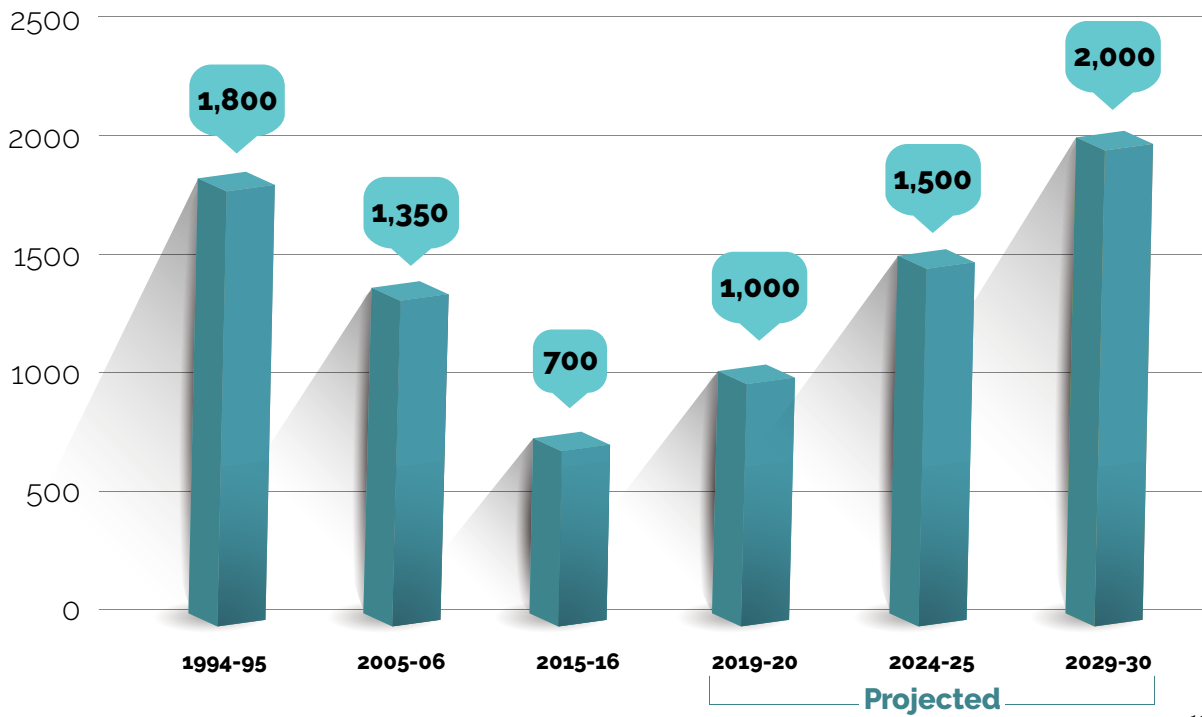
Number of Bilingual Teacher Preparation Programs at State-Approved Educator Preparation Programs



15

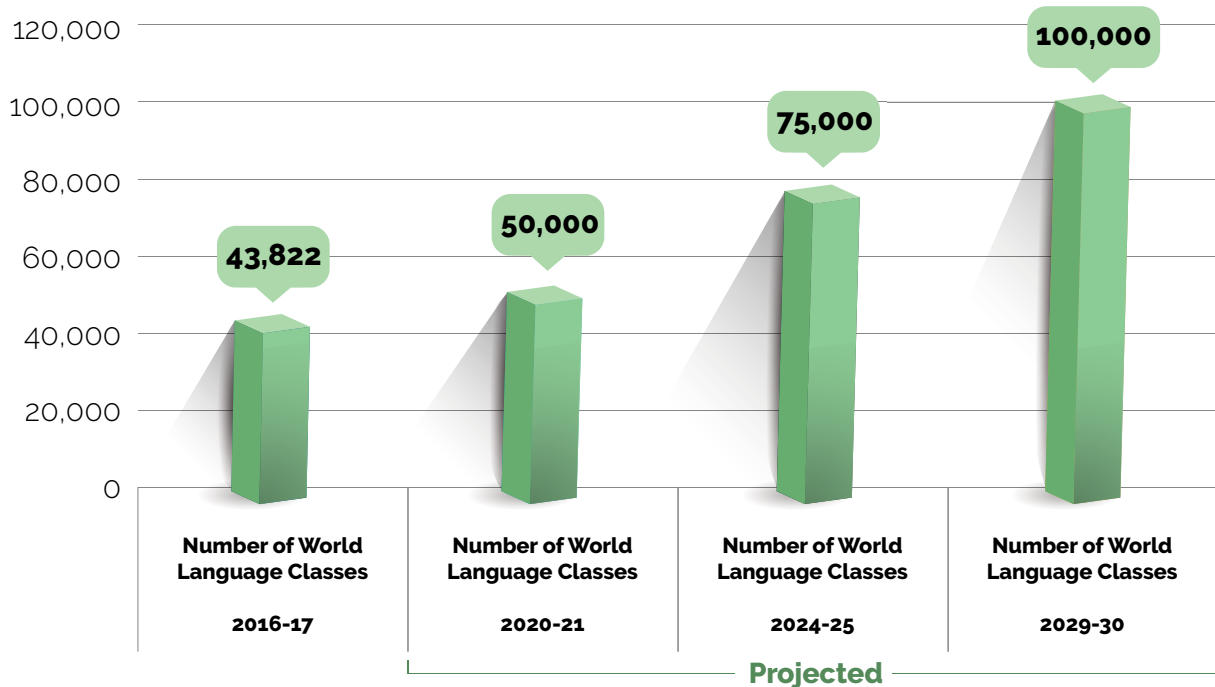
15. California Commission on Teacher Credentialing. 2018. Approved Programs and Institutions. <https://www.ctc.ca.gov/commission/reports/data/app-approved-program> (accessed May 1, 2018). Projections for future years.

Number of New Bilingual Teacher Authorizations Per Year



16

Projected Growth in Number of World Language Classes



17

16. California Commission on Teacher Credentialing. 2018. Approved Programs and Institutions. <https://www.ctc.ca.gov/commission/reports/data/app-approved-program> (accessed May 1, 2018). Projections for future years.

17. CDE. 2018. DataQuest Reports. <https://data1.cde.ca.gov/dataquest/> (accessed May 1, 2018). Projections for future years. Regular Meeting of September 16, 2021

Conclusion

Studies have found that speaking two or more languages has many benefits. It strengthens memory and cognitive processes, improves speakers' ability in their first language, expands cultural knowledge and understanding, builds self-confidence, and even delays the onset of Alzheimer's and dementia.

Speaking and learning world languages helps students become leaders in their communities and workplaces, and it ensures that California maintains

its position as an economic and cultural powerhouse.

Our ambitions for Global California 2030 are high but so is our ability to work together with parents, communities, and cultural and business leaders toward common goals. Together, we have the dedication, skill, creativity, and vision to give all students the opportunity to learn another language and enhance their ability to fully engage with the culture and economy of California and the world. We are aiming high and dreaming big. It's the California Way.¹⁸

18. Bhattacharjee, Yudhijit. 2012. "Why Bilinguals Are Smarter." *The New York Times*. <https://www.nytimes.com/2012/03/18/opinion/sunday/the-benefits-of-bilingualism.html> (accessed May 10, 2018); Inside California Education. 2018. *Dual-Language Immersion*, Redding, CA. <https://insidecaled.org/videogallery/video/dual-language-immersion/> (accessed May 10, 2018).

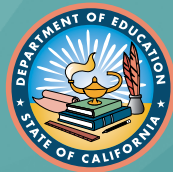


“ Learning another language is like becoming another person. ”
—Haruki Murakami

GLOBAL CALIFORNIA 2030



Speak Learn Lead



California Department of Education
1430 N Street
Sacramento, CA 95814

- | | |
|---|---|
| <input type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: California School Board Association Policy Review

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

Recommendation: (Ralph Gómez Porras, Superintendent) In response to a Trustee future agenda item request to have all Board policies reviewed, the District recommends that the Board review the options through California School Board Association and provide direction to Administration.

INFORMATION:

This item was originally reviewed at the September 2, 2021 Board meeting. The Board directed Administration to bring the item back, to include a presentation by CSBA at the next Board meeting.

California School Board Association (CSBA) provides two services, in addition to the GAMUT Policy which the District already subscribes annually.

- **GAMUT Policy Plus (this add-on is available to GAMUT Policy subscribers) \$2,640/year**
 - GAMUT Policy Plus you receive your own dedicated GAMUT webpage that integrates into your Pacific Grove USD website.
 - The website allows you to manage and update policies directly on GAMUT.
 - The District MUST go through a Policy Development Workshop (see below) to prepare the current Board policy manual for the GAMUT website.
- **Policy Development Workshop (PDW) \$ 8,200**
 - A comprehensive Policy Development Workshop (PDW) to develop a new policy manual or have comprehensive updates to their existing policy manual to help address key issues and achieve compliance with state and federal mandates.
 - 2-3 day on-site workshop pairs the knowledge and experience of Pacific Grove USD administrators and board members with the expertise of a CSBA consultant to generate a clear, user-friendly policy manual that complies with state and federal law and meets local needs.

FISCAL IMPACT:

GAMUT Policy Plus, which requires Policy Development Workshop \$10,840 or Policy Development Workshop only \$8,200.



August 2, 2021

The California School Boards Association (CSBA) is pleased to provide Pacific Grove Unified School District of Monterey County the following quote for GAMUT and policy services.

GAMUT Meetings **\$ 3,500/year**

GAMUT Meetings is an online agenda and meeting management system that gives you an easy and efficient way to create and manage meetings online. GAMUT's paperless board meeting management application helps streamline meeting preparation and provides easy and secure access to meeting materials. Features include: multiple meeting types that allow you to manage all your meeting types in one convenient location; advanced search so you can quickly sort by meeting type, date, and more; private, secure personal notes on individual agenda items; customizable roles and permissions for users, meetings, and items; meeting minutes and voting; custom printing that allows you to integrate attachments and exhibits with your agenda; and advanced safety and security. Packed with time-saving features, GAMUT's paperless board meeting management software automates and simplifies routine tasks associated with meeting development and delivery.

GAMUT Policy (*already subscribed!) **\$ 2,495/year**

CSBA's GAMUT Policy is an online policy information service that offers quick access to 750-plus sample board policies, regulations, bylaws, and their legal references, including the entire Education Code, Title 5 regulations and other referenced state and federal code sections. GAMUT Policy also features advanced search features, built-in translations, and the ability to download sample policies and regulations to word processing programs for editing. The CSBA sample policies on GAMUT are updated regularly and GAMUT Policy users will receive email notifications to alert them when the CSBA sample policy manual has been revised.

GAMUT Policy *Plus* (this add-on is available to GAMUT Policy subscribers) **\$ 2,640/year**

CSBA updates approximately 100 policies every year just to stay up to date with changes in the law. Policy Plus is designed to help you stay on top of your policies and keep them current with the help of CSBA policy staff. With GAMUT Policy Plus you receive your own dedicated GAMUT webpage that integrates into your Pacific Grove USD website. The website allows you to manage and update policies directly on GAMUT. With Policy Plus you can post, edit and update your policies directly on GAMUT. Subscribers can take advantage of the track changes editor, advanced global search features, and the ability to integrate policies with your agendas. Policy Plus also includes ongoing policy consulting and gives you the option to submit your policies to CSBA for review before you adopt them. If you were not a previous Manual Maintenance or GAMUT Policy Plus subscriber, you will also need to go through a Policy Development Workshop (see below) to prepare your policy manual for the GAMUT website.

Policy Development Workshop (PDW)**\$ 8,200**

GAMUT Policy subscribers can participate in comprehensive Policy Development Workshop (PDW) to develop a new policy manual or have comprehensive updates to their existing policy manual to help address key issues and achieve compliance with state and federal mandates. The 2-3 day on-site workshop pairs the knowledge and experience of Pacific Grove USD administrators and board members with the expertise of a CSBA consultant to generate a clear, user-friendly policy manual that complies with state and federal law and meets local needs.

¹ A \$250 site set up fee applies to new GAMUT sites

² This quote is valid for six months from the date issued

- | | |
|---|---|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Updates to Board Policy and Exhibit 5144 Student Discipline and Policy and Regulation 5144.1 Suspension and Expulsion/Due Process

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Ralph Gómez Porras, Superintendent

RECOMMENDATION:

Recommendation: (Ralph Gómez Porras, Superintendent) The District Administration recommends that the Board review and approve the updates to Board Policy and Exhibit 5144 Student Discipline and Policy and Regulation 5144.1 Suspension and Expulsion/Due Process.

INFORMATION:

The Board originally review this item at the Board meeting on September 2, 2021. Trustee Carolyn Swanson asked to make additional edits. The Board directed Administration to bring this item back to the next meeting with Trustee Carolyn Swanson's edits.

The Board packet contains only redline versions.

Legal counsel edits are tracked in red.

Trustee Carolyn Swanson edits and questions are tracked in purple.

Updates recommended by legal counsel are routine and follow Ed Code. The following is a brief summary of the changes made to the Policy and Exhibit regarding student discipline.

Policy 5144 – Student Discipline

- Updated for clarification and consistency with Education Code 48900 et. seq.
- Updated legal authority

Exhibit 5144 – Student Discipline Matrix

- Updated for clarification and consistency with Education Code 48900 et. seq.

Policy and Regulation 51441 – Suspension and Expulsion/Due Process

- Updated requirements on suspensions and expulsions for 48900(k) violations
- Clarified language on readmission process
- Added a reference to AR 5144.2 (Discipline of students in Special Education) and deletes the details of the procedures. The procedures are already contained in AR 5144.2 and do not need to be in both places.

Pacific Grove Unified School District

Students

Policy #5144

DISCIPLINE

The Governing Board desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, the provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee may approve, for each school, a complement of effective, age-appropriate strategies for and correcting student behavior at district schools. ~~Such strategies may include, but are not limited to: conferences with students and their parents/guardians; use of study, guidance, or other intervention related teams; enrollment in a program teaching pro-social behavior or anger management; and participation in a restorative justice program.~~ The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent's or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law ~~and or~~ when other means of correction have failed. (Education Code 48900.5)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

Board policies and regulations shall outline acceptable student conduct and provide the basis for sound disciplinary practices.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. However, the rules shall be consistent with law, Board policy, and District regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5) Site-level discipline rules shall be included in the comprehensive school safety plan. (Education Code 32282, 35291.5.)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation. ~~When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well being, and~~

Pacific Grove Unified School District

Students

Policy #5144

DISCIPLINE

~~opportunity to learn.~~

Staff shall enforce disciplinary rules fairly, ~~and~~ consistently, and in accordance with the District's nondiscrimination policies.

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including but not limited to, knowledge of school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form strong cooperative relationships with parents/guardians.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to school community, and other local measures, shall be included in the District's local control and accountability plan (LCAP), as required by law.

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in each school in the immediately preceding school year and their effect on student learning.

Commented [CJ1]: Is this happening at the beginning of every school year? Or anytime during the year?

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

However, corporal punishment does not include any pain or discomfort suffered by a student as a result of his/her voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect himself/herself, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)

Legal Reference:

CIVIL CODE

1714.1 Parental liability for child's misconduct

EDUCATION CODE

32280-32289 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926~~7~~ Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49005-49006.4 Seclusion and restraint

49330-49335 Injurious objects

49550-49564.5 Meals for needy students

Page 2 of 3.

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Adopted: November 6, 1997

Revised: ~~April 25, 2019~~ August 19, 2021

Pacific Grove Unified School District

Students

Policy #5144

DISCIPLINE

52060-52077 Local control and accountability plan

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015

The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

WEB SITES

CSBA: <http://www.csba.org>CDE: <http://www/cde.ca.gov>

EXHIBIT 5144 STUDENT DISCIPLINE



**DISCIPLINE MATRIX
AND
RELATED INTERVENTIONS
FOR
GRADES K-12**

Exhibit 5144



In recent years, the adoption of researched-based alternatives to suspension within school communities has proven to help create positive school climates. We must continue to address racial disproportionality in school disciplinary practices, and also remain cautious when ensuring that campus safety does not further drive students into the school-to-prison pipeline. Although there are instances when suspension and or expulsion is warranted, “each school day is full of teachable moments but exclusionary methods of discipline – such as out-of-school suspensions and expulsions – deprive students of the chance to receive the instruction they need to grow into healthy, thriving adults.” (Public Counsel) Note: Carolyn Swanson has a question in the bubble to right.

~~As you know, in t~~he Pacific Grove Unified School District ~~we have~~has adopted and ~~are implementing~~implements school-wide positive behavior interventions and supports in effort to identify positive ways of supporting students and improvinge behavior, which ~~in turn enhance~~while simultaneously enhancing school climate and culture. School and community based interventions are to be implemented as a proactive approach and be considered as an alternative to suspension when appropriate. Proper interventions aid in meeting the academic, social, and emotional needs of students.

Commented [CJ1]: Who is Public Counsel?

Exhibit 5144

Consequences for Repeated incidents may include all prior consequences issued for the previous offenses/incidents, in addition to those listed for the subsequent incident. Students may be suspended or expelled if the act is related to a school activity or school attendance, including but not limited to the following: (a) while on school grounds; (b) while going to or coming from school; (c) during a school lunch period, whether on or off campus; or (d) during or while going to or coming from a school sponsored activity.

The following discipline matrix indicates the types of disciplinary action that may apply to each offense. These actions may be applied to a first time or repeated incident. Progressive consequences, when applicable, are listed for each subsequent offense within the respective education code violation. School officials use this matrix as a guide intended to standardize disciplinary procedures throughout the District. **The recommendations are not intended to substitute for the judgment of professional personnel based upon knowledge of the student’s behavior record and statutory restraints.**

VIOLATION	CONSEQUENCE
<p>Possessed, sold or otherwise furnished a firearm Ed Code 48900 (b) and 48915 (c)(1) and 48900 (b)</p>	<p>All of the following: Parent/Guardian conference</p>
<p>Brandished a knife at another person Ed Code 48900 (b) and 48915 (c)(2) and 48900 (b)</p>	<p>Contact law enforcement</p>
<p>Sold a controlled substance Ed Code 48900 (c) and 48195 (c)(3) and 48900 (e)</p>	<p>5 Day Suspension Mandatory recommendation for expulsion</p>
<p>Committed or attempted to commit a sexual assault or committed sexual battery Ed Code 48900 (n) and 48915 (c)(4) and 48900 (n)</p>	
<p>Possession Possessed of an explosive Ed Code 48900 (b) and 48915 (c)(5) and 48900 (b)</p>	
<p>Caused serious physical injury to another person; except in self-defense Ed Code 48900 (a)(1) and 48915 (a)(1)(A) and 48900 (a2) (Assault)</p>	<p>Recommendation for expulsion expected, but not mandatory</p>
<p>Possessed, sold, or otherwise furnished ed, sold, or otherwise furnished a knife, explosive, or other dangerous object of no reasonable use to the pupil Ed Code 48900 (b) and 48915 (a)(12)(B) and 48900 (b)</p>	<p>1st Offense: Parent/Guardian conference, 5 Day Suspension, Recommendation for expulsion (unless principal, in writing, recommends otherwise), Contact law enforcement</p>
<p>Possession Possessed, used, or otherwise furnished, or been under the influence and/or use of any controlled substance, except for the first offense Ed Code 48900 (c) and 48915 (a)(1)(3C) and 48900 (e)</p>	<p>2nd Offense: Recommendation for expulsion</p>
<p>Possession Possessed, used, or otherwise furnished, or been under the influence and/or use of any controlled substance, except for the first offense Ed Code 48900 (c) and 48915 (a)(1)(3C) and 48900 (e)</p>	<p>Recommendation for Expulsion shall be based on one or both of the following:</p>
<p>Offered, arranged, or negotiated to sell a controlled substance Ed Code 48900 (d)</p>	<ol style="list-style-type: none"> 1. Other means of correction are not feasible or have repeatedly failed to bring about proper conduct 2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others
<p>Robbery or Extortion</p>	

Exhibit 5144

<p>Ed Code 48900 (e) and 48915 (a)(14)(D) and 48900-(e)</p> <p>Assault or Battery or Threat of, on a school employee Ed Code 48900 (a) (2) and 48915 (a)(51)(E) and 48900 (a2)</p>	
<p style="text-align: center;">VIOLATION CONSEQUENCE (Cont'd)</p>	
<p>Terroristic threats against school officials or school property Ed Code 48900.7 (a)-(7)</p> <p>A two (or more)-on-one fight Ed Code 48900 (a)(1) and (2) Incident Type: Assault or Battery</p> <p>HarassingHarassed, threateningthreatened, or intimidating-intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose<u>s</u> of either preventing that pupil from being a witness or retaliating against that pupil Ed Code 48900 (o)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent • Provide conflict resolution/anger management skills • Behavior Contract and track progress • Outside agency/resource referral <p>1st Offense: Parent/Guardian conference, 3-5 Days of Suspension, Possible Restorative Practices, Possible referral to law enforcement</p> <p>2nd Offense: 5 Day Suspension, Possible recommendation for expulsion, Contact law enforcement</p>
<p>Fighting, cCaused, attempted to cause, or threatened to cause physical injury (i.e. mutual combat) Ed Code 48900 (a)(1) (Mutual Combat)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Provide conflict resolution/anger management skills • Behavior Contract and track progress • Teaching problem solving - Negotiation and problem-solving approaches can be used to assist students in identifying alternative behavior choices • Outside agency referral <p>1st Offense: Parent/Guardian conference, Detention, 1-3 Day(s) of in/out of school Suspension</p> <p>2nd Offense: 3-5 Days of Suspension, Possible recommendation for expulsion, <i>Contact law enforcement if deemed necessary</i></p> <p>3rd Offense: 5 Day Suspension, Recommendation for expulsion, <i>Contact law enforcement if deemed necessary</i></p>
<p>Willfully used force or violence upon another person, except in self-defense (i.e. assault/attack) Ed Code 48900 (a)(2) (Assault / Attack)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Provide conflict resolution/anger management skills • Behavior Contract and track progress • Outside agency referral
<p>Aid<u>e</u>ding or abett<u>e</u>ding the infliction or attempted infliction of physical injury to a person Ed Code 48900 (t) (Aiding/ abetting physical injury)</p> <p>Note: Attorney has a question in the bubble to the right for the Board to review.</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Provide conflict resolution/anger management skills • Behavior Contract and track progress • Outside agency referral <p>1st Offense: Parent/Guardian conference, Detention, 1-5 Day(s) of in/out of school Suspension, Contact law enforcement if deemed necessary</p>

Commented [JAD2]: Does the District want to treat the possible interventions for "force or violence upon another" (Ed. Code 48900 (a)(2).) differently than "physical injury to another" (Ed. Code 48900 (a)(1).) mentioned above?

Exhibit 5144

VIOLATION	CONSEQUENCE (Cont'd)
<p>Possession Possessed of or sell sold of any knives (confusing statement – let's clarify together) Ed Code 48900 (b)</p> <p>Possession Possessed, used, -of or sell sold of imitation firearms, imitation explosives, tear gas/pepper spray/laser pointers or scopes, or other dangerous weapons or objects, or any item capable of causing death or great bodily harm Ed Code 48900 (m)—Possession of imitation firearm and 48900 (b)—other dangerous objects</p>	<p>2nd Offense: 5 Day Suspension, Possible recommendation for expulsion, Contact law enforcement</p> <p>3rd Offense: 5 Day Suspension, Recommendation for expulsion, Contact law enforcement</p> <p>Possible Interventions</p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Mentoring or modified version of Check in check out ● Behavior Contract including ● Outside agency referral <p>1st Offense: Parent/Guardian conference, Detention, Contact law enforcement, 1-5 Day(s) of Suspension in/out of school</p> <p>2nd Offense: Suspension 3-5 days, Contact law enforcement</p> <p>3rd Offense: Recommendation for expulsion, Contact law enforcement</p>
<p>Possession Possessed or lighting of explosive or other dangerous object (i.e. firecrackers) Ed Code 48900 (b)—Possession of weapon/other dangerous object</p> <p>Starting Started fires or setting off fire alarms Ed Code 48900 (a)(1) and (k) Incident Type: Causing or Attempting Injury to Another and/or Disrupted school activities/School Rules Violation</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Parent /Guardian contact ● Provide fire safety counseling <ul style="list-style-type: none"> ○ The properties of fire (what is fire, how rapidly it can spread and how is it controlled). ○ Education about fire safety hazards and the dangers of smoke inhalation. ○ Fire survival (dangers of smoke inhalation, the need for adult supervision, emergency procedures). ○ The costs of arson to the community and the legal consequences. ○ Restitution ● Behavior Contract ● Outside agency referral (MCBH) <p>1st Offense: Parent/Guardian conference, Detention, Restitution, 1-2 Day(s) of in/out of school Suspension, Report to fire and law enforcement if deemed necessary</p> <p>2nd Offense: 2-3 Days of Suspension, Report to fire department and law enforcement</p> <p>3rd Offense: 5 Day Suspension, Possible recommendation for expulsion, Report incident to fire department and law enforcement</p>

Exhibit 5144

VIOLATION	CONSEQUENCE (Cont'd)
<p>Possessed, used, or been under the influence of any controlled substance, alcohol, or intoxicant Ed Code 48900 (c)</p> <p>Offered, arranged, or negotiated to sell or sold a “look alike” substance representing represented as drugs or alcohol Ed Code 48900 (d)</p> <p>Possessed, ordered, arranged, or negotiated to sell or sold drug paraphernalia Ed Code 48900 (j)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Parent /Guardian contact <ul style="list-style-type: none"> ○ Parent involvement/enhanced supervision and monitoring where appropriate ● Outside agency referral (i.e.: Community Human Services) ● With assistance from Family Services Specialist, provide referral to Sun Street Centers ● Mentoring ● Behavior Intervention Plan ● Behavior Contract with reward system ● Group counseling with substance abuse prevention focus ● Peer tutoring options ● Staff and parents can enhance protective factors in the life of the student, which refers to positive influences within a young person's environment such as family, school, and community connection <p>1st Offense: Parent/Guardian conference, Contact law enforcement if necessary, 2-5 Days of Suspension, Possible referral to drug intervention program not at District expense, Possible recommendation for expulsion</p>

Exhibit 5144

	<p>2nd Offense: 5 Day Suspension, Contact law enforcement, Possible recommendation for expulsion (unless principal, in writing, recommends otherwise)</p> <p>3rd Offense: 5 Day Suspension, Recommendation for expulsion, Contact law enforcement,</p>
<p>Vandalism, graffiti, defacing school property or property of others including but not limited to books, computers, electronic files, databases and e-mail Caused or attempted to cause damage to school property or private property Ed Code 48900 (f) — Damage to school or private property</p> <p>Theft or attempting to, or knowingly stealing or receiving school or private property Stole or attempted to steal school property or private property Ed Code 48900 (g)</p> <p>Knowingly received stolen school property or private property Ed Code 48900 (l)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Parent /Guardian contact ● Campus beautification ● Counseling with focus on perspective taking and empathy ● Restitution ● Community Service ● Behavior contract with focus on respect agreement ● Mentoring ● Check in check out <p>1st Offense: Parent/Guardian conference, Detention, Possible removal from class, Restitution, Contact law enforcement if deemed necessary, 1-3 Day(s) of in/out of school Suspension</p>
VIOLATION	CONSEQUENCE (Cont'd)
<p>Ed Code 48900 (g) — Stealing school or private property Ed Code 48900 (l) — Receiving stolen property</p>	<p>2nd Offense: 3-5 Days of Suspension, Possible removal from class, Restitution, Contact law enforcement, Possible recommendation for expulsion, depending on severity of incident</p> <p>3rd Offense: 5 Day Suspension, Possible removal from class, Restitution, Contact law enforcement, Recommendation for expulsion, depending on severity of incident</p>
<p>Possessed and/or used tobacco or nicotine products and/or paraphernalia including lighters and matches Ed Code 48900 (h)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Provide learning opportunities with a focus on: <ul style="list-style-type: none"> ○ Comprehend the health risks ○ Analyze the influences of family, peers culture and media on usage patterns ○ Develop interpersonal skills to resist temptations and practice goal setting and decision making skills to protect against use ○ Develop goals related to reducing smoking or tobacco use (i.e., develop a quit plan)

Exhibit 5144

	<p>1st Offense: Warning and/or detention, Parent/Guardian conference, 1-3 Days of in-school Suspension</p> <p>2nd Offense: 1-3 Day(s) of Suspension, Contact law enforcement if warranted, recommend Possible participation in an intervention program not at District expense</p> <p>3rd Offense: 3-5 Days of Suspension, Contact law enforcement if warranted, recommend Possible participation in an intervention program not at District expense</p>
<p>Obscenity/Profanity/Vulgarity, inappropriate language/attire and/or ethnic/racial slurs -- offensive materials on personal/school items -- Gestures -- including gang signs Committed an obscene act or engaged in habitual profanity or vulgarity. Ed Code 48900 (i) — Obscene act, engaged in habitual profanity or vulgarity</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Acknowledge positive behavior ● Teach substitute words ● Counseling with focus on perspective taking, social skills/friendship and emotional management ● Behavior contract with focus on respect agreement ● Check in check out with specific goals related to appropriate language ● Reflection sheet <p>1st Offense: Warning and/or detention/parent/guardian conference or 1-3 Day(s) of in/out of school Suspension</p>
VIOLATION	CONSEQUENCE (Cont'd)
	<p>2nd Offense: 2 Days of In School Suspension, or 3-5 Days of Suspension</p> <p>3rd Offense: 1-2 day(s) of In-School Suspension/3-5 Day(s) of Suspension, Possible recommendation for expulsion</p>
<p>Bullying: Including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel Ed Code 48900 (r)</p> <p>This and the violation of hate violence below – let’s review with the lens of what took place in recent racist/bias events – do we want to increase the consequences for such behavior?</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Possible sanctions include having the student <ul style="list-style-type: none"> ○ apologize; ○ discuss the incident with the teacher, principal, and/or parents; ○ pay for damaged belongings; ○ spend time in the office or another classroom; ○ forfeit recess or other privileges. ● Weekly meetings to communicate to students clear and consistently enforced expectations and to engage them as resources in preventing bullying behavior.

Exhibit 5144

	<ul style="list-style-type: none"> ● Ongoing communication with parents. ● Appropriate and serious talks with bullies and victims. ● Appropriate and serious talks with the parents of bullies and victims. ● Role playing of non-aggressive behavior with bullies. ● Role playing of assertive behavior with victims ● Learning opportunities for... <ul style="list-style-type: none"> ○ Conflict resolution ○ Friendship/Relationship skills ○ Coping skills ○ Relaxation techniques <p>1st Offense: Parent/Guardian conference, Detention</p> <p>2nd Offense: 1-5 Day(s) of Suspension, Possible citation by police department</p> <p>3rd Offense: 3-5 Days of Suspension, Possible recommendation for expulsion (depending on severity), Possible citation by police department</p>
VIOLATION	CONSEQUENCE (Cont'd)
<p>Sexual harassment (Grades 4-12) Ed Code 48900-(2)</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> ● Group or individual counseling with a focus on: <ul style="list-style-type: none"> ○ Express one's sexuality in ways that are congruent with one's values ○ Discriminate between life-enhancing sexual behaviors and those that are harmful to self and/or others ○ Express one's sexuality while respecting the rights of others ○ Seek new information to enhance one's sexuality ○ Engage in sexual relationships that are consensual, non-exploitative, honest, pleasurable, and protected ○ Appropriate ways to communicate/refrain from communicating with others about sex and sexual conduct <p>1st Offense: Parent/Guardian conference, Possible 1-5 Day(s) of in/out of school Suspension, Possible</p>

Exhibit 5144

	<p>recommendation for expulsion (depends on severity), Possible citation by police department</p> <p>2nd Offense: 3-5 Day(s) of Suspension, Possible citation by police department,</p> <p>3rd Offense: 5 Day Suspension and Recommendation for expulsion, Possible citation by police department</p>
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VIOLATION	CONSEQUENCE (Cont'd)
<p>Hate violence (Grades 4-12): harassment, teasing, threats, intimidation, or bullying including but not limited to a physical or mental disability, gender, nationality, race, religion or sexual orientation Ed Code 48900-(3)</p> <p><u>In light of recent racist/bias events; can we discuss increasing consequences for this type of behavior?</u></p> <p><u>Also, in reading the 1st offense "1st Offense: Parent/Guardian conference, Detention, Possible suspension 1-5 Day(s) in/out of school, Possible expulsion recommendation (depends on severity), Possible referral to police department" is this clear or confusing for when there is an event like this? In other words, what part of this was followed with recent events and if it wasn't followed then how can we clarify wording so there is no question next time what will take place?</u></p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> Peer and student mentoring: Mentoring programs allow young people to build sustained, positive relationships with older peers and adults, and motivate them to emulate positive behavior. Such interactions help reduce risk behaviors in students, and create a safe and secure atmosphere in school so that students feel comfortable talking to adults if they need to. Peer mentoring can also help to increase understanding between diverse groups, strengthen the sense of community within a school, and build the self-esteem of those participating. Conflict resolution and peer mediation: Comprehensive conflict resolution programs train selected students to serve as neutral third parties who will mediate disputes among their peers. Teachers and administrators are also trained to intervene in student conflicts in ways that foster team-building, problem-solving, and leadership

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Exhibit 5144

	<p>skills. By teaching young people how to peacefully resolve their conflicts, and providing them with positive problem-solving strategies and role models, such programs foster a school climate of respect and caring.</p> <ul style="list-style-type: none"> • A strong commitment to reaching all students and staff with the message that violence, harassment, and intolerance are unacceptable in the school environment. Involving all students, staff, parents, and interested community members in learning about violence and how to prevent it. • Eliminating barriers to communication among groups of students Involving students in violence prevention initiatives as critical and valued partners. Collaborating closely and effectively with community, media, and policing agencies. <p>1st Offense: Parent/Guardian conference, Detention, Possible suspension 1-5 Day(s) in/out of school, Possible expulsion recommendation (depends on severity), Possible referral to police department</p> <p>2nd Offense: 3-5 Days of Suspension, Possible expulsion recommendation (depends on severity), Possible referral to police department, Participation in cultural sensitivity training and/or anger management</p>
VIOLATION	CONSEQUENCE (Cont'd)
	<p>3rd Offense: 5 Day Suspension and Recommendation for expulsion, Referral to police department, Participation in cultural sensitivity training and/or anger management</p>

Exhibit 5144

<p>Inappropriate use of computers</p>	<p><u>Possible Interventions</u></p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Review the appropriate use of technology policy with student ● Student and parent/guardian sign and agree to appropriate use of technology policy terms <p>1st Offense: Parent/Guardian conference, Lose 1 week of computer usage, Possible removal from class</p> <p>2nd Offense: Lose computer privileges for rest of quarter/semester OR limit computer use to supervised classroom related activities times only.</p> <p>3rd Offense: Lose computer privileges for rest of the year</p>
<p>Cheating in classroom including plagiarism and using electronic devices</p>	<p><u>Possible Interventions</u></p> <ul style="list-style-type: none"> ● Parent/Guardian conference and create plan of action ● Remove underlying factors that foster cheating in the first place. "Often cheating is an expression of other problems" ● Arrange learning opportunities about cheating which include: <ul style="list-style-type: none"> ○ Ask children to consider where the world would be today if everybody cheated. <p>1st Offense: Parent/Guardian conference, Earn a failing grade on test or assignment</p> <p>2nd Offense: Earn a failing grade on test or assignment, Possible "U" in citizenship, Possible removal from class, Detention</p> <p>3rd Offense: 1 Day of In-school Suspension, Saturday Academy, Earn a failing grade on test or assignment, Possible removal from class</p>
<p>VIOLATION</p>	<p>CONSEQUENCE (Cont'd)</p>
<p>Use of skateboards, roller skates or roller blades</p> <p>Possession Possessed or used of chains and non-approved hats/headgear on campus</p>	<p><u>Possible Interventions</u></p> <ul style="list-style-type: none"> ● Contact Parent/Guardian ● Behavior contract with student signature ● Review the appropriate use of technology policy with student

Exhibit 5144

<p><u>What are non-approved hats? Is this targeting certain students/cultures? Is this linked to dress code? If so, let's reference the dress code so that it's easily accessible.</u></p> <p>Violation of district policy for use of cameras, iPods/MP3/ players, cellular phones and other electronic devices Incident Type: School Rules Violation</p>	<ul style="list-style-type: none"> • Student and parent/guardian sign and agree to appropriate use of technology policy terms • Provide school-wide behavior expectations in classrooms and assemblies when appropriate including appropriate use of the above categories <p>1st Offense: Warning, Confiscation of item for the day, Possible parent conference, Possible detention</p> <p>2nd Offense: Confiscation of item (to be returned at parent conference), Detention</p> <p>3rd Offense: Item to be returned at end of school year, 1-2 Day(s) of Suspension, Saturday Academy</p>
<p>Excessive unexcused tardiness and excessive absences, trancies, or class cuts Incident Type: Attendance Problem</p>	<p>Follow Truancy Abatement Program Protocol</p>
<p>Violation of school rules</p>	<p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Behavior contract with student signature • Provide school-wide behavior expectations in classrooms and assemblies when appropriate including appropriate use of the above categories • Reflection sheet • Behavior plan with identified function of behavior and subsequent interventions identified • Acknowledge and reinforce appropriate classroom and school behavior conduct • Peer groups/interest based clubs • Learning opportunities for... <ul style="list-style-type: none"> ○ Conflict resolution ○ Friendship/Relationship skills ○ Coping skills ○ Relaxation techniques • Acknowledge and reinforce appropriate classroom and school behavior conduct <p>1st Offense: Warning, Possible detention, Parent/Guardian conference</p> <p>2nd Offense: 1-2 Day(s) of In-school Suspension</p> <p>3rd Offense: 1-2 Day(s) of In-School Suspension, Saturday Academy</p>
<p>VIOLATION</p> <p><u>Classroom/Campus Disruption, disobedience Disrupted school activities or otherwise fully defied the valid authority of school personnel</u> Ed Code 48900 (k)</p>	<p>CONSEQUENCE (Cont'd)</p> <p>Possible Interventions</p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Behavior contract with student signature • Check-in-Check-out • Breaks are better (scheduled breaks)

Exhibit 5144

<p><u>This is in conflict with AR #5144.1 that states that no student in K-5 may be suspended and no student may be expelled for engaging in disruptive behavior or willfully defiant conduct. This says that students can be suspended – which perhaps is ok since it’s in-school suspension, but we need to specify grade level.</u></p>	<ul style="list-style-type: none"> • Restorative Practices • Prompting/reminder of the behavior expectation • Chunk assignments into small parts if suspecting academic reasons for behavioral disruption • Establish clear routines and procedures and expectations in classroom(s) • Provide school-wide behavior expectations in classrooms and assemblies when appropriate including appropriate use of the above categories • Alternative Seating • Reflection sheet • Apology letter or “if you knew me letter” • Acknowledge and reinforce appropriate classroom and school behavior conduct <p>1st Offense: Teacher conference, Parent/Guardian conference, Possible detention</p> <p>2nd Offense: Detention or 1-2 Day(s) of In-school Suspension, Possible removal from class</p> <p>3rd Offense: 2 Days of In-school Suspension, Saturday Academy, Removal from class</p>
VIOLATION	CONSEQUENCE (Cont'd)
<p>Dress code violation</p> <p><u>Is our dress code policy equitable? In other words are we commensurately regulating students who identify as male?</u></p>	<p><u>Possible Interventions</u></p> <ul style="list-style-type: none"> • Contact Parent/Guardian • Behavior contract with student signature • Review the appropriate Dress Code Policy with student

Exhibit 5144

	<ul style="list-style-type: none">• Student and parent/guardian sign and agree to appropriate Dress Code Policy Terms• Provide school-wide behavior expectations in classrooms and assemblies when appropriate including appropriate Dress Code use• Acknowledge and reinforce appropriate dress code compliance <p>1st Offense: Warning, Parent/Guardian contact, Change or cover</p> <p>2nd Offense: Parent/Guardian contact, Change or cover, Possible detention, Possible 1 Day of In-School Suspension</p> <p>3rd Offense: Parent/Guardian contact, Change or cover, 1-2 Day(s) of In-school Suspension, Saturday Academy</p>
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Mandated Policy

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Superintendent shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

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

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or other school district, regardless of when it occurs, including, but not limited to, the following: (Education Code [48900\(s\)](#))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Suspended or expelled students shall be excluded from all school-related extra-curricular activities during the period of suspension or expulsion.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

Appropriate Use of Suspension and Expulsion

Except when a student commits an act that violates Education Code [48900\(a\)-\(e\)](#) or his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

Except when a student commits an act listed in Education Code [48915\(c\)](#), the Superintendent or designee shall have the discretion to determine whether to recommend to the Board that the student be expelled.

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, and consistent with the requirements of school safety and security,

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first use alternative disciplinary strategies specified in AR 5144 - Discipline. (Education Code [48900.5](#), [48900.6](#))

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

District staff shall not suspend any student in kindergarten through ~~third~~-[fifth](#) grade for disruption or willful defiance. This limitation shall not apply to the right of a classroom teacher to suspend a student from the teacher's own classroom pursuant to Education Code 48910. (Education Code 48900(k))

No student in grades kindergarten through 12 shall be expelled for disruption or willful defiance. (Education Code 48900(k))

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to classroom or school removal.

A student who reports to school authorities that another student has made a threat of violence involving a dangerous weapon may not be held liable for defamation unless the report was knowingly false. (Civil Code 48.8)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code [48911](#), [48915](#), [48915.5](#), [48918](#))

Supervised Suspension Classroom

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code [48900](#) and [48900.2](#), but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee may establish a supervised suspension classroom program which meets the requirements of law. (Education Code 48911.1)

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code [48900.5](#))

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Decision Not to Enforce Expulsion Order

Upon voting to expel a student, the Board may suspend enforcement of the expulsion order pursuant to the requirements of law and administrative regulation. (Education Code [48917](#))

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code [48900.8](#) and [48916.1](#), including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

Legal Reference:

EDUCATION CODE

[212.5](#) Sexual harassment[233](#) Hate violence[1981](#) Enrollment of students in community school

8239.1 Probation against expulsion of preschool student

[17292.5](#) Program for expelled students[32261](#) Interagency School Safety Demonstration Act of 1985[35145](#) Open board meetings[35146](#) Closed sessions (regarding suspensions)[35291](#) Rules (for government and discipline of schools)[35291.5](#) Rules and procedures on school discipline[48645.5](#) Readmission; contact with juvenile justice system[48660-48666](#) Community day schools[48853.5](#) Foster youth[48900-48927](#) Suspension and expulsion[48950](#) Speech and other communication

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Adopted: July 16, 1998

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[48980](#) Parental notifications[49073-49079](#) Privacy of student records

52052 Numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

64000-64001 Consolidated application

CIVIL CODE

[47](#) Privileged communication[48.8](#) Defamation liability

CODE OF CIVIL PROCEDURE

[1985-1997](#) Subpoenas; means of production

GOVERNMENT CODE

[11455.20](#) Contempt[54950-54963](#) Ralph M. Brown Act

HEALTH AND SAFETY CODE

[11014.5](#) Drug paraphernalia[11053-11058](#) Standards and schedules

LABOR CODE

[230.7](#) Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

[31](#) Principal of a crime, defined[240](#) Assault defined[241.2](#) Assault fines[242](#) Battery defined[243.2](#) Battery on school property[243.4](#) Sexual battery[245](#) Assault with deadly weapon[245.6](#) Hazing[261](#) Rape defined[266c](#) Unlawful sexual intercourse[286](#) Sodomy defined[288](#) Lewd or lascivious acts with child under age 14[288a](#) Oral copulation[289](#) Penetration of genital or anal openings[417.27](#) Laser pointers[422.55](#) Hate crime defined[422.6](#) Interference with exercise of civil rights[422.7](#) Aggravating factors for punishment[422.75](#) Enhanced penalties for hate crimes[626.2](#) Entry upon campus after written notice of suspension or dismissal without permission[626.9](#) Gun-Free School Zone Act of 1995[626.10](#) Dirks, daggers, knives, razors, or stun guns[868.5](#) Supporting person; attendance during testimony of witness

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WELFARE AND INSTITUTIONS CODE

[729.6](#) Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

[1415](#)(K) Placement in alternative educational setting[7961](#) Gun-free schools

COURT DECISIONS

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

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

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

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

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

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

ATTORNEY GENERAL OPINIONS

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

80 Ops.Cal.Atty.Gen. 347 (1997)

80 Ops.Cal.Atty.Gen. 348 (1997)

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

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

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>California Attorney General's Office: <http://www.oag.ca.gov>California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/about/offices/list/osdfs>

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Definitions

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

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

The word in-school suspension is used in the discipline matrix, can we add that definition to this document for clarity?

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code [48925](#))

Day means a calendar day unless otherwise specifically provided. (Education Code [48925](#))

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

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

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

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

Notice of Regulations

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

(cf. [5144](#) - Discipline)

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(cf. [5145.6](#) - Parental Notifications)**Grounds for Suspension and Expulsion**

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he or she:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code [48900\(a\)](#) and (t))

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

(cf. [5131](#) - Conduct)(cf. [5131.7](#) - Weapons and Dangerous Instruments)

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

(cf. [5131.6](#) - Alcohol and Other Drugs)

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

5. Committed or attempted to commit robbery or extortion (Education Code [48900\(e\)](#))

6. Caused or attempted to cause damage to school property or private property (Education Code [48900\(f\)](#))

7. Stole or attempted to steal school property or private property (Education Code [48900\(g\)](#))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code [48900\(h\)](#))

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(cf. [5131.62](#) - Tobacco)9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code [48900\(i\)](#))10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code [11014.5](#) (Education Code [48900\(j\)](#))11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties (Education Code [48900\(k\)](#))

Effective ~~January 1, 2015~~ [July 1, 2020](#), no student in kindergarten through grade ~~three-five~~ may be suspended, and no student may be expelled for engaging in disruptive or willfully defiant conduct. This prohibition shall not apply to the right of a classroom teacher to suspend a student from the teacher's own classroom pursuant to Education Code 48910 and shall not prohibit expulsions for conduct that is subject to expulsion on other grounds.

(cf. [5131.4](#) - Student Disturbances)12. Knowingly received stolen school property or private property (Education Code [48900\(l\)](#))13. Possessed an imitation firearm; i.e. a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (Education Code [48900\(m\)](#))14. Committed or attempted to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committed a sexual battery as defined in Penal Code [243.4](#) (Education Code [48900\(n\)](#))15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code [48900\(o\)](#))16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code [48900\(p\)](#))17. Engaged in, or attempted to engage in, hazing as defined in Education Code 48900(q). (Education Code [48900\(q\)](#))18. Engaged in an act of bullying as defined in Education Code 48900(r) (Education Code [48900\(r\)](#))(cf. [1114](#) - District-Sponsored Social Media)(cf. [5131.2](#) - Bullying)

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(cf. [6164.4](#) - Identification and Evaluation of Individuals for Special Education)(cf. [6164.6](#) - Identification and Education under Section 504)

20. Made written or oral terroristic threats against school officials and/or school property (Education Code [48900.7](#))

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

21. Committed sexual harassment as defined in Education Code [212.5](#) (Education Code [48900.2](#))

(cf. [5145.7](#) - Sexual Harassment)

22. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code [233](#) (Education Code [48900.3](#))

(cf. [5145.9](#) - Hate-Motivated Behavior)

23. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code [48900.4](#))

(cf. [5145.3](#) - Nondiscrimination/Harassment)

Should this all of the violations brought up in the discipline matrix? For example, I see cheating and plagiarism on the discipline matrix, but not listed here.

Removal from Class by a Teacher

A teacher may remove a student from his/her class for the remainder of the day and the following day only for acts specified in Education Code [48900](#) and listed under "**Grounds for Suspension and Expulsion**" above. (Education Code [48910](#))

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code [48910](#))

As soon as possible after the teacher decides to remove the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code [48910](#))

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A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal or designee. (Education Code [48910](#))

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

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

Suspension by Superintendent, Principal, or Designee

The Superintendent, principal, or designee may suspend a student for any of the acts listed in "**Grounds for Suspension and Expulsion**" above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code [48900.5](#))

However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated any of items #1-5 listed under "**Grounds for Suspension and Expulsion**" above or if the student's presence causes a danger to persons. (Education Code [48900.5](#))

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code [48900.5](#))

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code [48915\(c\)](#))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code [48915\(g\)](#), at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code [11053-11058](#)
4. Committing or attempting to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)
5. Possessing an explosive as defined in 18 USC [921](#)

(cf. [5125](#) - Student Records)

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A decision by the Superintendent, Principal or designee to suspend a student shall be final.

Length of Suspension

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

A student may be suspended from school for not more than 20 school days in any school year. However, when a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code [48903](#), [48911](#), [48912](#))

(cf. [6184](#) - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code [48911](#))

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. The principal or designee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code [48911](#))

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3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code [48911](#)) This notice shall state the specific offense committed by the student. (Education Code [48900.8](#))

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

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code [48914](#))

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code [48911](#))

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

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

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code [48853.5](#), [48911](#), [48918.1](#))

(cf. [6173.1](#) - Education for Foster Youth)

In addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

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Suspension by the Board

The Board may suspend a student for any of the acts listed under "**Grounds for Suspension and Expulsion**" above and within the limits specified under "**Suspension by Superintendent, Principal, or Designee**" above. (Education Code [48912](#))

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed under "**Grounds for Suspension and Expulsion**" occurred. The suspension shall meet the requirements of Education Code [48915](#). (Education Code [48912.5](#))

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

(cf. [9321](#) - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code [35146](#), [48912](#))

Supervised Suspension Classroom

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

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

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

Authority to Expel

A student may be expelled only by the Board. (Education Code [48918\(j\)](#))

The Board shall order expelled, as required by law, any student found to have committed any offense listed below under "**Mandatory Recommendation and Mandatory Expulsion**" (Education Code [48915](#))

For all other grounds listed above under "**Grounds for Suspension and Expulsion**", the Board shall order a student expelled, upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code [48915](#)(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the Superintendent, principal, or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code [48915\(a\)](#))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code [48915\(g\)](#) or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code [11053-11058](#), except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code [240](#) and [242](#), upon any school employee

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In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code [48915](#))

Mandatory Recommendation and Mandatory Expulsion

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

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

However, possession of an imitation firearm, as defined in Education Code [48900\(m\)](#), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.

2. Brandishing a knife, as defined in Education Code [48915\(g\)](#), at another person

3. Unlawfully selling a controlled substance listed in Health and Safety Code [11053-11058](#)

4. Committing or attempting to commit a sexual assault as defined in Penal Code [261](#), [266c](#), [286](#), [288](#), [288a](#), or 289, or committing a sexual battery as defined in Penal Code [243.4](#)

5. Possessing an explosive as defined in 18 USC [921](#)

Upon finding that the student committed any of the above acts, the Board shall order the student expelled. (Education Code [48915](#))

Students Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed one of the acts listed above under "**Grounds for Suspension and Expulsion.**" (Education Code [48918\(a\)](#))

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

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

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

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

Stipulated Expulsion

After a determination that a student has committed an offense listed above under "**Grounds for Suspension and Expulsion**" for which expulsion is permitted or mandatory, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code [48918](#).

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion shall be effective upon approval by the Board. If a proposed stipulated expulsion is rejected by the Board, the case shall proceed with a hearing as set forth below.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code [48918.5](#))

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code [48918.5](#))

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code [48918.5](#))

Written Notice of the Expulsion Hearing

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code [48915.1](#), to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code [48915\(a\)](#) or (c).

(cf. [5119](#) - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney advisor.

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

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

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

Additional Notice of Expulsion Hearing for Foster Youth

At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code [48853.5](#) should be expelled for an offense not requiring a mandatory

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recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. The notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code [48918.1](#))

Conduct of Expulsion Hearing

1. **Closed Session:** Notwithstanding the provisions of Government Code [54953](#) and Education Code [35145](#), the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student's privacy rights would be violated. (Education Code [48918\(c\)](#))

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

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code [48918\(c\)](#))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code [48918\(g\)](#))
3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure [1985-1985.2](#) and enforced in accordance with Government Code [11455.20](#). (Education Code [48918\(i\)](#))

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

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

4. **Presentation of Evidence:** Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code [48900](#) and listed in "**Grounds for Suspension and Expulsion**" above. (Education Code [48918\(h\)](#))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code [48918\(f\)](#))

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code [48918](#), [48918.5](#))
- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code [868.5](#).
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

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g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours

(c) Permit one of the support persons to accompany the complaining witness to the witness stand

6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code [48918\(a\)](#))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code [48918\(d\)](#))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "**Conduct of Expulsion Hearing.**" The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. The decision to not recommend expulsion shall be final. (Education Code [48918\(e\)](#))

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

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion order for a period of one year. (Education Code [48917](#), [48918](#))

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board at a public meeting. (Education Code [48918\(j\)](#))

(cf. [9321.1](#) - Closed Session Actions and Reports)

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

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "**Mandatory Recommendation and Mandatory Expulsion**" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code [48916](#))

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "**Grounds for Suspension and Expulsion**" (Education Code [48900.8](#))
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code [48916](#))
3. Notice of the right to appeal the expulsion to the County Board (Education Code [48918](#))
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code [48918](#))
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code [48915.1](#) (Education Code [48918](#))

Decision Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code [48917](#))
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code [48917](#))
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "**Grounds for Suspension and Expulsion**" above or violates any of the district's rules and regulations governing student conduct. (Education Code [48917](#))

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Mandated Regulation

4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code [48917](#))
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code [48917](#))
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code [48915.1](#)(b). (Education Code [48918](#)(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code [48917](#))

Right to Appeal

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

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code [48919](#))

Notification to Law Enforcement Authorities

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code [48915](#)(c)(1) or (5) or Penal Code [626.9](#) and [626.10](#). (Education Code [48902](#))

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of

Pacific Grove Unified School District

Students

Regulation #5144.1

SUSPENSION AND EXPULSION/DUE PROCESS

Mandated Regulation

any student acts which may violate Education Code [48900](#)(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code [48902](#))

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code [48915](#), [48915.01](#))

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

(cf. [6158](#) - Independent Study)

(cf. [6185](#) - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #21-23 under "**Grounds for Suspension and Expulsion**" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code [48915](#))

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

Readmission After Expulsion

Readmission procedures shall be as follows:

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

Pacific Grove Unified School District

Students

Regulation #5144.1

SUSPENSION AND EXPULSION/DUE PROCESS

Mandated Regulation

4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code [48916](#))
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code [48916](#))
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code [48916](#))

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code [48645.5](#))

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code [48900.8](#))

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code [48918\(k\)](#))

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

(cf. [5119](#) - Students Expelled from Other Districts)

(7/12 11/12) 4/14

Suspension/Expulsion of Special Education Students

~~1~~—A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as set forth in Administrative

Pacific Grove Unified School District

Students

Regulation #5144.1

SUSPENSION AND EXPULSION/DUE PROCESS

Mandated Regulation

Regulation 5144.2. [The procedures for such suspensions/expulsions are also contained in Administrative Regulation 5144.2.](#)

- ~~2. In accordance with the procedures set out in Administrative Regulation 5144.2, the Superintendent or designee may suspend a student with a disability for up to 10 consecutive days for a single incident of misconduct, and for up to 20 days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530.)~~
- ~~3. If a student's removal from his/her current educational placement for disciplinary reasons is determined to be a change of placement pursuant to 34 CFR 300.536, or the student is suspended for more than 10 days in the same school year, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in his/her IEP, and to address the student's behavior violation so that it does not recur.~~
- ~~4. All applicable procedural safeguards prescribed by federal and state law and this Regulation apply to proceedings to expel special education students except that parental consent is not required as a condition for expulsion proceedings or the decision to expel.~~
- ~~5. The Board may order a special education student expelled only if each of the conditions for such an expulsion as set out in Administrative Regulation 5144.2 are met, including, but not limited to the following:~~
 - ~~a. On the date the decision to take disciplinary action is made, the student's parent/guardian is notified of the decision and provided with a procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530.)~~
 - ~~b. A manifestation determination review is conducted and the manifestation determination review team determines that the student's conduct was not a manifestation of his/her disability.~~
- ~~6. Following expulsion of a special education student, the student's IEP team shall determine the services necessary to enable him/her to participate in the general education curriculum in another setting and allow him/her to progress toward meeting the goals set out in his/her IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530.)~~

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Commented [JAD1]: For consistency, it may want to refer to AR 5144.2 for suspension/expulsion/due process for SPED students. It is an intricate process that is better summarized in the AR 5144.2. If there are any changes to the law, the District does not need to update in both policies/regulations.

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| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Substitute Teacher Pay Rate

DATE: September 16, 2021

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

RECOMMENDATION:

The District Administration recommends the Board review and approve the recommended increase in substitute teacher pay or provide alternate direction.

BACKGROUND:

We value and depend on substitute teachers to support teaching and learning when the regular classroom teacher is absent. There is a statewide shortage of substitute teachers and this year we are feeling the effects of that shortage. In a typical year in the Pacific Grove Unified School District, we have approximately 100 active substitute teachers at any given time. During the pandemic we lost 17 substitute teachers. This year over any other year we are having a difficult time filling vacant positions. In the month of August we had 314 absences and filled 252 absences (80% fill rate). When these situations arise, we utilize staff and district administration, this causes stress and should never be the norm.

INFORMATION:

We consistently advertise for substitute teachers and we know that people like to work in our district. After analyzing our pay rates in comparison to other county districts, I believe raising the daily rate to a rate that is third in our county for our substitute teachers will assist in our ability to fill positions.

Administration recommends the following:

Category	Current Rates	2021-22	Daily Increase
30 Day Emergency Permit Holder			
1-15 days	137.00	187.00	50.00
16+ days (non retroactive)	155.00	197.00	42.00
Fully Credentialed			
1-15 days	150.00	215.00	65.00
16+ days (non retroactive)	167.00	225.00	58.00

FISCAL IMPACT:

In the 2019-2020 school year we were on track to spending approximately \$399,000 hiring approximately 2,660 daily substitute teachers.

Projected Fiscal impact low: \$111,720

Projected Fiscal impact high: \$172,900

County District Sub Rates	Rank	30 Day or 1-5 Days	Full Credential	LT	Note
King City	1	\$205.00	\$215.00	\$245.00	LT start day 20
Gonzalez	2	\$200.00			
Soledad	2	\$200.00		\$225.00	LT start day 21
Greenfield	2	\$200.00		\$240.00	LT start day 20
Proposed PGUSD	3	\$187.00	\$215.00	\$225.00	LT start day 16 \$197 and \$225
MPUSD	3	\$180.00	\$225.00	\$250.00	LT start day 11
MCOE	3	\$180.00		\$280.00	\$210 (6-20 days) LT start day 21
So.Mo.Co Joint	3	\$180.00	\$210.00	\$250.00	LT start day 20
Lagunita	4	\$175.00			
San Antonio	4	\$175.00		\$225.00	LT start day 20
Salinas Union HS	5	\$168.36		\$259.32	\$179.58 (10-24 days) LT start day 25
Big Sur US	6	\$160.00			
Salinas City	7	\$152.00		\$248.00	\$163 (6-25 days) LT start day 26
Alisal	8	\$151.00		\$245.00	\$158.00 (6-25 days) LT start day 26
No. Mo. County	9	\$150.00	\$175.00	\$285.00	LT start day 31; \$250.00 Full TC preferred list
Bradley	9	\$150.00		\$200.00	LT start day 20
San Lucas	9	\$150.00		\$200.00	LT start day 20
Carmel	10	\$145.00		\$347.34	\$175.00 (6-45 days) LT start day 45
Santa Rita	10	\$145.00		\$226.00	LT start day 21
Bay View Academy	11	\$140.00		\$200.00	LT start day 15
Chualar	11	\$140.00		\$150.00	LT start day 21
ISM	11	\$140.00		\$200.00	LT start day 30
Monterey Bay Charter	11	\$140.00			
Oasis Charter	11	\$140.00			
San Ardo	11	\$140.00		\$160.00	LT start day 21
PGUSD	12	\$137.00	\$150.00	\$155.00	LT start day 16 (\$155.00 30day; \$167.00 Full TC)
Spreckels	13	\$135.00		\$150.00	LT start day 30
Washington Union	13	\$135.00		\$225.00	\$155 (11-25 days) LT start day 26
Mission Union	14	\$125.00			
Big Sur Charter	15	\$120.00			

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| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability, and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: New Maintenance Vehicle - Purchase Order to Downtown Ford for one Transit T-150 Van

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Matt Kelly, Director of Facilities and Transportation

RECOMMENDATION:

The District Administration recommends the Board review and approve the purchase of one Transit T-150 Cargo Van for Maintenance.

BACKGROUND:

On August 18, 2021 the board of trustees approved the purchase of three F250's and one Transit Connect Van to replace existing maintenance vehicles. The maintenance vehicles being replaced are two 2001 Dodge Vans, a 2003 Dodge Van, and a 1994 Chevrolet S-10 Truck. During Board comments of the item Trustee Carolyn Swanson brought forth a discrepancy with the Transit Connect Van between the quote and pictured vehicle. Upon contacting the vendor, staff determined that in fact the wrong vehicle was quoted and approved. Instead of a quote for a Transit Connect Van a quote for a Transit T-150 van should have been brought for approval.

INFORMATION:

The attached quote is for the purchase of a Ford Transit T-150 van. The Ford Transit Connect approved at the August 18 meeting will not be purchased as part of this approval.

Replacement of maintenance vehicles were determined to be a priority at the onset of Measure D. The vehicles being replaced are at the end of their lifespan. Major repairs are needed on all the vehicles that include transmissions, engine replacement, and major body work.

The van was chosen for its ability to transport items that need to be covered. It will be used by one of the District's Utility Workers to haul food to sites, deliver goods to and from sites, and store tools for small repair projects.

Prices were determined using the State of California Contract 1-18-23-20A and 1-18-23-23A that is competitively bid annually.

The Vehicle will not be delivered until approximately February 2022 at which time the District will determine the best solution for the existing vehicles.

FISCAL IMPACT:

Measure D - Total Cost \$32,819.58 (Cost of Transit T-150)

Breakdown

Budget for Vehicles and Trailers - \$200,000.00

Amount Approved August 18, 2021 - \$147,900.63

<Less> Ford Transit Connect Approved August 18, 2021 - \$28,704.23

(Revised) Measure D Total Cost for Vehicles and Trailers - \$152,015.98

Sample of Transit T-150



THIS IS YOUR QUOTE

DOWNTOWN FORD SALES
 525 N16th Street, Sacramento, CA. 95811
 916-442-6931 fax 916-491-3138

QUOTE# PGUSD-R2Y-1L

QUOTATION

Customer

Name PACIFIC GROVE USD
 Address _____
 City PACIFIC GROVE CA 93950
 Phone MATT KELLY

Date	<u>9/8/2021</u>
REP	<u>WIL</u>
Phone	<u>916.442.6931</u>
FOB	<u>SACRAMENTO</u>

Qty	Description	Unit Price	TOTAL
1	NEW FORD TRANSIT T150 LOW ROOF CARGO VAN STATE OF CALIFORNIA CONTRACT 1-18-23-23A CLIN 23 FACTORY ORDER SALES TAX 8.75%	\$24,506.00	\$24,506.00
OPTIONS	WHITE IN COLOR		
1	TRANSIT LOW ROOF 148" WB T250 R2Y	\$1,988.00	\$1,988.00
1	3% INCREASE 2022 MODEL YEAR	\$735.18	\$735.18
1			\$0.00
1	DAYTIME RUNNING LIGHTS 942	\$45.00	\$45.00
1	HEAVY DUTY TRAILER TOW PACKAGE 53B	\$491.00	\$491.00
1	SAFETY PARTITION WALL ULTRA	\$1,125.00	\$1,125.00
1	EXTRA KEY 86F	\$299.00	\$299.00
1	REVERSE SENSING SYSTEM 76R	\$299.00	\$299.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1			\$0.00
1	DOC FEE	\$85.00	\$85.00

SEND PURCHASE ORDERS TO

wilhelm@dtfords.com

Payment Details

- Cash
- Check
- Credit Card

Name _____
 CC # _____
 Expires _____

Subtotal	\$29,573.18
Delivery	\$650.00
SALES TAX	\$2,587.65
CA Tire Tax	\$8.75
TOTAL	\$32,819.58

Office Use Only

SIGN _____ DATE _____

\$500 DISCOUNT IF PAID WITHIN 20 DAYS OF DELIVERY

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| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Contract for Services to Maverick Networks for District Wide 8x8 Phone System

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Matt Kelly, Director of Facilities and Transportation

RECOMMENDATION:

The District Administration recommends the Board review and approve the contract for services to Maverick Networks for the installation of a District Wide Cloud Based Phone System

BACKGROUND:

The existing systems in the district are considered Plain Old Telephone Service (POTS) lines. It is a system over copper wires. Each site is a stand-alone phone system and there are three different systems across the District. Some have been upgraded to new stand-alone systems that can be converted to one District wide Voice Over Internet Protocol (VoIP) or PBX (Private Branch Exchanged) system. To move the rest of the district to one VoIP phone system would cost approximately \$175,000.00 plus the monthly CalNet (AT&T) charges of approximately \$5,365.00.

INFORMATION:

A cloud-based phone system removes all the hardware internally and externally (less the handsets) from each site and is hosted and maintained on the provider's (8x8) data center and is delivered through an internet connection. This means the District will drastically reduce the amount of time a phone system goes down. Local power outages, water in the providers overhead lines, and site-based server downtime times are eliminated. The cloud-based system is hosted on redundant, geographically dispersed data centers. During an unforeseen disaster the District will have access to its phone system and field incoming calls from parents and the community.

Staff contacted a south bay school district that recently had Maverick Networks install the 8x8 phone system. Their Director of Operations very happy with the system. The District recently had a power outage and never lost phone contact with parents and staff.

Some features of this system include unlimited calling, multilevel auto attendant, video meetings, team chats, and easy expansion.

The cloud-based phone system will eliminate the District's monthly phone bill from CalNet (AT&T) which costs approximately \$5,365.00/month. This will be replaced with a monthly communications bill of \$4,642.27 that includes the equipment. This is approximately a \$740/month savings without the investment of new hardware. The proposal includes a one-time \$16,701.52 project management fee for handset installation, training, and taxes. This is a monetary and time savings to Measure D of approximately \$155,054.00 for the hardware and installation of a traditional VoIP or PBX system.

Staff did look at AMS's Cloud Based phone system from Cisco. The installation bid came in three times higher with a slightly lower monthly cost.

FISCAL IMPACT:

Measure D - \$16,701.52

Measure D Budget - \$175,000.00

Note – The District will need to purchase a few more Cisco Switches to accommodate the project at approximately \$5,000/ea. A quantity and price will be brought back to the board for approval.



8x8

**Proposal for:
Pacific Grove Unified School District
September 8, 2021**

Presented by: Aaron J Lee

8x8 X Series Solution

The IT industry is going through a massive shift, driven by new customer requirements and digital transformation needs which require IT organizations to change. Business leaders are increasingly looking to IT for participation and contribution to business strategy in addition to enabling digital transformation. It's not enough to just pick a technology solution – you need to choose a solution that will allow you to be successful from product selection to implementation, adoption, ongoing support, and future growth. 8x8's proven methodology and innovative roadmap for the future delivers exactly this.

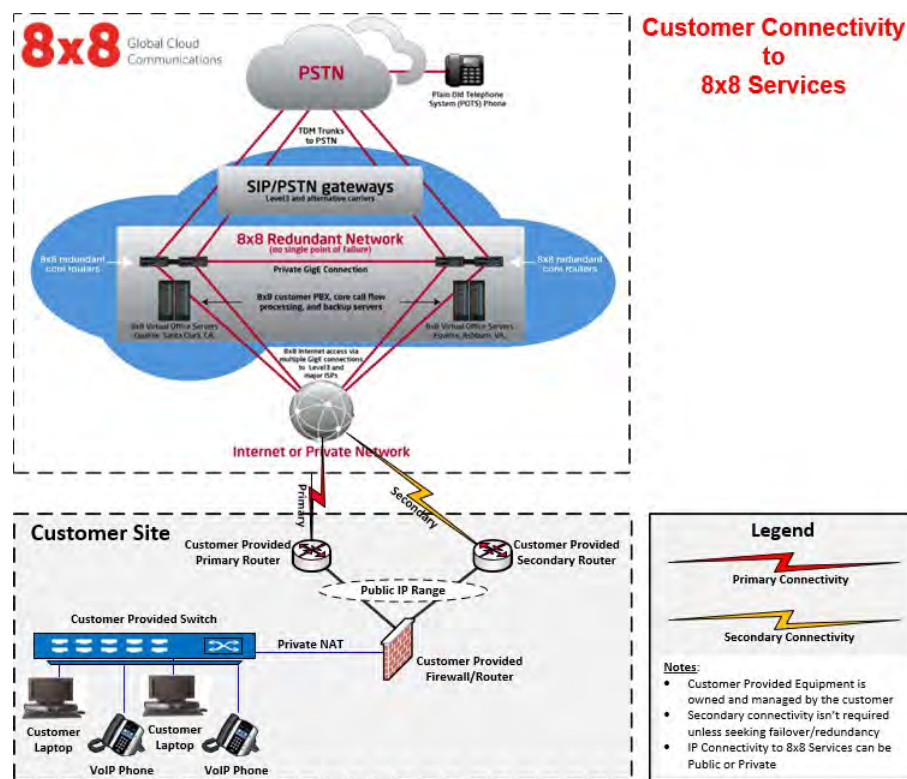


8x8 Work is the communications hub for employees and residents. It has been designed based on extensive experience working with organizations and combines voice, video conferencing, team messaging, contact center, analytics, services, and support into a comprehensive communications solution.

Reliable and Redundant Architecture

The 8x8 offering is delivered from fully mirrored, top-tier, redundant, geographically diverse, state-of-the-art data centers. Within the 8x8 data center, our architecture is designed for high availability and provides virtually no downtime. Our architecture uses redundant servers, databases, and storage resources. Each data center is serviced by multiple tier one ISP's. In addition, each data center has multiple top-tier PSTN carriers. 8x8's distributed, **Global Reach Architecture** is based on a cluster implementation (from the hardware to the application layer), with core network redundancy for each element. This includes dual power supplies and UPS devices, and data replication across data centers. As a **cloud service** 8x8 is not architected with a main / secondary processor architecture. The system has been designed as a series of horizontally scalable, globally distributed components that allow for individual resources within pools to be taken into and out of service seamlessly.

The following diagram depicts this architecture:



8x8 service leverages **Global Traffic Management** to direct phones / calls and requests to the most local data center and the most available resources within that facility. The service is designed to allow phones to re-register via alternate routes seamlessly and the resources and data centers that calls are processed via are re-calculated on a call-by-call basis – without requiring phones to reboot.

8x8's global **follow-the-sun** support infrastructure includes 17 customer support / NOC / data centers worldwide. Voice and PBX services run Active / Active, supporting automatic failover should an entire facility go down. 8x8 endpoints can also detect outages on the LAN/WAN and enact the configured Disaster Recovery settings.

In addition, 8x8's SLA **guarantees a minimum of 99.99% uptime** of all core systems. In fact, our customers have enjoyed **uptime of 99.9996%** for global core systems for the last year. Our proprietary platform is designed from the ground up to assure the highest possible uptime to customers. There are multiple redundancies within each data center at a PBX and cluster level, as well as an Internet and PSTN connectivity level.

8x8 X Series Feature-rich License Flexibility and Scalability

The 8x8 X Series is built on the premise that successful organizations must accelerate efficiency and caller satisfaction by:

- Lowering costs while improving service
- Delivering a personalized and targeted caller experience
- Automating processes and identifying actionable business insights using advanced analytics
- Enabling new operational models
- Facilitating flexible work locations while maintaining business continuity and security

8x8 X Series license models include everything you need to efficiently communicate and collaborate with employees, residents, vendors, and leaders. Business voice, auto attendant, video, SMS, chat, web conferencing, and contact center features are all included and packaged in the following available X Series plans:

Lobby / Break Room Plan

This plan is designed for lobbies and break rooms, where calls are internal to colleagues' extensions.

X1 Conference Room Plan

The X1 plan is designed for conference rooms, small remote offices, and manufacturing / warehousing environments. It includes basic phone calling features, such as unlimited calling to the U.S. and Canada, call recording, and power keys (busy lamp field).

It also includes team messaging for real-time collaboration as well as interoperability with third-party messaging solutions. Users can communicate through the desktop app, mobile app, or a desk phone.

X2 Knowledge Worker Plan

The X2 plan is well-suited for most employees. In addition to the X1 capabilities, it includes the ability to host video and audio conferences for up to 100 participants, with HD quality, instant screen sharing, and more. X2 integrates with your business applications such as **Office 365**, G Suite, Salesforce, Zendesk, and NetSuite. It also includes business SMS and Internet fax, plus advanced voice features such as call queues, and it comes with additional recording storage.

X3 Global Caller Plan

The X3 plan builds upon the X2 features with the addition of **Switchboard Pro** to enable attendant console functionality. It offers unlimited calling to 32 countries and provides additional recording storage. Switchboard Pro's sophisticated call processing capabilities and insights allow you to more efficiently handle both internal and external caller's needs in getting to the right resources quickly. The browser-based software works in tandem with a Poly IP phone. Switchboard Pro is easy to use, requires minimal training, uses simple point-and-click to manage calls, and provides easy search and sorting to quickly find a user and click-to-dial.

X4 Supervisor / Administrator Plan

The X4 plan is designed for supervisors and administrators. Supervisors can use more advanced analytics and wallboards to improve employee productivity. The Barge-Monitor-Whisper feature allows supervisors to interrupt calls, monitor calls silently, or speak only to the agent without the end caller hearing. Administrators can optimize service quality through dashboards and improve operations and call handling. The X4 plan is also designed for users who call several international countries and want their calling bundled in for free. Additional recording storage is also included.

X6 Voice-Focused Contact Center with Advanced Reporting Plan

The X6 plan is made for the voice-focused contact center. It combines the same collaboration and telephony capabilities of X4 along with contact center-centric functionality for voice-based interactions and integration with common customer relationship management (CRM) applications. It provides agents with the tools necessary to effectively manage customer interactions. X6 provides real-time and historical contact center reports. View graphical customer journey analytics as well as customizable wallboards and dashboards.

X8 Omnichannel Contact Center with Advanced Analytics and Preview Dialer

The X8 plan is the best plan if you're looking for customer experience transformation through an omnichannel contact center with advanced analytics and a preview dialer. In addition to the latest contact center functionality, unique capabilities such as co-browse, Quality Management, and Speech Analytics are included. Quality Management is a tool built around collaboration and coaching with @mention ability for agent improvement. Speech Analytics allows you to listen to the voice of all your residents through automated speech-to-text transcription and sentiment analysis, with the ability to search for keywords and phrases and drill down to the details for 100% of calls. The 8x8 X Series is the only integrated communications platform providing companies with:

- Guaranteed call quality and reliability
- One system of engagement (one cloud instead of many)
- Unique insights from one system of intelligence
- Proven security and compliance
- Follow-the-sun global support from a single vendor

8x8's proposed X Series solution transforms the caller experience by enabling residents and employees to interact in one system of engagement. Organizations can now optimize valuable moments of engagement with one set of data in one system of intelligence. The results are faster time to resolution at a lower cost and a better experience for customers and employees, leading to less churn and more revenue.

Voice and Telephony

Legacy phone systems provide inconsistent experiences, are difficult to update, and often lack timely and accurate analytics or reporting. Moving telephony to an integrated **8x8 Work** cloud communications system can offer a public agency significant benefits, including:

- Reduced costs on upfront capital investment and initial hardware purchases
- Ensure software is always at the most current release available to the market
- Eliminate annual maintenance and support contracts
- Reduced high costs of maintaining multiple telephony carriers across several locations

8x8 X Series makes sure that adding new communications and scaling up and down is an easy and single process, as you will no longer have to consider the impact on your existing infrastructure. By implementing a cloud solution for telephony, team messaging, video conferencing, and contact center, IT can add, move, or delete users with agility and speed, using a single administration console.

Softphone / Mobile Application

8x8 Work for Desktop is 8x8's comprehensive *unified communications application* that integrates a business softphone with visual voicemail, corporate directory, instant messaging, presence, video calling, fax, call recording, web conferencing, and social media.

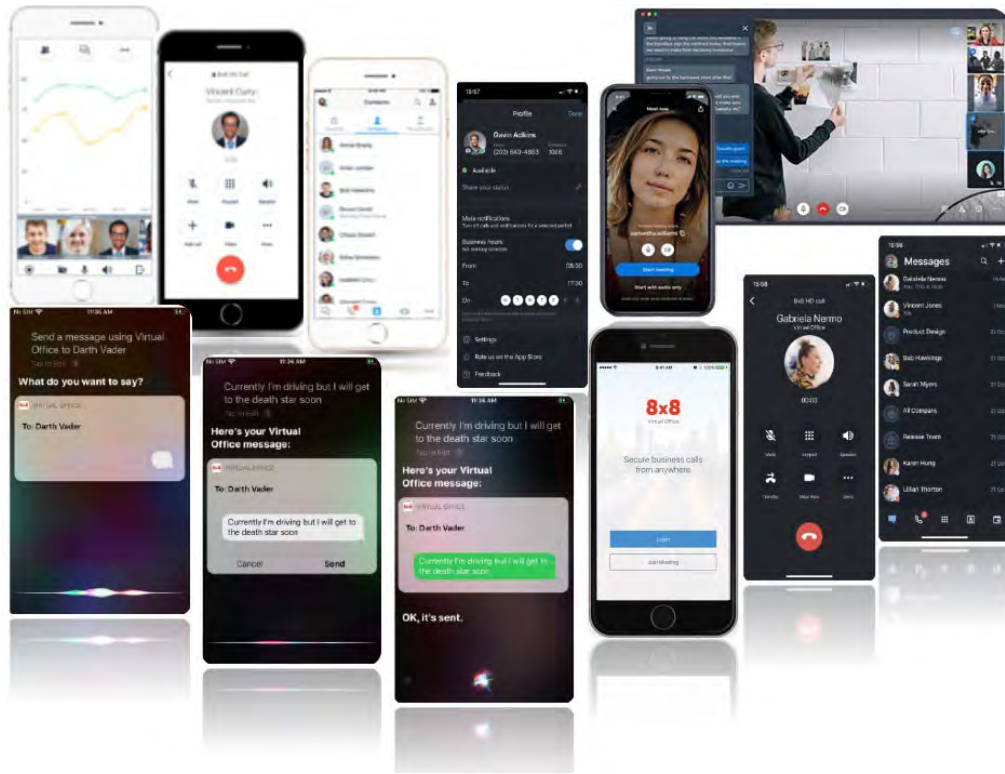
The 8x8 Work app includes **everything your desk phone can do**, and it provides you with a visual and intuitive way to manage telephony features, such as: advanced call forwarding, call transfer, call waiting, and 3-way calling. It also integrates contacts such as Outlook and Google, as well as social networking, to keep you in touch with your world at a glance. The 8x8 Work app also includes messaging (SMS, 1:1 and Team Messaging) and Video Conferencing in the same desktop or mobile apps, enabling users to consolidate all their communications needs in a single app. The desktop version supports Windows and MacOS environments; the mobile app is compatible with iOS, Android and ChromeOS operating systems.



X Series licensing proposed (for all end-users) includes the **8x8 Work for Mobile app, at no additional charge**. As a softphone app, users have the following capabilities:

- HD audio with transfer, park and 3-way calling
- Video calling
- Search and browse through your corporate directory
- Import Outlook, Exchange, Google, and Skype for Business contacts
- Visual voicemail
- SRTP secure audio
- Call recording
- Messaging
- IM and Presence
- Send and receive SMS messages
- Send and receive faxes
- Web Conferencing
- Schedule and join video and web meetings

The 8x8 Work app allows you to harness the power of the 8x8 communications cloud. Make secure business calls from anywhere. Easily access personal and business contacts. Take your productivity to the next level with team messaging and collaboration. Remotely participate in online meetings. Do it all from the 8x8 Work for Mobile app for iPhone and Android devices.



8x8 Work benefits to include:

- **Save money** — Make calls on your smartphone using your 8x8 calling plan, so you save on long distance and international calls
- **Save on minutes** — Use 4G / 5G, cellular calling plan, or Wi-Fi
- **Save on international roaming** — Avoid data roaming charges when outside the U.S. by turning off data roaming and using Wi-Fi hotspots. Since your calls are charged under your 8x8 calling plan, you won't have international call roaming charges.

Additional features include:

- Easily switch devices during a live call, even to / from your Poly desk phone. Your callers won't even notice!
- Make calls from your agency directory or personal contact list

- Never miss a call, which can simultaneously ring on your mobile phone, PC or Mac and desk phone
- Make 3-way calls
- Put callers on Hold, Park, or Transfer them to other extensions
- One-button access to conference bridge and auto-attendant
- Set up call forwarding rules
- View voicemails in a list, review and delete messages in any order
- Check presence (busy, available, offline) and exchange instant messages with co-workers
- Join and create meetings via 8x8 Meet
- View shared content and high definition video
- Record any call

The **8x8 Work for Desktop and Mobile** applications give you the freedom to take your 8x8 Service with you, wherever you may go, increasing productivity and efficiency. It is possible to use it at the office or connect over Wi-Fi at the airport, another agency location, the library, or a hotel room can be your office. All the advanced features of your 8x8 desk phone are also available at any time to conduct business. With the 8x8 solution you will have the ability to take advantage of the 8x8 Work for Desktop softphone **and** Mobile application capabilities, at ***no additional charge***.

It's important to also note that in the event of a WAN failure, each location or department – meaning each licensed 8x8 end user – can continue to have full unified communications functionality by simply using their 8x8 Work for Mobile application.

ACD and Auto Attendant

Basic ACD functionality is a standard part of the 8x8 Work solution, offering call routing and queuing capabilities. 8x8 Call Queuing, includes:

- Incoming Call Queue only
- Offers the caller to the longest idle agent

- Agents can log in and log out of queue (if enabled)
- Customer can play configurable queue message
- Option to press a key to go to voicemail
- Queue Overflow options

The 8x8 **Automated Attendant** (AA) service will enable phone tree functionality (in support of ACD capabilities). The AA can be configured to allow callers to route to individuals, ring groups, play messages, etc.

The 8x8 Automated Attendant also supports time of day, day of week, and holiday routing behaviors. In addition, the solution supports several Automated Attendant profiles. One AA profile is active at a given time. In the event of an emergency, you could activate an “Emergency” AA profile with a few mouse clicks.

Voicemail

8x8 provides a voicemail service for each user’s extension / account. Establishing user greetings, preferences, and retrieving messages is easy with 8x8’s voicemail service. 8x8 voicemail messages are stored in .wav format and aren’t deleted unless the individual user does so. The solution proposed also supports voicemail to email notification. And ... **voicemail transcription is a standard feature** as part of the email notification. Our voicemail is a powerful business service tool that is available when you cannot answer the phone. **8x8 Voicemail** is there with all the business-class features you need, including:

- View, manage, delete and download your voicemails online, anytime!
- Listen to voicemails via email, by phone or by logging on to your 8x8 Work for Desktop app, or iOS or Android mobile app
- Return calls directly from a voicemail message
- Forward voicemails to another extension; users can forward a message to another user on their system to share information
- Voicemail notification via email (i.e. Outlook or Gmail); receive voicemail alert notifications or voicemail audio file attachments via email

Fax / Analog Capabilities

8x8 can offer Analog Telephone Adapters (ATA's) to convert your existing analog lines or traditional fax machine analog output (POTS Line) into VoIP (SIP based T.38) enabled devices. 8x8 supports several types of ATA's to meet your business needs from single port to multi-port versions.

8x8 Work allows you to send and receive faxes from the 8x8 Work for Desktop application, which may allow you to potentially eliminate legacy analog fax machines. Fax alerts are sent to you by email, so you'll know you have a fax the minute it comes through. Click the link in the email or access your 8x8 Work for Desktop application and it's there for you to print or download. It's possible to send a fax via the 8x8 Work for Desktop application as well, by simply typing in the fax number and attaching the document or file. The following lists additional features provided:

- Send multiple documents in the same fax; just keep adding attachments
- Create a customized fax cover sheet with your logo and info
- Send and receive an unlimited number of online faxes
- View, download, or delete sent and received faxes
- Fax alerts are sent via email; click a link to view, print, or save your fax instantly
- Easily see your fax status: pending, failed, sent
- Free local fax number

E911 Compliance

In June 2004, 8x8 became the first major broadband Internet telephone service provider to offer E911 service. 8x8's E911 service automatically routes emergency calls, along with computer-based "screen pops" of caller information, to dispatch operators at local PSAPs; this routing is based on a fixed / static (not dynamic) address. 8x8 supports Emergency calling (911) from any extension, even if that extension is restricted to extension (internal) dialing.

8x8 also offers solutions from our partner, **Singlewire**. A mass notification solution can help keep people safe, and Singlewire is dedicated to helping organizations get critical information into the hands of people who need it. With its cutting-edge **InformaCast** notification software, organizations can transform existing telephone systems into a powerful, "any-to-any" mass communication and emergency mass notification tool. It allows organizations to simultaneously connect with thousands of IP phones, PoE IP speakers, desktop clients, analog paging systems, social media sites, email, SMS text messaging systems, and a growing list of other endpoint devices. Additional information can be provided upon request.

Voice and Telephony Features

Features	Description	X1	X2	X4	X6	X8
Unlimited global calling for business phone	Call freely up to 47 countries without additional long-distance charges, excluding mobile, special, and premium numbers for certain countries	US and Canada	14 Countries	47 Countries		
Tier 1 phone number and extension	Phone number – utilize a dedicated DID (direct inward dialing) number for each extension; DIDs available for 145 countries or toll-free numbers	•	•	•	•	•
HD quality voice	Ensure crisp connectivity leveraging a guaranteed voice quality score	•	•	•	•	•
Secure voice calls (TLS and SRTP)	Protect calls from eavesdropping with TLS/SRTP secure voice encryption	•	•	•	•	•
Financially backed end-to-end SLA	SLA for uptime and voice quality over the public Internet that is financially backed and end-to-end	•	•	•	•	•
IP agnostic access	Connect to 8x8 services over any IP network connection through patented access technology	•	•	•	•	•
PSTN access	8x8 works with 25+ PSTN carriers to provide global coverage and redundancy	•	•	•	•	•

Features	Description	X1	X2	X4	X6	X8
Geo routing	Patented automatic localized signaling and voice to reduce latency and improve end user experience	•	•	•	•	•
Voicemail with transcription	View and listen to recordings on your desk phone, computer, or mobile device; transcribes voicemail to text and sends an email with message included	•	•	•	•	•
UC call recording	Record incoming and outgoing calls, play them back, download, or delete them	•	•	•	•	•
Web browser click-to-dial	The 8x8 Web Dialer will automatically highlight all phone numbers in your web browser as a clickable link. Click the link and a call is set up through the 8x8 Work Desktop Windows or Mac application.	•	•	•	•	•
Power keys (Busy Lamp Field – BLF)	Handle multiple calls at the same time and monitor other users' availability by taking advantage of spare line keys	•	•	•	•	•
Mobile and desktop apps	Allow employees to work on any mobile or desktop device, from anywhere at anytime	•	•	•	•	•
Switchboard Pro	View the presence and availability of every user in the organization or branch and streamline live call handling			•	•	•
Barge-Monitor-Whisper	Enable managers and supervisors to monitor phone conversations of other employees, privately speak (whisper) to the employee without the customer hearing, or join (barge) the call and talk with the customer			•	•	•
Hot desking	Enable any end user to log into a shared desk phone as if it were their own	•	•	•	•	•
Caller ID	Identify who's calling before you pick up the phone; customize your external caller ID	•	•	•	•	•
Number porting: self-service or managed	Port existing phone numbers to 8x8 through a self-service method or have 8x8 manage the porting	•	•	•	•	•
Call waiting	Allow callers to reach you even when you are on another call	•	•	•	•	•
Call transfers	Transfer calls to others through a warm transfer or a cold (blind) transfer	•	•	•	•	•
Extension-to-extension calling	Call others in your business by dialing the extension only	•	•	•	•	•
Call park	"Park" a call in the cloud while you use your phone to make another internal or external call, or ask a colleague to pick up the call	•	•	•	•	•

Features	Description	X1	X2	X4	X6	X8
Phone paging (Poly devices only)	Send one-way audio announcements to users who are members of a specific paging group, or to everyone in case of an emergency	•	•	•	•	•
Music-on-hold	Play recorded music or marketing messages while your callers are on hold	•	•	•	•	•
911 service	User-updateable E911 location information that verifies address information with the servicing PSAP provider	•	•	•	•	•
17 Data Centers	Top tier geo diverse data centers strategically positioned for global reach	•	•	•	•	•
Disaster recovery	Patented DR with less than 30-second failover	•	•	•	•	•
UC media call recording storage	Storage capacity for recordings a user makes	0 GB	1 GB	10 GB		
Auto attendant	A service that acts as an automated receptionist. Through profiles and rules, select which phone menu options and recordings are used at specific times for callers to route themselves to the appropriate destination.	•	•	•	•	•
Ring groups / Hunt groups	Distribute calls within specific departments by having all the phones in a group ring at once or set up a “round robin” approach where the extensions in the group ring in a specific order until the call is answered	•	•	•	•	•
Call queues	Place callers in a queue in the order received until the next agent becomes available, allowing you to serve your customers promptly, courteously, and efficiently		•	•	•	•

Universal Team Messaging

8x8 X Series provides one application for team messaging, voice, and meetings, available anytime from any device. With a single click you can move from a group chat to a video conference, for better communications and efficiency. X Series offers instant access for all employees; unlike other team messaging applications, you will be able to collaborate across departments, business units, and project teams.

8x8 Team Messaging supports both public and private rooms, allowing you to determine the audience with whom you collaborate on different topics. Safety planners may want to collaborate on projects in an ‘invite-only’ private room, whereas leaders may prefer a public room through which they can share updates and encourage transparency.

You can “@mention” individuals, share files, send emojis, view read receipts, see presence, follow or unfollow specific rooms, and control notifications.

91% of enterprises using team collaboration apps have two (2) or more apps. 8x8 provides real-time interoperability with third-party chat applications through our **Sameroom** feature. We enable all messaging apps to work as one within and across companies, supporting team messaging with Slack, Chatter, and 20+ more messaging apps.

8x8 Team Messaging bridges these islands of communication and connects everyone while allowing them to continue using the application of their choice. This **bring your own messaging** mantra is unique to 8x8 and is an area of great success for our existing and growing customer base. Want to use team messaging with your partners or vendors? Now you can create multi-company rooms to communicate real-time with external partners. Collaboration doesn’t have to be limited to just within your organization.

Universal Team Messaging Features

Features	Description	X1	X2	X4	X6	X8
1-on-1 instant messaging	Ability to message any individual user within the company’s global directory	•	•	•	•	•
Team messaging	Provide group chat functionality to send messages to public or private Rooms	•	•	•	•	•
Sameroom (cross-platform team messaging with Chatter, Slack, etc.)	Real-time interoperability with third-party chat applications such as Slack, Chatter, and 20+ messaging apps to enable them to work as one within and across companies	•	•	•	•	•
Business SMS and texting	Send and receive text messages from your 8x8 phone number to any other phone number		•	•	•	•
Presence detection	See who is available, busy, away, in do-not-disturb mode, on a call, or in a meeting. You can also set your status to show as offline using invisible mode.	•	•	•	•	•
Unlimited Internet fax	Send and receive online faxes		•	•	•	•

Integrated Audio and Video Conferencing

8x8 Meet enables you to consolidate multiple apps for video conferencing, team messaging, and telephony into one. Instead of asking your staff to download three (3) or more apps, they now only need one – no more swivel chair for them! With this level of integration, it takes just one click to move from call to chat to video conferencing while maintaining content and context along the way. This level of consolidation also means only one application to administer and configure for IT. Now IT will have the time to focus on higher-impact work.

Because 8x8 Meet is a browser-based video collaboration solution, it allows your employees to host and manage audio and video conferences from a desktop or a mobile device for up to 100 participants.

It extends the value of 8x8's services and helps you avoid the need to purchase or subscribe to third-party conferencing solutions. The intuitive interface enables users to find the features they need quickly. Scheduling meetings is easy with **Microsoft** and Google calendar integrations. Each employee receives a personal Meetings URL that can be shared with guests, enabling them to meet at any time. For larger meetings, you can live stream directly on YouTube.

8x8 Meet is powered by WebRTC technology so that guests can access Meetings via an Internet browser without needing to download plugins or special software.

Integrated Audio and Video Conferencing Features

Features	Description	X1	X2	X4	X6	X8
HD audio and video conferencing	Share high definition (HD) quality video to see others in a meeting	•	•	•	•	•
Personalized virtual rooms	Individual employees get their own dedicated meeting web link		•	•	•	•
Remote desktop control	Remotely control the mouse and keyboard movements of another user		•	•	•	•
Instant screen sharing	Share your computer screen and choose which programs or monitors to display		•	•	•	•
One click to start or join meetings	Click one button to join a meeting or create a new one on any device		•	•	•	•
One click to move from call to chat to video conferencing	Transfer between modes of communication by clicking one button		•	•	•	•

Features	Description	X1	X2	X4	X6	X8
Schedule 8x8 meetings within Office 365 / Outlook calendar	Add an 8x8 meeting to a calendar invite in Outlook with our Office 365 plugin		•	•	•	•
Schedule 8x8 meetings within Google calendar	Create 8x8 meetings and send invites from within Google calendar		•	•	•	•
Record meetings	Record the audio, video, and desktop from a meeting; save it in the cloud to reference later or send to those who couldn't make it		•	•	•	•
Call out to your number, call in, or join via computer audio to quickly join the meeting	To join audio, 8x8 can call out to a phone number you specify, or you can call in to a conference line number, or you can join using your computer audio		•	•	•	•
Dial-in number options or toll-free numbers	Choose to dial in with numbers from 58 countries or via 11 toll-free numbers		•	•	•	•
Granular conferencing and audio controls	Mute, adjust volume levels, push-to-talk option, or remove specific individuals during a call		•	•	•	•
Push-to-talk mode	Mode where all participants stay muted unless they press a key to speak		•	•	•	•
Shared presence	Status to show a user's presence is synced across meetings, phone, and team messaging	•	•	•	•	•
Join without downloading an app	Join meetings using Meetings Online if you want to avoid downloading an app to your computer or phone, or dial in directly to the number	•	•	•	•	•
Join from mobile devices	Join from iOS, Android, and tablets	•	•	•	•	•
Join from online web browser	Join meetings using Meetings Online from any web browser	•	•	•	•	•
Join with a passcode or join anonymously	Have the option to set a passcode for extra security or allow users to join anonymously	•	•	•	•	•

Raise your hand	Participants can discreetly indicate they have something to say without interrupting the current speaker	•	•	•	•	•
Group or private chat	Send messages to every video meeting participant or send private messages to an individual attendee		•	•	•	•
Meeting live streaming	Stream a conference to an unlimited number of participants over YouTube		•	•	•	•



Pricing: 60 Month Term

End User pricing from Maverick Networks Powered By 8x8				
Pacific Grove USD Monthly Recurring				
Part No.	Description	Qty	Cust Price	Monthly Price
Monthly Recurring Licensing				
	X Series - X4 (Provides system wide analytics)	1	26.50	26.50
	X Series - X2 (User with SMS, Conferencing, Fax)	30	12.00	360.00
	X Series - X1 (Standard user with DID and Messaging)	300	8.00	2,400.00
	X Series - Lobby (Paging)	6	6.25	37.50
	Base Number	1	0.00	0.00
Estimated Taxes and Surcharges				
	CA State and Local Tax and Fees	1	166.58	166.58
	Federal Universal Service Fund	1	170.53	170.53
	CA State and Local 911	1	52.63	52.63
Estimated Regulatory Fees				
	E911 Service Fee	1	252.75	252.75
	Regulatory Recovery Fee	1	252.75	252.75
Total Recurring Costs				3,719.24
Pacific Grove USD Monthly Recurring				
Part No.	Description	Qty	Cust Price	Ext Price
Phones and Equipment - Purchase pricing				
	Poly VVX 250 PoE	281	2.62	736.22
	Poly VVX 450 PoE	40	4.05	162.00
	Poly VVX EM50 Expansion Model	3	5.69	17.07
	Obihai OBi 300 1 port SIP ATA	6	1.29	7.74
Total Recurring Phone and Equipment				923.03
Total Monthly Costs				\$4,642.27
Project Management Installation and Training One-Time Fees				
Part No.	Description	Qty	Cust Price	Ext Price
Project Management Installation and Training				
	Project Management	16	100.00	1,600.00
	Installation	80	100.00	8,000.00
	User Training	10	100.00	1,000.00
	Administrator Training	2	100.00	200.00
	Estimated Sales Tax on Hardware Items (8.75%)	1	2,656.42	2,656.42
	Estimated Shipping	1	3,245.10	3,245.10
Total One Time Costs				\$16,701.52



**SCHEDULE I
FOR
PACIFIC GROVE UNIFIED SCHOOL DISTRICT**

End User pricing from Maverick Networks Powered By 8x8

Pacific Grove USD Monthly Recurring				
Part No.	Description	Qty	Cust Price	Monthly Price
Monthly Recurring Licensing				
	X Series - X4 (Provides system wide analytics)	1	26.50	26.50
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	X Series - Lobby (Paging)	6	6.25	37.50
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Pacific Grove USD Monthly Recurring				
Part No.	Description	Qty	Cust Price	Ext Price
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	Administrator Training	2	100.00	200.00
	Estimated Sales Tax on Hardware Items (8.75%)	1	2,656.42	2,656.42
	Estimated Shipping	1	3,245.10	3,245.10
Total One Time Costs				\$16,701.52

APPROVED & ACCEPTED BY:
PACIFIC GROVE UNIFIED SCHOOL DISTRICT

X _____

Date

AGREEMENT BETWEEN OWNER AND CONTRACTOR

THIS AGREEMENT is hereby entered into by the **Pacific Grove Unified School District**, hereinafter referred to as DISTRICT, and:

Maverick Networks Inc	CA License # 859996		
CONTRACTOR	SOCIAL SECURITY NUMBER BUSINESS ID # LICENSE #		
7060 Koll Center Parkway	Pleasanton	CA	94566
MAILING ADDRESS	CITY	STATE	ZIP

hereinafter referred to as CONTRACTOR.

WITNESSETH: That the Contractor and the Owner for the consideration hereinafter named agree as follows:

Article I. **SCOPE OF WORK.** The Contractor agrees to furnish all labor, equipment and materials, including tools, implements, and appliances required, and to perform all the Work in a good and workmanlike manner, free from any and all liens and claims from mechanics, material suppliers, subcontractors, artisans, machinists, teamsters, freight carriers, and laborers required for:

Pacific Grove Unified School District Cloud Phone System
435 Hillcrest Ave
Pacific Grove, CA 93950

Article II. **CONTRACT DOCUMENTS.** The Contractor and the Owner agree that all of the documents listed in Article 1.1.1 of the General Conditions form the Contract Documents which form the Contract.

Article III. **TIME TO COMPLETE.** Services shall begin on or about September 17, 2021 and shall be completed on or before December 31, 2021.

Article IV. **PAYMENT AND RETENTION.** The Owner agrees to pay the Contractor in current funds **Sixteen thousand seven hundred and one 52/100** dollars (**\$16,701.52**) for work satisfactorily performed after receipt of properly documented and submitted Applications for Payment and to make payments on account thereof.

Unless otherwise stated in the Contract Documents, within thirty (30) days after receipt of an undisputed and properly submitted Application for Payment, Contractor shall be paid a sum equal to ninety-five percent (95%) of the undisputed value of the Work performed up to the last day of the previous month, less the aggregate of previous payments; and Owner shall retain the

other five percent (5%) of the undisputed value of the Work. The value of the Work completed shall be an estimate only, no inaccuracy or error in said estimate shall operate to release the Contractor, or any bondsman, from damages arising from such Work or from enforcing each and every provision of this Contract, and the Owner shall have the right subsequently to correct any error made in any estimate for payment. Contractor shall base an Application for Payment only on the original Contract Sum plus any fully executed and Board-approved Change Orders. Contractor shall not include Notices of Potential Claims, CORs, Claims or disputed amounts.

The Contractor shall not be entitled to have any payment requests processed, or be entitled to have any payment made for work performed, so long as any lawful or proper direction given by the Owner concerning the Work, or any portion thereof, remains uncomplished with. Payment shall not be a waiver of any such direction.

Source of Funds: Measure D

Article V. **CHANGES.** Changes in this Agreement or in the Work to be done under this Agreement shall be made as provided below.

A change order (CO) is a written instrument signed by the Owner and the Contractor, and approved by the Owner's Governing Board, stating the agreement of Owner and Contractor upon all of the following:

- A. A change in the Work;
- B. The amount of the adjustment in the Contract Sum, if any; and
- C. The extent of the adjustment in the Contract Time, if any.

Unless expressly stated otherwise in the CO, any CO executed by Owner and Contractor constitutes and includes full and complete money and time (including but not limited to, adjustments to money and time) for all costs and effects caused by any of the changes described within it. Unless expressly stated otherwise in the CO, in consideration for the money received for the changes described in the CO, Contractor waives all Claims for all costs and effects caused by any of the changes, including but not limited to labor, equipment, materials, delay, extra work, overhead (home and field), profit, direct costs, indirect costs, acceleration, disruption, impaired productivity, time extensions, and any the costs and effects on Subcontractors and suppliers of any tier.

A Construction Change Directive (CCD) is a written unilateral order signed by the Owner directing a change in the Work and stating an adjustment, if any, in the Contract Sum or Contract Time, or both. The Owner may by CCD, without invalidating the Contract, order changes in the Work within the general scope of the Contract consisting of additions, deletions, or other revisions.

A CCD shall be used in the absence of agreement on the terms of a CO. If Contractor disagrees with the terms of a CCD, it shall nevertheless perform the work directed by the CCD, but it may pursue the Notice of Potential Change if Contractor believes it is entitled to changes in the

Contract Sum or Contract Time.

Article VI. **TERMINATION.** Contractor may only terminate for cause if the Work is stopped by others for a period of one hundred eighty (180) consecutive days through no act or fault of the Contractor, a Subcontractor of any tier, their agents or employees, or any other persons performing portions of the Work for whom the Contractor is contractually responsible, and the Work was stopped by others for one of the following reasons: (A) Issuance of an order of a court or other public authority having jurisdiction which requires Owner to stop all Work; or (B) an act of government, such as a declaration of national emergency, making material unavailable which requires Owner to stop all Work. If such grounds exist, the Contractor may serve written notice of such grounds on Owner and demand a meet-and-confer conference to negotiate a resolution in good faith within twenty (20) days of Owner's receipt of such notice. If such conference does not lead to resolution and the grounds for termination still exist, Contractor may terminate the Contract and recover from the Owner payment for Work executed and for reasonable verified costs with respect to materials, equipment, tools, construction equipment, and machinery, including reasonable overhead, profit, and damages for the Work executed, but excluding overhead (field and home office) and profit for (i) Work not performed and (ii) the period of time that the Work was stopped.

The Owner may terminate the Contract if the Contractor:

- A. Refuses or fails to supply enough properly skilled workers or proper materials, or refuses or fails to take steps to adequately prosecute the Work toward Completion within the Contract Time;
- B. Fails to make payment to Subcontractors for materials or labor in accordance with Public Contract Code section 10262 or Business and Professions Code section 7108.5, as applicable;
- C. Violates Labor Code section 1771.1(a), subject to the provisions of Labor Code section 1771.1(f);
- D. Disregards laws, ordinances, rules, regulations, or orders of a public authority having jurisdiction; or
- E. Otherwise is in breach of the Contract Documents.

Article VII. **PREVAILING WAGES.** The Project is a public work, the Work shall be performed as a public work and pursuant to the provisions of Section 1770 et seq. of the Labor Code of the State of California, which are hereby incorporated by reference and made a part hereof, the Director of Industrial Relations has determined the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the Work is to be performed, for each craft, classification or type of worker needed to execute this Contract. Per diem wages shall be deemed to include employer payments for health and welfare, pension, vacation, apprenticeship or other training programs, and similar purposes. Copies of the rates are on file at the Owner's principal office. The rate of prevailing wage for any craft, classification or type of workmanship to be employed on this

Project is the rate established by the applicable collective bargaining agreement which rate so provided is hereby adopted by reference and shall be effective for the life of this Agreement or until the Director of the Department of Industrial Relations determines that another rate be adopted. It shall be mandatory upon the Contractor and on any subcontractor to pay not less than the said specified rates to all workers employed in the execution of this Agreement.

The Contractor and any subcontractor under the Contractor as a penalty to the Owner shall forfeit not more than Two Hundred Dollars (\$200.00) for each calendar day or portion thereof for each worker paid less than the stipulated prevailing rates for such work or craft in which such worker is employed. The difference between such stipulated prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the stipulated prevailing wage rate shall be paid to each worker by the Contractor.

The Contractor and each Subcontractor shall keep or cause to be kept an accurate record for Work on this Contract and Project showing the names, addresses, social security numbers, work classification, straight time and overtime hours worked and occupations of all laborers, workers and mechanics employed by them in connection with the performance of this Contract or any subcontract thereunder, and showing also the actual per diem wage paid to each of such workers, which records shall be open at all reasonable hours to inspection by the Owner, its officers and agents and to the representatives of the Division of Labor Law Enforcement of the State Department of Industrial Relations. The Contractor and each subcontractor shall furnish a certified copy of all payroll records directly to the Labor Commissioner.

Public works projects shall be subject to compliance monitoring and enforcement by the Department of Industrial Relations. A contractor or subcontractor shall not be qualified to submit a bid or to be listed in a bid proposal subject to the requirements of Public Contract Code section 4104 unless currently registered and qualified under Labor Code section 1725.5 to perform public work as defined by Division 2, Part 7, Chapter 1 (§§1720 et seq.) of the Labor Code. A contractor or subcontractor shall not be qualified to enter into, or engage in the performance of, any contract of public work (as defined by Division 2, Part 7, Chapter 1 (§§1720 et seq.) of the Labor Code) unless currently registered and qualified under Labor Code section 1725.5 to perform public work.

Article VIII. **WORKING HOURS.** In accordance with the provisions of Sections 1810 to 1815, inclusive, of the Labor Code of the State of California, which are hereby incorporated and made a part hereof, the time of service of any worker employed by the Contractor or a Subcontractor doing or contracting to do any part of the Work contemplated by this Agreement is limited and restricted to eight hours during any one calendar day and forty hours during any one calendar week, provided, that work may be performed by such employee in excess of said eight hours per day or forty hours per week provided that compensation for all hours worked in excess of eight hours per day, and forty hours per week, is paid at a rate not less than one and one-half (1½) times the basic rate of pay. The Contractor and every Subcontractor shall keep an accurate record showing the name of and the actual hours worked each calendar day and each calendar week by each worker employed by them in connection with the Work. The records shall be kept open at all reasonable hours to inspection by representatives of the Owner and the Division of Labor Law Enforcement. The Contractor shall as a penalty to the Owner forfeit Twenty-five Dollars

(\$25.00) for each worker employed in the execution of this Agreement by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight hours in any one calendar day, and forty hours in any one calendar week, except as herein provided.

Article IX. **INDEMNIFICATION AND INSURANCE.** The Contractor will defend, indemnify and hold harmless the Owner, its governing board, officers, agents, trustees, employees and others as provided in the General Conditions.

By this statement the Contractor represents that it has secured the payment of Workers' Compensation in compliance with the provisions of the Labor Code of the State of California and during the performance of the work contemplated herein will continue so to comply with said provisions of said Code. The Contractor shall supply the Owner with certificates of insurance evidencing that Workers' Compensation Insurance is in effect and providing that the Owner will receive thirty (30) days' notice of cancellation.

Contractor shall provide the insurance set forth in the General Conditions. The amount of general liability insurance shall be \$1,000,000.00 per occurrence for bodily injury, personal injury and property damage and the amount of automobile liability insurance shall be \$1,000,000.00 per accident for bodily injury and property damage combined single limit.

Article X. **ENTIRE AGREEMENT.** The Contract constitutes the entire agreement between the parties relating to the Work, and supersedes any prior or contemporaneous agreement between the parties, oral or written, including the Owner's award of the Contract to Contractor, unless such agreement is expressly incorporated herein. The Owner makes no representations or warranties, express or implied, not specified in the Contract. The Contract is intended as the complete and exclusive statement of the parties' agreement pursuant to Code of Civil Procedure section 1856.

Article XI. **EXECUTION OF OTHER DOCUMENTS.** The parties to this Agreement shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of the Contract.

Article XII. **EXECUTION IN COUNTERPARTS.** This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy, or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

Article XIII. **BINDING EFFECT.** Contractor, by execution of this Agreement, acknowledges that Contractor has read this Agreement and the other Contract Documents, understands them, and agrees to be bound by their terms and conditions. The Contract shall inure to the benefit of and shall be binding upon the Contractor and the Owner and their respective successors and assigns.

Article XIV. **SEVERABILITY; GOVERNING LAW; CHOICE OF FORUM.** If any provision of the Contract shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. The Contract shall be governed by the laws of the State of California. Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for the County of Monterey, subject to transfer of venue under applicable State law, provided that nothing in this Agreement shall constitute a waiver of immunity to suit by Owner.

Article XV. **AMENDMENTS.** The terms of the Contract shall not be waived, altered, modified, supplemented or amended in any manner whatsoever except by written agreement, including change orders, signed by the parties and approved or ratified by the Governing Board.

Article XVI. **ASSIGNMENT OF CONTRACT.** The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of the surety on the payment bond, the surety on the performance bond and the Owner.

Article XVII. **WRITTEN NOTICE.** Written notice shall be deemed to have been duly served if delivered in person to the individual or member of the firm or to an officer of the corporation for whom it was intended, or if delivered at or sent by registered or certified or overnight mail to the last business address known to the person who gives the notice.

(CONTRACTOR)

(OWNER)

Board Approved September 16, 2021

SIGNED BY (Contractor) Date

Assistant Superintendent Date

CALIFORNIA CONTRACTOR'S
LICENSE NO.

Director of Human Resources Date

LICENSE EXPIRATION DATE

Site/Program Administrator Date

NOTE: Contractor must give the full business address of the Contractor and sign with Contractor's usual signature. Partnerships must furnish the full name of all partners and the Agreement must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Corporations must

sign with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.



Unified Communications as a Service (UCaaS) Agreement

This Agreement is entered into by and between **Maverick Networks Inc.**, (hereinafter referred to as “**Maverick Networks Inc.**”) and the Customer whose name and address are set forth below (hereinafter referred to as “Customer”). **Maverick Networks Inc.** agrees to sell to Customer and Customer agrees to purchase from **Maverick Networks Inc.**, in accordance with the Terms and Conditions herein, the UCaaS Solution described more particularly on SCHEDULE I, attached hereto (hereinafter referred to as “UCaaS”), to be installed at:

Pacific Grove Unified School District 435 Hillcrest Ave., Pacific Grove, CA 93950 The estimated in-service date for the system is: October 2021

TERMS AND CONDITIONS

1. PURCHASE PRICE AND PAYMENT TERMS: Customer agrees that the UCaaS Solution is to be purchased at the purchase price and payment schedules set forth below:

Payment Structure:

One-Time – Up Front Charges: \$ 14,045.10 + \$ 2,656.42 (Taxes) = \$ 16,701.52 (Due at Contract Signing)

Each Month (Payment): \$ 3,747.03 + \$ 895.24 (Taxes and Fee's) = \$4,642.27 (Due prior to 1st day of monthly service)

- 2. CONTROLLING DOCUMENT:** This Agreement shall become effective and binding upon Customer and **Maverick Networks Inc.** only upon approval, acceptance and execution hereof by an authorized officer of **Maverick Networks Inc.** This agreement, as well as encompassing the 8x8 Terms and Conditions, contain the entire agreement between the parties with regard to the subject matter hereof, and supersedes all prior discussions or agreements between the parties, whether oral or written. **Maverick Networks Inc.** is not bound by any representations or inducements not set forth herein
- 3. TERM:** The term of this Agreement shall be for (1) Five year period commencing on the first (1st) day of the service turn-up, with (1) Five year renewal period. Any written renewal of this Agreement shall be subject to the same terms and conditions herein contained except that the service fee due Maverick Networks for each renewal period shall be at the rate then charged by Maverick Networks for similar UCaaS. This is a Non-Cancelable Agreement for the Term.
- 4. PAYMENT TERMS:** All payments set forth on the payment schedule in Paragraph 1 of this Agreement shall be made without claim or set-off or reduction for any purpose whatsoever. In the event that any installment is not paid on the date due, the remaining unpaid amount will be subject to a monthly service charge at the rate of one and one-half percent (1-1/2%) per month from the date of the last unpaid installment amount.
- 5. TAXES:** Customer shall be responsible for the payment of all local, excise, sales, use, property and other charges levied with respect to the UCaaS being sold to Customer. Customer agrees to pay the sales tax of this Agreement for which **Maverick Networks Inc.** has legal obligation to collect.
- 6. 8x8 TERMS AND CONDITIONS.** This Agreement is subject to the 8x8 Virtual Office and Virtual Contact Center Service Terms set forth at <http://www.8x8.com/distribution-terms/reseller-customer-vo-vcc-terms>, as well as <https://www.8x8.com/distribution-terms/8x8-customer-vo-vcc-terms> Customer also acknowledges and indicates that it has reviewed the notice related to 911 emergency services at <https://www.8x8.com/terms-and-conditions/911-notice>.

CUSTOMER ACKNOWLEDGES, UNDERSTANDS, AND AGREES TO THE TERMS ON THIS FACING PAGE, THE ATTACHED SECOND PAGE, AND ANY ATTACHEMNTS HERETO.

Pacific Grove Unified School District
 435 Hillcrest Ave.
 Pacific Grove, CA 93950

Maverick Networks Inc.
 7060 Koll Center Parkway, #318
 Pleasanton, CA 94566

BY: _____
 Signature

BY: _____
 Signature

 Printed Name and Title

Aaron J. Lee, President

 Typed Name and Title

DATE: _____

DATE: _____

7060 Koll Center Parkway, #318
 Pleasanton, CA 94566

Phone: 925-931-1900
 Fax: 925-931-1919

www.mavericknetworks.net



7. **CUTOVER DATE AND ACCEPTANCE:** For the purpose of this Agreement, "Cutover Date" is defined as the date upon which the Solution is installed and is capable of providing substantially the basic service for which the Solution is intended. The "Estimated In-Service Date" is only an approximate date. **Maverick Networks Inc.** SHALL NOT BE LIABLE FOR SPECIAL, CONSEQUENTIAL OR PUNITIVE DAMAGES FOR CAUSES BEYOND ITS REASONABLE CONTROL, OR UNFORSEEN CIRCUMSTANCES CAUSING DELAYS IN DELIVERY OR INSTALLATION OF THE SOLUTION. Customer agrees not to withhold any scheduled payments due to these problems. Customer agrees to pay the remaining balance due on the "In Service Date." In the event Customer fails to pay the remaining balance for any reason, **Maverick Networks Inc.** retains the right to delay Cutover until payment. Customer shall confirm the Cutover Date by executing a Delivery and Acceptance Certificate, which is executed upon majority of calls processed inbound and outbound daily. It shall be conclusively presumed that Customer's execution of the Delivery and Acceptance Certificate confirms Customer's inspection, satisfaction and unqualified acceptance of the Solution.
8. **LIMITATION OF LIABILITY:** **Maverick Networks Inc.** SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES OR FOR LOSS, DAMAGE OR EXPENSE, WHETHER OR NOT **Maverick Networks Inc.** HAS RECEIVED NOTICE OF THE POSSIBILITY OR CERTAINTY OF SUCH DAMAGES OR LOSS, DIRECTLY OR INDIRECTLY ARISING FROM CUSTOMER'S USE OR INABILITY TO USE THE EQUIPMENT, EITHER SEPARATELY OR IN COMBINATION WITH OTHER EQUIPMENT; OR FOR PERSONAL INJURY, LOSS OR DESTRUCTION OF OTHER PROPERTY; OR FOR THE PAYMENT OF ANY CHARGES BY ANY COMPANY TO CUSTOMER FOR TERMINATION OF OR FAILURE TO TERMINATE PRE-EXISTING AGREEMENTS OR FOR REMOVAL OF EXISTING EQUIPMENT; OR FROM CUSTOMER'S INABILITY TO USE THE EQUIPMENT, EITHER SEPARATELY OR IN COMBINATION WITH ANY OTHER EQUIPMENT, FROM ROUTING AND PROGRAMMING ERRORS; UNAUTHORIZED USE OF CALL FORWARDING AND FEATURES OF VOICE AND DATA PROCESSORS AND VOICE MAIL SYSTEMS.
9. **DEFAULT:** If Customer fails to pay any amount due to **Maverick Networks Inc.** as set forth herein, or defaults in any other obligations, then, in addition to all other remedies available to **Maverick Networks Inc.** by law or equity or under this Agreement, and not in limitation thereof, **Maverick Networks Inc.** may, until said sum is paid in full: declare the entire remaining amount due and payable and after notice disconnect the Solution or otherwise render it inoperable.
10. **INDEMNIFICATION:** Customer shall indemnify **Maverick Networks Inc.** against and hold **Maverick Networks Inc.** harmless from any and all claims, actions, suits, proceedings, costs, expenses, damages and liabilities, including attorney's fees, claimed by any person, organization, association, or otherwise arising out of, or relating to, the Equipment or its use, possession, operation and/or condition.
11. **SOFTWARE LICENSE:** If the Solution provided by **Maverick Networks Inc.** pursuant to this Agreement contains any software, or if any software is provided hereafter, Customer agrees that its interest in such software is that of a licensee and that said software is to be used solely and exclusively in and with the Solution described in this Agreement.
12. **TRAINING:** **Maverick Networks Inc.** shall make available to Customer training services in accordance with **Maverick Networks Inc.**'s then standard practices and price schedule.
13. **ASSIGNMENT, SUBCONTRACTING:** This Agreement may be assigned by **Maverick Networks Inc.**, in whole or in part, and **Maverick Networks Inc.** may freely subcontract any or all of the work hereunder. Customer may not assign this Agreement, in whole or in part, without first obtaining the prior written consent of **Maverick Networks Inc.** Any such attempted assignment shall be invalid. Subject to the foregoing, this Agreement shall inure to and be binding upon the parties and their successors and assigns.
14. **CONSULTANT:** In the event that Customer is represented by a consultant, other than **Maverick Networks Inc.**, **Maverick Networks Inc.** may require the consultant to provide completed key sheets, floor plans and arrange for all services with the local telephone utility and provide Customer training and directories.
15. **MISCELLANEOUS:** Titles to the paragraph of this Agreement are solely for the convenience of the parties and do not explain, modify, or interpret the provisions herein. If more than one Customer is named in this Agreement, the liability of each shall be joint and several. This Agreement shall not be amended or altered unless such amendment or alteration is put in writing and approved, by signature, by the authorized representatives of all parties hereto. This Agreement shall be enforced subject to the laws of the state of California. Customer expressly consents to jurisdiction within this state. No delay or omission to exercise any right, power or remedy available to **Maverick Networks Inc.** upon any breach or default of Customer under this Agreement shall impair any such right, power or remedy of **Maverick Networks Inc.**, nor shall it be construed to be a waiver of any subsequent breach or default or acquiescence therein. Any waiver, consent or approval of any breach or default, or any waiver of any provision of this Agreement will only be effective if in writing and approved and signed by both parties and shall be effective only to the extent set forth in writing. If any provisions of this Agreement are in conflict with any statute or rule of law of any state or territory wherein it may be sought to be enforced, then such provisions shall be deemed null and void to the extent that they may conflict therewith, but without invalidating the remaining provisions herein.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Health and Safety of Students and Schools | <input checked="" type="checkbox"/> Action/Discussion |
| <input checked="" type="checkbox"/> Credibility and Communication | <input type="checkbox"/> Information/Discussion |
| <input checked="" type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Board Calendar/Future Meetings

DATE: September 16, 2021

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 approve 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 August – December 2021

Aug. 19	Regular Board Meeting ✓ Student Enrollment Update ✓ Back to School Night Dates ✓ Property Tax Report ✓ Quarterly Measure D Project Updates ✓ Quarterly District Safety Update*	District Office/Virtual
Sept. 2	Regular Board Meeting ✓ Unaudited Actual Report ✓ Local Control Accountability Plan Review	District Office/Virtual
Sept. 16	Regular Board Meeting ✓ Williams Uniform Complaint Report ✓ Foreign Language Program ✓ Resolution Regarding Sufficiency of Instructional Materials	District Office/Virtual
Sept. 25 *Saturday	Special Board Meeting ✓ Board Goals – Review/Revise ✓ Strategic Plan – Review/Revise	District Office/Virtual
Oct. 7	Regular Board Meeting ✓ Superintendent Goals ✓ Bus Ridership ✓ Week of the School Administrator	District Office/Virtual
Oct. 21	Regular Board Meeting ✓ Quarterly District Safety Update*	District Office/Virtual
Oct. 28	Regular Board Meeting ✓ PGHS Course Bulletin Information/Discussion ✓ Budget Revision #1 on 2021-22 working budget (preliminary First Interim)	District Office/Virtual
Nov. 18	Regular Board Meeting ✓ Intent Form Due (to serve as Board President or Vice President) ✓ Review of Special Education Contracts ✓ Quarterly Measure D Project Updates	District Office/Virtual
Dec. 16	Organizational Meeting ✓ Election of 2021-22 Board President and Clerk ✓ Budget Revision #2 ✓ First Interim Report ✓ PGHS Course Bulletin Action/Discussion ✓ Williams Uniform Complaint Report ✓ Employee Recognition ✓ Review of Legal Services Costs ✓ Solicitation of Funds Report	District Office/Virtual

*Quarterly District Safety Update

DRAFT Board Meeting Calendar January-June 2022

Thursday Jan. 20	Regular Board Meeting ✓ Report on Governor's Budget Proposal ✓ Preliminary Enrollment Projection for 2022-23 ✓ Property Tax Update ✓ School Accountability Report Cards	District Office/Virtual
Thursday Feb. 10	Regular Board Meeting ✓ Budget Development Calendar ✓ Possible Personnel Action Presented as Information ✓ Preliminary Review of Site Master Schedules ✓ Possible Personnel Action (RIF) ✓ Quarterly Facilities Project Updates*	District Office/Virtual
Thursday Mar. 3	Regular Board Meeting ✓ Second Interim Report ✓ Budget Revision #3 ✓ Open House Schedules Reviewed ✓ TRAN Resolution	District Office/Virtual
Thursday Mar. 17	Regular Board Meeting ✓ Budget Projections and Assumptions ✓ Williams/Valenzuela Uniform Complaint Report	District Office/Virtual
Thursday Apr. 7	Regular Board Meeting ✓ Review of Strategic Plan and LCAP (as needed) ✓ Approve 2022-23 Aug.- Dec. Board Meeting Calendar ✓ Quarterly District Safety Update	District Office/Virtual
Thursday April 21	Regular Board Meeting ✓ Review of Site Master Schedules ✓ Review of Strategic Plan and LCAP (as needed) ✓ California Day of the Teacher ✓ Week of the CSEA Employee ✓ Begin Superintendent Evaluation	District Office/Virtual
Thursday May 5	Regular Board Meeting ✓ Continue Superintendent Evaluation	District Office/Virtual
Thursday May 19	Regular Board Meeting ✓ Complete Superintendent's Evaluation ✓ Review Governor's Revised Budget ✓ Suspensions/Expulsions Annual Report	District Office/Virtual
Thursday June 2	Regular Board Meeting ✓ 2022-23 Budget Public Hearing ✓ LCAP Public Hearing ✓ Retiree Recognition	District Office/Virtual

Thursday June 16	Regular Board Meeting <ul style="list-style-type: none">✓ 2022-23 Budget Public Adoption✓ LCAP and Local Indicators Adoption✓ Approval of Contracts and Purchase Orders for 2022-23✓ Review of Legal Services Costs✓ Solicitation of Funds Report	District Office
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**Quarterly District Safety Update and Quarterly Facilities Projects Update as needed*

- | | |
|--|--|
| <input type="checkbox"/> Student Learning and Achievement | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Health and Safety of Students and Schools | <input type="checkbox"/> Action/Discussion |
| <input type="checkbox"/> Credibility and Communication | <input checked="" type="checkbox"/> Information/Discussion |
| <input type="checkbox"/> Fiscal Solvency, Accountability and Integrity | <input type="checkbox"/> Public Hearing |

SUBJECT: Review of Solar Power Solutions

DATE: September 16, 2021

PERSON(S) RESPONSIBLE: Matt Kelly, Director of Facilities and Transportation

RECOMMENDATION:

The District Administration recommends the Board review, discuss, and provide feedback on future solar power solutions.

BACKGROUND:

The Board has requested information on installing Solar power Solutions. This would be a new install and a finance contract for the purchase and installation of the panels.

INFORMATION:

Emily Douglas with Engie will be presenting a solar case study with budgeted costs for the Board of Education. Should the Board choose to move forward a more detailed study will be done identifying sun exposure in the chosen areas, type of construction, and quantity of panels.

FISCAL IMPACT:

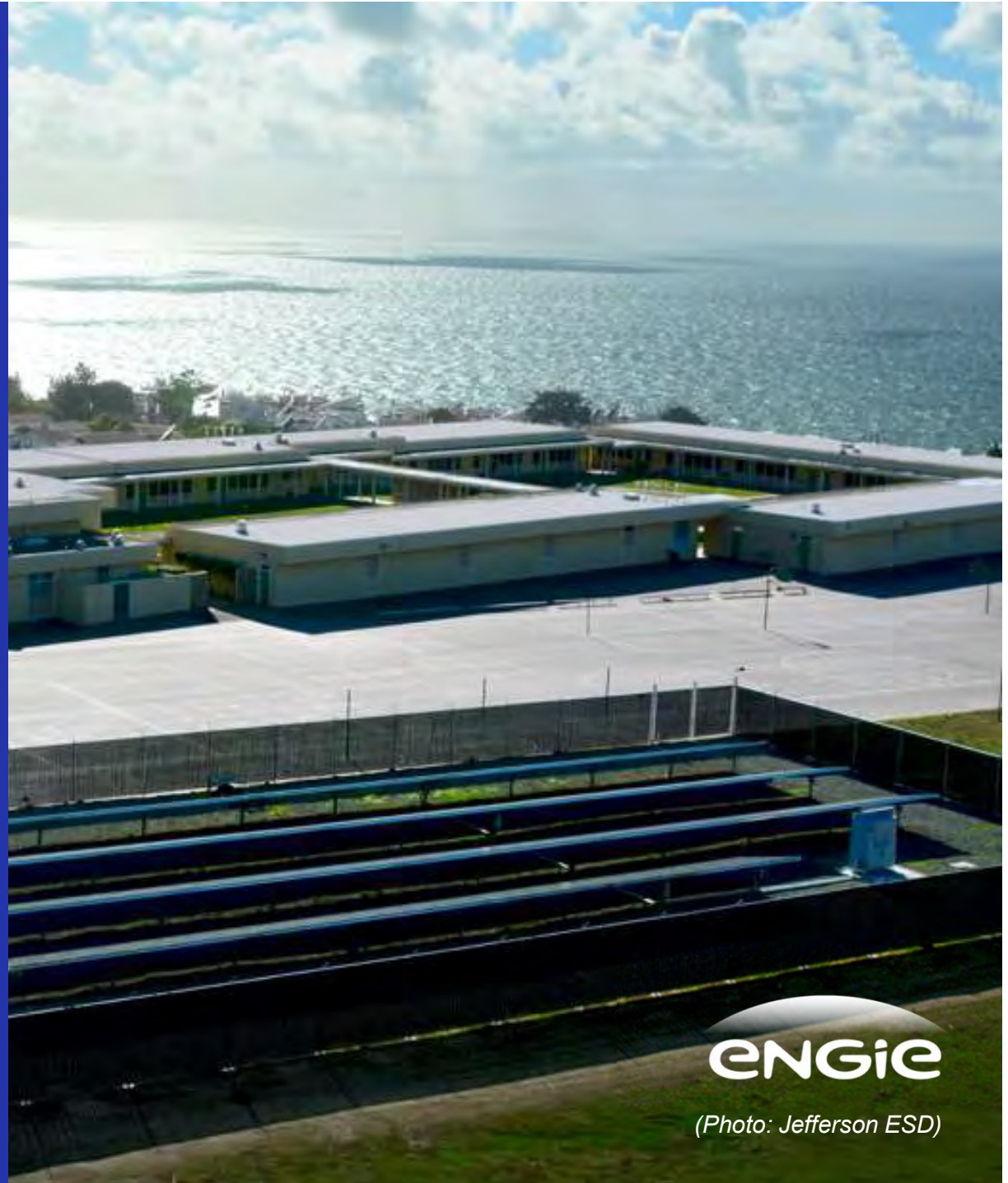
At this time there is not a fiscal impact.



Pacific Grove Unified School District

Pathway to Sustainability

September 16, 2021



(Photo: Jefferson ESD)

Today

Introductions

Program Goals

Preliminary Solar Study

Timeline / Next Steps



ENGIE: A Global Energy Leader With Deep Local History

ENGIE Local Impact

- 45+ years in San Jose and Salinas Valley
- Comprehensive and turnkey engineering/design, procurement, financing, PM/CM, and educational services
- Robust and customized STEAM education programs
- Strong commitment to local labor and local economy



City of Gonzales

Monterey Bay Region

- Total project investment: \$95 M+
 - Lifetime energy savings: \$135 M+
 - Direct jobs created: 475+
 - Solar PV installed: 15+ MW
- Since 2012
 - Alisal Union School District
 - Chualar Union School District
 - City of Gonzales
 - City of Greenfield
 - City of King City
 - City of Salinas
 - Gonzales Unified School District
 - Greenfield Unified School District
 - Hartnell College
 - Live Oak Unified School District
 - Monterey County Office of Education
 - Monterey Regional Airport
 - North Monterey County Unified School District
 - Salinas City Elementary School District
 - Salinas Union High School District
 - Santa Cruz County Office of Education
 - Soledad Unified School District

Monterey County Office of Education

PROJECT HIGHLIGHTS

- 75% reduction of overall energy demand while yielding expected savings of \$2.2 million during the lifetime of the project
- Comprehensive approach with intended goal to address capital needs within a renewable and cost savings project
- Focus on financial stability and accountability to demonstrate the project's success for the 24 School Districts throughout the County



\$2.2 MM

in net savings across the
lifetime of the project

630 KW of solar PV
Energy Efficient Boiler
replacement
New Energy Management
System
HVAC and Water Systems

STEM Education Programs

Real-World Data

Connect data and technology from real-world energy projects to engage students in a campus 'living laboratory.'



Green Engineering Instructional Materials & Programs

Provide supplemental materials to motivate and engage students in the STEM learning process.

Bridging the Gap between the Classroom and Careers

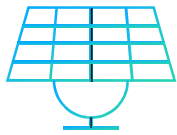
Engage students in sustainability project engineering, construction, and maintenance.



Professional Development

Empower teachers with sustainability industry content and instructional strategies.

Program Goals



Generate Clean and Renewable Electricity On-Site



Demonstrate Fiscal Stewardship & Cost Savings



Connect to the Classroom & Community

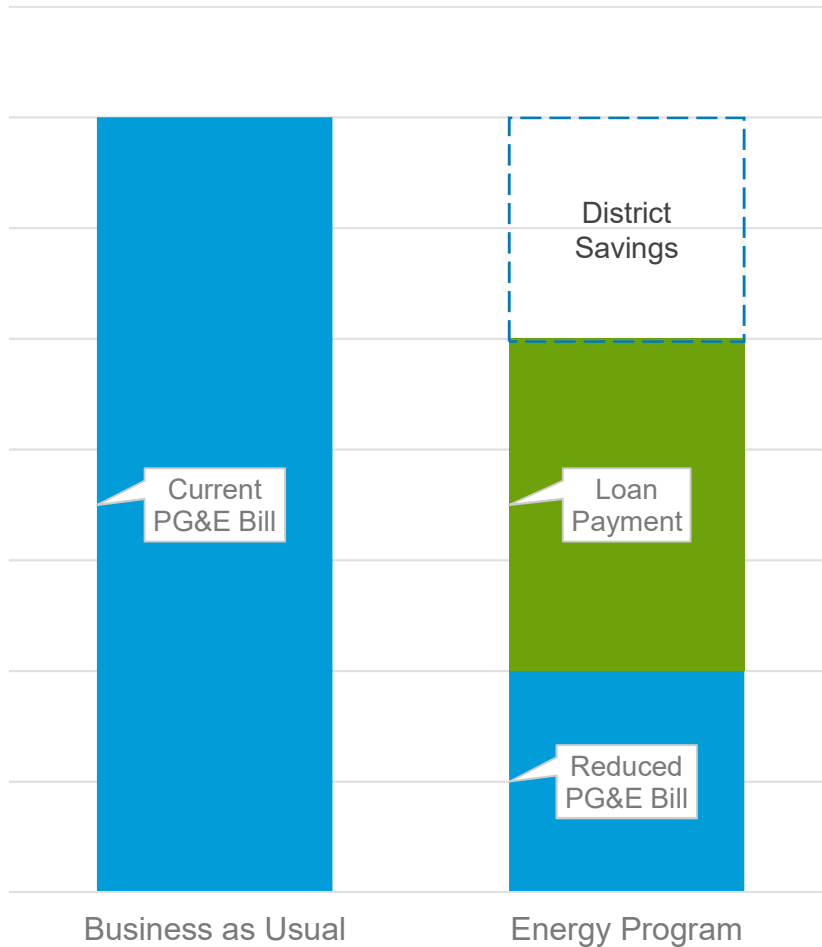
PGUSD Vision

Pacific Grove Unified School District, in partnership with the community and with a focus on equity, will challenge every student by providing a quality instructional program in a positive, safe and stimulating environment.

PGUSD Energy Analysis

Description	Address	Annual Usage kWh/yr	Costs \$/yr	Rate Schedule	\$/kWh	Solar PV	Lighting	HVAC	Controls	Water	Other
Pacific Grove High School	Sunset Drive	376,262	\$82,457	B10S	\$0.219	X	X				
Forest Grove Elementary School	1065 Congress Ave	127,411	\$32,169	B10S	\$0.252	X	X				
Pacific Grove High School	615 Sunset Drive	48,269	\$17,024	B10S	\$0.353	X	X				
Robert Down Elementary School	485 Pine Ave	111,397	\$27,511	B10S	\$0.247	X	X				
Robert Down Elementary School	Junipero & 14th	26	\$127	B1	\$4.885						
PG Community High School	1004 David Ave	43,640	\$11,169	A1	\$0.256	X	X				
Pacific Grove Adult Education	1025 Lighthouse Ave	31,455	\$8,527	B1	\$0.271	X	X				
Pacific Grove Middle School	835 Forest Ave	151,766	\$35,553	B10S	\$0.234	X	X				
Pacific Grove District Office	435 Hillcrest Ave	39,265	\$10,094	B1	\$0.257	X	X				
		929,491	\$224,631		\$0.242						

Project Impact & Benefits



Current Annual Electricity Costs:	\$225,000
Program Lifetime Savings:	~7.0M

Key Financial Benefits:

- No Capital Required
- General Fund Benefits in Year 1
- Energy Savings Cover Financing Costs

Preliminary Project Proforma

Year	Solar Electricity Produced (kWh)	Solar Avoided Electric Rate (\$/kWh)	Solar Electricity Savings	Solar O&M and M&V Costs	Net Solar Project Savings	Energy Conservation Rebates	Energy Conservation Savings	Total Program Savings	Estimated Lease Payments	Project Net Benefit	Cumulative Program Savings
	A	B	C = A * B	D	E = C - D	B	D	F = C+D+E	F	G = E - F	H
1	929,600	\$0.220	\$204,512	\$0	\$204,512	\$0	\$25,000	\$229,512	\$213,289	\$16,223	\$16,223
2	924,952	\$0.230	\$212,646	\$16,000	\$196,646		\$26,125	\$222,771	\$206,549	\$16,223	\$32,446
3	920,327	\$0.240	\$221,104	\$16,480	\$204,624		\$27,301	\$231,925	\$215,702	\$16,223	\$48,669
4	915,726	\$0.251	\$229,899	\$16,974	\$212,925		\$28,529	\$241,454	\$225,231	\$16,223	\$64,892
5	911,147	\$0.262	\$239,043	\$17,484	\$221,560		\$29,813	\$251,372	\$235,150	\$16,223	\$81,114
6	906,591	\$0.274	\$248,551	\$18,008	\$230,543		\$31,155	\$261,697	\$245,475	\$16,223	\$97,337
7	902,058	\$0.286	\$258,437	\$18,548	\$239,889		\$32,557	\$272,445	\$256,222	\$16,223	\$113,560
8	897,548	\$0.299	\$268,717	\$19,105	\$249,612		\$34,022	\$283,633	\$267,410	\$16,223	\$129,783
9	893,060	\$0.313	\$279,405	\$19,678	\$259,727		\$35,553	\$295,279	\$279,056	\$16,223	\$146,006
10	888,595	\$0.327	\$290,518	\$20,268	\$270,250		\$37,152	\$307,402	\$291,179	\$16,223	\$162,229
11	884,152	\$0.342	\$302,073	\$20,876	\$281,197		\$38,824	\$320,021	\$303,798	\$16,223	\$178,452
12	879,731	\$0.357	\$314,088	\$21,503	\$292,586		\$40,571	\$333,157	\$316,934	\$16,223	\$194,675
13	875,333	\$0.373	\$326,581	\$22,148	\$304,434		\$42,397	\$346,831	\$330,608	\$16,223	\$210,898
14	870,956	\$0.390	\$339,571	\$22,812	\$316,759		\$44,305	\$361,064	\$344,841	\$16,223	\$227,121
15	866,601	\$0.407	\$353,077	\$23,497	\$329,581		\$46,299	\$375,880	\$359,657	\$16,223	\$243,343
16	862,268	\$0.426	\$367,121	\$15,126	\$351,995		\$48,382	\$400,377	\$384,154	\$16,223	\$259,566
17	857,957	\$0.445	\$381,723	\$15,580	\$366,144		\$50,559	\$416,703	\$400,480	\$16,223	\$275,789
18	853,667	\$0.465	\$396,906	\$16,047	\$380,859		\$52,834	\$433,694		\$433,694	\$709,483
19	849,399	\$0.486	\$412,693	\$16,528	\$396,165		\$55,212	\$451,377		\$451,377	\$1,160,860
20	845,152	\$0.508	\$429,108	\$17,024	\$412,084		\$57,697	\$469,780		\$469,780	\$1,630,640
21	840,926	\$0.531	\$446,176	\$17,535	\$428,641		\$60,293	\$488,934		\$488,934	\$2,119,574
22	836,721	\$0.554	\$463,923	\$18,061	\$445,862		\$63,006	\$508,868		\$508,868	\$2,628,442
23	832,538	\$0.579	\$482,375	\$18,603	\$463,772		\$65,841	\$529,614		\$529,614	\$3,158,055
24	828,375	\$0.605	\$501,562	\$19,161	\$482,401		\$68,804	\$551,205		\$551,205	\$3,709,260
25	824,233	\$0.633	\$521,511	\$19,736	\$501,775		\$0	\$501,775		\$501,775	\$4,211,035
26	820,112	\$0.661	\$542,254	\$20,328	\$521,926		\$0	\$521,926		\$521,926	\$4,732,962
27	816,011	\$0.691	\$563,823	\$20,938	\$542,885		\$0	\$542,885		\$542,885	\$5,275,847
28	811,931	\$0.722	\$586,249	\$21,566	\$564,683		\$0	\$564,683		\$564,683	\$5,840,529
29	807,872	\$0.755	\$609,567	\$22,213	\$587,354		\$0	\$587,354		\$587,354	\$6,427,883
30	803,832	\$0.788	\$633,812	\$22,879	\$610,933		\$0	\$610,933		\$610,933	\$7,038,816
Total	25,957,371		\$11,427,028	\$554,706	\$10,872,321		\$1,042,230	\$11,914,551	\$4,875,735	\$7,038,816	

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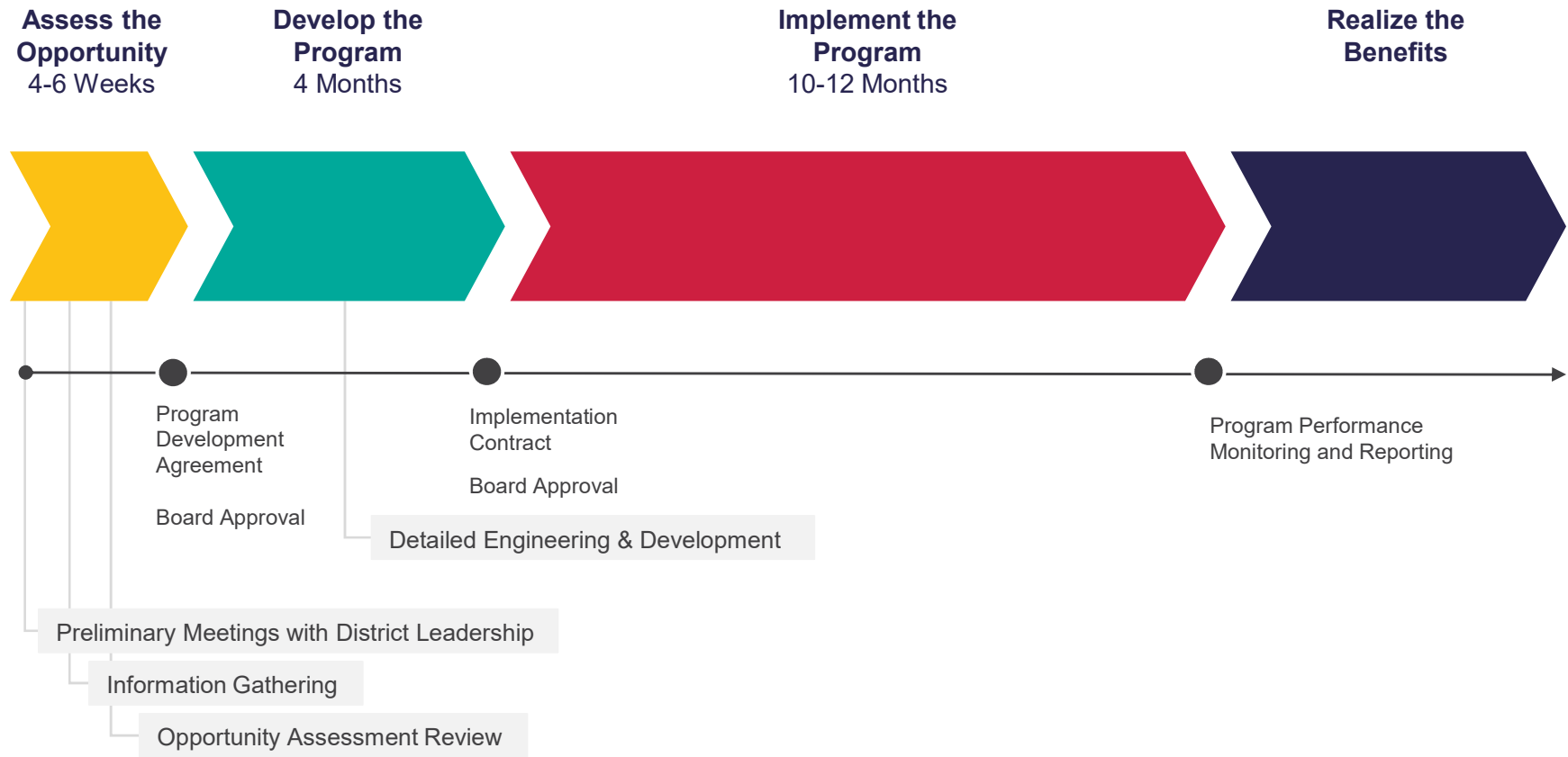
Solar Policy Update

- Now: “NEM-2”
- 2022: “NEM-3”
- Decreased value for solar
- Decision expected in January 2022

- Increased support for power resiliency & clean transportation



Typical Timeline



Thank You

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Our Northern California Customers

Cities

- City of Benicia
- City of Concord
- City of Dublin
- City of Fremont
- City of Gonzales
- City of Grass Valley
- City of Greenfield
- City of Hayward
- City of King City
- City of Lakeport
- City of Livermore
- City of Marysville
- City of Mendota
- City of Millbrae
- City of Patterson
- City of Richmond
- City of Saint Helena
- City of Salinas
- City of San Jose
- City of Suisun City
- City of Union City
- City of Waterford
- City of Yuba City

Counties

- Alameda County
- Contra Costa County
- Madera County
- Merced County
- Sacramento County
- San Benito County
- Santa Clara County
- Solano County
- Sutter County
- Yuba County

Higher Education

- Butte Community College District
- California State University, East Bay
- California State University, Fresno
- California State University, Sonoma

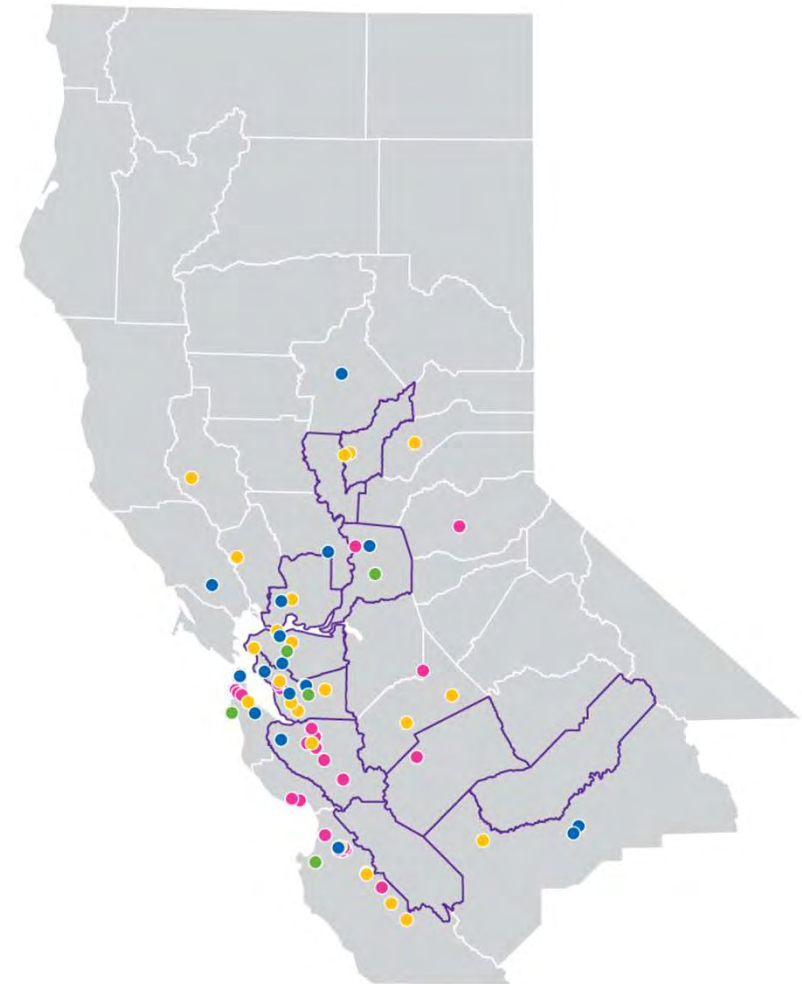
- Chabot-Las Positas Community College District
- Contra Costa County Community College District
- Foothill-DeAnza Community College District
- Hartnell College
- Los Rios Community College District
- Peralta Community College District
- San Mateo County Community College District
- Solano Community College
- St. Mary's College
- State Center Community College District
- University of California, Davis
- University of California, San Francisco

K-12

- Alisal Union School District
- Berryessa Union School District
- East Side Union High School District
- Escalon Unified School District
- Franklin-McKinley School District
- Gonzales Unified School District
- Jefferson Elementary School District
- Live Oak School District
- Milpitas Unified School District
- Monterey County Office of Education
- Morgan Hill Unified School District
- Oak Grove School District
- Oakland Unified School District
- Salinas City Elementary School District
- Salinas Union High School District
- San Jose Unified School District
- San Lorenzo Unified School District
- Santa Cruz County Office of Education
- Soledad Unified School District
- South San Francisco Unified School District

Special Districts

- Alameda County Fairgrounds
- Contra Costa County Fire Protection District
- Montara Water & Sanitary District
- Monterey Regional Airport

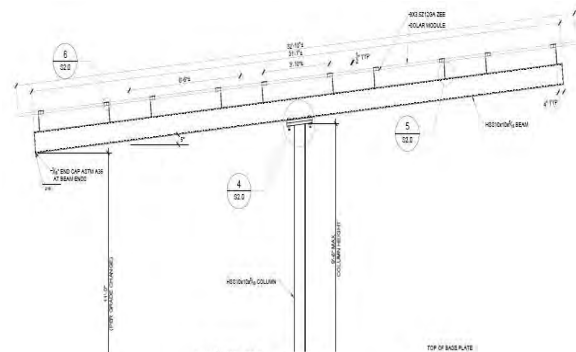


Solar Design Principles

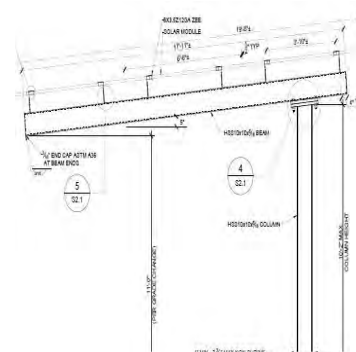
- 80-90% of planned electric load by site
- Account for energy efficiency (5-15% reduction)
- Close to main electrical service
- Avoid shade from buildings and trees
- Prioritize areas that provide valuable shade for students & staff
- Align designs with future plans & upgrades
- Avoid hazards to the panels (baseballs, etc.)
- Avoid hazards to building users (truck traffic, etc.)
- Follow permitting requirements



Solar Design Types



“T” Structure



“L” Structure



“Ground-Mount”



“Roof-Mount”



- Student Learning and Achievement
- Health and Safety of Students and Schools
- Credibility and Communication
- Fiscal Solvency, Accountability and Integrity

- Consent
- Action/Discussion
- Information/Discussion
- Public Hearing

SUBJECT: Future Agenda Items

DATE: September 16, 2021

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 16, 2021 Regular Board Meeting:

- Added February 4, 2021: Return of affordable housing at a later date when more information becomes available (Fall 2021)
- Added March 4, 2021: A Board member requested a study about making ethnic studies a graduation requirement
- Added June 3, 2021: A Board member requested information about eco-friendly tools, products and supplies
- Added June 17, 2021: A Board member requested a review of what the District learned from COVID
- Added June 17, 2021: A Board member requested a review of WiFi family access
- Added June 17, 2021: A Board member requested parent orientation to the Board meetings
- Added August 19, 2021: A Board member requested a review of discrimination policies and training for staff and students
- Added August 19, 2021: A Board member requested curriculum/training on critical thinking skills and how to navigate social media and the internet for students
- Added September 2, 2021: A Board member requested Board orientation
- Added September 2, 2021: A Board member requested staff recommendation on equity plan by November 18 Board meeting
- Added September 2, 2021: A Board member requested efforts to improve Board relationships