OPEN SESSION – 3:00 p.m., Room 464
ORDER OF BUSINESS
1. Call to Order
2. Announcements
   In accordance with California Government Code Section 54950 and following, the various matters to be considered in Closed Session today will be announced.
3. Public comments on items listed on the Closed Session agenda.

CLOSED SESSION – Room 464
4. Student Discipline Matters Pursuant to CA Education Code Section 48900 and following
5. Confidential Student Matters Pursuant to CA Education Code Section 35146
6. Public Employee Discipline/Dismissal/Release
7. Public Employee Evaluation: Superintendent of Schools
8. Public Employee Appointment: Elementary School Principal, Elementary School Vice Principal, Middle/K-8 School Principal, Middle/K-8 School Assistant Principal, High School Principal, High School Principal of Instruction, High School Assistant Principal, Principal Coach, Head Counselor, Director, Assistant Director, Program Specialist, Program Administrator, Administrative Assistant, Executive Officer, Assistant Superintendent, Deputy Superintendent
9. Conference with Legal Counsel--Anticipated Litigation
   Initiation of litigation pursuant to subdivision (c) of CA Government Code Section 54956.9. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
10. Conference with Legal Counsel--Existing Litigation
    Pursuant to subdivision (a) of CA Government Code Section 54956.9 Case Nos. NC058295, MSN14-0310, 1197530, OCR No. 09-11-1220, OCR 09-11-1780, 13-09037, 000843, 13-12874, 0926444, 09264441, 11197530, 09-11-1780, 13-09037, 000843, 13-12874, BC585384, 12461437, 10297261 and CN827501
12. Hearing of Complaints or Charges Brought Against an Employee by Another Person or Employee Pursuant to Government Code Section 54957 for the following positions: Classroom Teachers, School Site Administrators, School Site Classified Employees. (Subject to 24 Hour Prior Notice to the Employee. This item may be heard in open session during this time period should the employee so choose pursuant to Section 54957.)

OPEN SESSION – 5:00 p.m., Community Room
ORDER OF BUSINESS    SUBJECT    DISPOSITION
13. Pledge of Allegiance and Call to Order
14. In accordance with California Government Code Section 54957.7, the reports required of 54957.1 regarding actions taken in Closed Session will be made in writing at this time. The written report forms will continue to be made available upon request to the Assistant Secretary of the Board of Education.
15. Public Hearing None Information

16. Call for Agenda Items for Separate Action/Adoption of the Agenda as Posted Action

17. Approval of Minutes September 6, 2017 Action

18. Communications Recognition of Retirees Information

19. Public Testimony on Items Listed on Agenda (3 mins./Person, limit of 30 minutes – if translation is needed, time is doubled)

20. Staff Report College Readiness Letters Information

21. Public Testimony on Items Not Listed on Agenda (3 mins./Person, limit of 30 minutes – if translation is needed, time is doubled)

22. Business Items Action Items
   - Personnel Action
   - Instruction Action
   - Finance Report Action
   - Business Department Report Action
   - Purchasing & Contract Report Action

23. Other Items Superintendent Items – None

24. Unfinished Business None Information/Action

25. New Business Amendments to the Approved Local Control and Accountability Plan Action
   - Kids Korner Rate Increase Action
   - BP 4030, Nondiscrimination in Employment Action
   - BP 4119.11, Sexual Harassment Action
   - BP 5145.3, Non-Discrimination/Harassment Action
   - BP 5145.7, Sexual Harassment Action
   - Resolution 091917-A, Ordering a Governing Board Member Primary Election, Setting Forth the Specification of the Election Order, and Requesting Consolidation of Such Elections with the Primary Nominating Municipal Elections to be Held on April 10, 2018 in the City of Long Beach Action
   - Resolution 091917-B, Relating to Candidate’s Statement and Costs for Governing Board Election Called for April 10, 2018 Action
26. Report of Board Members

27. Superintendent’s Report

28. Announcements

29. Adjournment & Setting of Next Meeting

The next regular business meeting will be held on MONDAY, OCTOBER 2, 2017.

ACCESS TO PUBLIC DOCUMENTS
Public records related to the open session agenda that are distributed to the Governing Board less than 72 hours before a regular meeting, may be inspected by the public at the Board of Education Office at 1515 Hughes Way, Long Beach, CA 90810, during regular business hours (8:00 a.m. to 4:40 p.m.).

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY
Any individual with a disability who requires reasonable accommodation to participate in a Board meeting may request assistance by contacting the Board of Education Office, 1515 Hughes Way, Long Beach, CA 90810; telephone: (562) 997-8240; fax: (562) 997-8280.
SUBJECT: Personnel Transactions

CATEGORY: Business Items

Enclosures

Reason for Board Consideration: Action

Human Resource Services

Date: September 19, 2017

The following employees are retiring after many years of loyal service to the district. The Superintendent recommends that letters of appreciation be written to them in recognition of their service.

1. **Certificated Personnel**

It is recommended that the certificated personnel transactions indicated on the personnel report be approved as listed.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Location</th>
<th>Years of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bohner, Valerie</td>
<td>Teacher</td>
<td>Roosevelt</td>
<td>21</td>
</tr>
<tr>
<td>Cox, Gerald</td>
<td>Teacher</td>
<td>Nelson</td>
<td>30</td>
</tr>
<tr>
<td>Romito, Shirley</td>
<td>Teacher</td>
<td>Whittier</td>
<td>34</td>
</tr>
<tr>
<td>Rumbellow, Patricia</td>
<td>Teacher</td>
<td>Burbank</td>
<td>30</td>
</tr>
</tbody>
</table>

2. **Classified Personnel**

It is recommended that the classified personnel transactions indicated on the personnel report be approved as listed.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Location</th>
<th>Years of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barkwill, Stacey</td>
<td>ASB Fin Tech</td>
<td>Keller/Washington</td>
<td>14</td>
</tr>
<tr>
<td>Hayes Jr., Alvin</td>
<td>IA-Spec</td>
<td>Cabrillo</td>
<td>17</td>
</tr>
</tbody>
</table>
The Deputy Superintendent of Education Services recommends the following proposed actions for Board approval subject to requirements of California law:

**APPOINTMENTS TO**

- Haahr, Connie: Regular Contract Teacher, N-Avalon
- Conley, Erin: Special Contract Teacher, N-LBSA
- Davidson, Brandon: "
- Gilliland, Brian: "
- Hague, Karin: "
- Haudrich, Christina: "
- James, Andrea: "
- Karapetyan, Marine: "
- Mulder, Darren: "
- Rabun, Katherine: "
- Romo, Paul: "
- Swenson, Karen: "
- Thompson, William-Denny: "
- Towne, Davis: "
- Ramanathan, Manjula: Special Contract Head Start Teacher

Subject to separation if no substitute service for the school year:

- Ashton, Cynthia: Day to Day Substitute Teacher
- Chuku, Chika: "
- Clevenger, Halee: "
- Cosgrove, Courtney: "
- Cottrell, Genna: "
- D’Sa, Brandon: "
- Demir, Metin: "
- Dubordieu, Kathleen: "
- Faulkner, Ethan: "
- Fee, Nicole: "
- Gallagher, Susan: "
- Guzman, Janelle: "
- Ha, Natalie: "
- Hernandez, Vanessa: "
- Huart, Elisabeth: "
- Hudley, Brittany: "
- Jaquias-Ross, Jane: "
- Laughlin, Kyle: "

CERTIFICATED
Subject to separation if no substitute service for the school year:

Lausch, Yvonne  Day to Day Substitute Teacher
Lee, Felicia “ “
Lutz, Lilia “ “
Maldanado, Yessenia “ “
Mott, Doreen “ “
Ortiz, Janet “ “
Perkins, Leah “ “
Plata, Stephanie “ “
Posadas, Claudia “ “
Ranasinghe, Lanka “ “
Robinson, Marca “ “
Sanchez, Midori “ “
Schneir, Steven “ “
Skytte, Beverly “ “
Slevin, Brandford “ “
Smith II, Byron “ “
Stanford, Valerie “ “
Tan, Timothy “ “
Thomas, Paige “ “
Zhang, Tian Tian “ “
Arce, Claudia  Day to Day Substitute Counselor
Lausch, Yvonne “ “

INSERVICE CHANGES

Day, Karen  Special Contract Teacher  Waiver: ASD
James, Andrea “ “  Waiver: ASD
Johnson, Andrew “ “  Waiver: ASD
Romo, Paul “ “  Waiver: CCSD
Wright, Andrea “ “  Waiver: CCSD
Bilvado, Stephanie  Additional Service – Additional Hourly
Cargile, Linda “ “
Cassidy, Rochelle “ “
Crowder-Jones, Michael “ “
Ensminger, Martha “ “
Fuson, Ilene “ “
Johnson, Kimberly “ “
Maliwat, Gerard “ “
Medina, Erika “ “
Smith, Tynisha “ “
Yugar, Jeanne “ “

LEAVES OF ABSENCE

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
<th>DATES OF LEAVE</th>
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<tbody>
<tr>
<td>Faria, Stephanie</td>
<td>Teacher</td>
<td>09/06/17 to 09/08/17</td>
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<tr>
<td></td>
<td>MacArthur/Riley</td>
<td>Military Service</td>
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LEAVES OF ABSENCE

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
<th>DATES OF LEAVE</th>
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<tbody>
<tr>
<td>Johnson, Sophia</td>
<td>Teacher</td>
<td>09/13/17 to 10/9/17</td>
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<td>Head Start</td>
<td>Family Medical Leave</td>
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<tr>
<td>Mireles, Christine</td>
<td>Teacher</td>
<td>09/18/17 to 10/13/17</td>
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<tr>
<td></td>
<td>Stanford</td>
<td>Other</td>
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<tr>
<td>Tenny, Kelley</td>
<td>Teacher</td>
<td>09/12/17 to 01/26/18</td>
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<td>OCIPD</td>
<td>Other</td>
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RESIGNATIONS (BOARD POLICY 4117.2)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
<th>DATE OF EMPLOYMENT</th>
<th>DATE OF RESIGNATION</th>
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<tbody>
<tr>
<td>Divinski, Laura</td>
<td>Teacher</td>
<td>07/02/12</td>
<td>06/16/17</td>
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<tr>
<td></td>
<td>Lakewood</td>
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RETIREMENTS

<table>
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<tr>
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<th>DATE OF EMPLOYMENT</th>
<th>DATE OF RETIREMENT</th>
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<tr>
<td>Bohner, Valerie</td>
<td>Teacher</td>
<td>01/21/93</td>
<td>10/15/17</td>
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<tr>
<td></td>
<td>Roosevelt</td>
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</tr>
<tr>
<td>Cox, Gerald</td>
<td>Teacher</td>
<td>09/08/87</td>
<td>06/17/17</td>
</tr>
<tr>
<td></td>
<td>Nelson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romito, Shirley</td>
<td>Teacher</td>
<td>09/12/83</td>
<td>07/27/17</td>
</tr>
<tr>
<td></td>
<td>Whittier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rumbellow, Patricia</td>
<td>Teacher</td>
<td>09/08/87</td>
<td>10/01/17</td>
</tr>
<tr>
<td></td>
<td>Burbank</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AMENDMENTS

08/16/17 BA Amend Retirement effective date from 06/17/17 to 06/16/17 for Prieto, Piedad.
The Deputy Superintendent, of Education Services, recommends the following proposed actions for Board approval subject to requirements of California law:

**APPOINTMENTS**

<table>
<thead>
<tr>
<th>Classified - Probationary</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Akpamgbo, Chisolum C</td>
<td>Sr Health Asst</td>
</tr>
<tr>
<td>Alvarez, Jeorgina</td>
<td>Inter Office Asst-Sch Bl Sp</td>
</tr>
<tr>
<td>Arban, Jessica Ann</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Bermudez, Angelica K</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Bush, Sharonda J</td>
<td>IA-Spec</td>
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<tr>
<td>Cazaures, Jose L</td>
<td>Custodian</td>
</tr>
<tr>
<td>Cervantes, Rosario</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Deleon, Ariel L</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Delgadillo, Raquel</td>
<td>Head Start Inst Aide Bl Sp</td>
</tr>
<tr>
<td>Dixon, Kautouya R</td>
<td>High Sch Office Sec</td>
</tr>
<tr>
<td>Fazeli, Ferdows K</td>
<td>Asst Fac Proj Mgr</td>
</tr>
<tr>
<td>Gates, Lawrence J</td>
<td>Accompianist</td>
</tr>
<tr>
<td>Godinez, Maria G</td>
<td>Nutr Svcs Wkr</td>
</tr>
<tr>
<td>Graham, Brittany V</td>
<td>Head Start Inst Aide</td>
</tr>
<tr>
<td>Green, Diane</td>
<td>Sr ASB Fin Tech</td>
</tr>
<tr>
<td>Gwennap, Denise S</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Hamlet, Rachael J</td>
<td>College &amp; Career Specialist</td>
</tr>
<tr>
<td>Haros, Marina</td>
<td>Head Start Inst Aide</td>
</tr>
<tr>
<td>Kunipo, Shawn</td>
<td>Nutr Svcs Spv I</td>
</tr>
<tr>
<td>Ligon, Madison S</td>
<td>Kids’ Club Spv I</td>
</tr>
<tr>
<td>Lopez, Brandon L</td>
<td>Nutr Svcs Wkr</td>
</tr>
<tr>
<td>Lynch, Corina S</td>
<td>Elem Sch Office Sec</td>
</tr>
<tr>
<td>Ma, Pui Y</td>
<td>Coord, Resrch Info Systems</td>
</tr>
<tr>
<td>Maciel, Angelica</td>
<td>Nutr Svcs Spv I</td>
</tr>
<tr>
<td>Mathews, Camille N</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Mazzio, Michelle M</td>
<td>Health Asst</td>
</tr>
<tr>
<td>McGrue, Iadraza F</td>
<td>Nutr Svcs Spv I</td>
</tr>
<tr>
<td>Mulzac, Talena I</td>
<td>Nutr Svcs Spv I</td>
</tr>
<tr>
<td>Murray, Brooke E</td>
<td>Admin Fac Dev &amp; Planning</td>
</tr>
<tr>
<td>Nunez, David V</td>
<td>Plant Spv – Avalon</td>
</tr>
<tr>
<td>Padilla-Santiago, Kaira A</td>
<td>IA-Spec</td>
</tr>
<tr>
<td>Parra Gonzalez, Paola C</td>
<td>Nutr Svcs Wkr</td>
</tr>
</tbody>
</table>

*September 19, 2017*
### Classified and Exempt

#### APPOINTMENTS TO

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Assigned To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Powell, Christine M</td>
<td>Nutr Svcs Spv III</td>
<td>P-Wilson</td>
</tr>
<tr>
<td>Powers, Mark J</td>
<td>Admin, Research Info System</td>
<td>P-Rsrch/Plng</td>
</tr>
<tr>
<td>Quibin, Vynesa L</td>
<td>Nutr Svcs Spv I</td>
<td>P-Naples</td>
</tr>
<tr>
<td>Rodriguez, Efren</td>
<td>IA-Spec</td>
<td>N-Hudson</td>
</tr>
<tr>
<td>Ruano, Benicia R</td>
<td>Sr Health Asst</td>
<td>N-Nursing Svcs</td>
</tr>
<tr>
<td>Rueda Garcia, Jane I</td>
<td>IA-Spec</td>
<td>N-Millikan</td>
</tr>
<tr>
<td>Ruiz Chavez, Maria</td>
<td>Head Start Inst Aide</td>
<td>N-Head Start</td>
</tr>
<tr>
<td>Ruiz, Jeannette N</td>
<td>Kids’ Club Spv III</td>
<td>P-Lowell Kids’ Club</td>
</tr>
<tr>
<td>Ruiz, Joycelyn N</td>
<td>IA-Spec</td>
<td>N-Rogers</td>
</tr>
<tr>
<td>Scott, Deborah R</td>
<td>IA-Spec</td>
<td>N-Cabrillo</td>
</tr>
<tr>
<td>Scott, Mary P</td>
<td>Inter Office Asst-Sch</td>
<td>N-Tincher</td>
</tr>
<tr>
<td>Terrebrood, Joseph P</td>
<td>IA-Spec</td>
<td>N-Tucker</td>
</tr>
<tr>
<td>Toledo, Maria V</td>
<td>Sr Health Asst</td>
<td>P-Nursing Svcs</td>
</tr>
<tr>
<td>Velasquez, KC</td>
<td>Sr Nutr Svcs Wkr</td>
<td>P-Lakewood</td>
</tr>
<tr>
<td>Williams, Regina M</td>
<td>IA-Spec</td>
<td>N-Renaissance</td>
</tr>
<tr>
<td>Young, Kimberly S</td>
<td>Kids’ Club Asst</td>
<td>N-Kids’ Club Prog Office</td>
</tr>
</tbody>
</table>

Subject to separation if no substitute service for the school year

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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</thead>
<tbody>
<tr>
<td>Abram, Andrew T</td>
<td>Day to Day Substitute Campus Security Officer</td>
</tr>
<tr>
<td>Bryant, Rickey D</td>
<td>“</td>
</tr>
<tr>
<td>Freeman, Lakesha R</td>
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<tr>
<td>Alex, Aisha N</td>
<td>Day to Day Substitute Intermediate Office Assistant</td>
</tr>
<tr>
<td>Bell, Wendy L</td>
<td>“</td>
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<tr>
<td>Eliopoulos, Jacquelyn G</td>
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<tr>
<td>Gardner London, Jade N</td>
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<tr>
<td>Johnson, Theresa</td>
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<tr>
<td>McDaniel, Kamara A</td>
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<tr>
<td>Murillo, Marlo R</td>
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<tr>
<td>Nunez, Jazlyn S</td>
<td>“</td>
</tr>
<tr>
<td>Pinkerton, Brianna W</td>
<td>“</td>
</tr>
<tr>
<td>Reyes, Ashley</td>
<td>“</td>
</tr>
<tr>
<td>Strickland, Benita J</td>
<td>“</td>
</tr>
<tr>
<td>Estrada, Angela M</td>
<td>Day to Day Intermediate Office Assistant Bilingual Spanish</td>
</tr>
<tr>
<td>Gaitan, Ivonne L</td>
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<tr>
<td>Garcia, April</td>
<td>“</td>
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<tr>
<td>Lagunas, Miriam M</td>
<td>“</td>
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<tr>
<td>Mejia, Guillermo</td>
<td>“</td>
</tr>
<tr>
<td>Baker, Brandy A</td>
<td>Day to Day Substitute Instructional Aide-Special</td>
</tr>
</tbody>
</table>

APPPOINTMENTS TO

Exempt

Puth, Sokneng CA Promise Student
Acosta, Raquel Child Care Wkr
Caballero, Ramona “ “
Calderon, Karen T “ “
Estrada Romero, Maricela “ “
Hernandez, Mirian “ “
Reyes, Claudia “ “
Royster, Tai D “ “
Tiffany, Michelle M “ “
Welch, Suveria T “ “
Yim, Amy “ “
Caballero, Cruz A Rec Aide
Faichney, Jessica L “ “
Hernandez, Valarie D “ “
Lee, Arlene “ “
Mendoza, Alyna “ “
Mercadel, Chiobhan S “ “
Miller, Ashley E “ “
Salazar, Leslie “ “
Vigil, Manuel “ “
Campos, Malenda R Rec Aide-Kids' Club
Jas, Trent T “ “
Toro, Marisela E “ “
Wallace III, William J “ “
Hooper, John M Workability Student

Exempt

In Accordance with California Code of Regulations, Title 5, Section 5593:

Pallares, Robert J Instructor Athletics (HS)
Bogan, Shawnyce L “ “
McNeil, Brent J “ “
Barry, Megan O “ “
Presley, Dustin N “ “
Claiborne, Christopher A “ “
Oda, Bailey E “ “
Long, Trishawnna S “ “
**Exempt**

**College Student Aide**

As needed, not to exceed 18 hours per week, with no authorization to work during the intersession & winter/spring break, subject to certification.

NONE

### LEAVES OF ABSENCE

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
<th>DATES OF LEAVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aaronsen, Crystal A</td>
<td>Behavr Int Asst Spec Ed</td>
<td>08/30/17 to 06/14/18 Study</td>
</tr>
<tr>
<td>Blount, Andre J</td>
<td>Custodian Wilson</td>
<td>09/15/17 to 10/05/17 Rest and Recuperation</td>
</tr>
<tr>
<td>Cotton II, Marcus L</td>
<td>Behavr Int Asst Holmes</td>
<td>08/30/17 to 08/29/18 Study</td>
</tr>
<tr>
<td>Fuentes, Virginia</td>
<td>Nutr Svcs Wkr Lincoln</td>
<td>09/08/17 to 10/05/17 Rest and Recuperation</td>
</tr>
<tr>
<td>Israel, Katherine M</td>
<td>IA-Spec Millikan</td>
<td>08/30/17 to 01/07/18 Study</td>
</tr>
<tr>
<td>Paramo, Andrew R</td>
<td>IA-Spec CSULB</td>
<td>08/16/17 to 11/06/17 Study</td>
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<tr>
<td>Potter, Julie C</td>
<td>IA-Spec Tucker</td>
<td>09/05/17 to 10/05/17 Other</td>
</tr>
<tr>
<td>Tarleton, Tiffany N</td>
<td>IA-Spec Hoover</td>
<td>08/30/17 to 08/29/18 Other</td>
</tr>
</tbody>
</table>
RESIGNATIONS (BOARD POLICY 4117.2)

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
<th>DATE OF EMPLOYMENT</th>
<th>DATE OF RESIGNATION</th>
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<tbody>
<tr>
<td><strong>Probationary</strong></td>
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<tr>
<td>Padilla-Santiago, Kaira</td>
<td>IA-Spec Marshall</td>
<td>08/30/17</td>
<td>08/30/17</td>
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<tr>
<td>Turner, Angela D</td>
<td>IA-Spec Hughes</td>
<td>02/28/17</td>
<td>09/01/17</td>
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<tr>
<td><strong>Permanent</strong></td>
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<tr>
<td>Cordero, Areli</td>
<td>Health Asst Nursing Svcs</td>
<td>11/14/16</td>
<td>08/24/17</td>
</tr>
<tr>
<td>Fowler, Arlene V</td>
<td>Behavr Int Asst Holmes</td>
<td>12/06/10</td>
<td>08/29/17</td>
</tr>
<tr>
<td>Gutierrez, Juan C</td>
<td>IA-Spec Tucker</td>
<td>10/07/14</td>
<td>09/01/17</td>
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<tr>
<td>Illingworth, Shannon T</td>
<td>Child Nutr Specialist Nutr Svcs</td>
<td>05/06/15</td>
<td>09/08/17</td>
</tr>
<tr>
<td>Jones, Jamecia S</td>
<td>Head Start Inst Aide Head Start</td>
<td>05/12/14</td>
<td>09/08/17</td>
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<tr>
<td>Padilla-Santiago, Kaira</td>
<td>IA-Spec Marshall</td>
<td>08/30/17</td>
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<tr>
<td>Poteriaiko, Alissa</td>
<td>IA-Spec Lowell</td>
<td>01/05/15</td>
<td>09/05/17</td>
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<tr>
<td>Richardson, Ajia K</td>
<td>IA-Spec Tucker</td>
<td>11/03/14</td>
<td>08/24/17</td>
</tr>
<tr>
<td>Thompson III, William D</td>
<td>Behavr Int Asst Spec Ed</td>
<td>10/22/12</td>
<td>08/28/17</td>
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<tr>
<td>Umpornpuckdi, Kimberly</td>
<td>IA-Spec Newcomb</td>
<td>10/19/15</td>
<td>08/29/17</td>
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### RETIREMENTS

<table>
<thead>
<tr>
<th>NAME</th>
<th>ASSIGNMENT</th>
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<th>DATE OF RETIREMENT</th>
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<tr>
<td>Barkwill, Stacey R</td>
<td>ASB Fin Tech</td>
<td>06/30/03</td>
<td>12/28/17</td>
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<td>Keller/Washington</td>
<td></td>
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<td>Hayes Jr., Alvin L</td>
<td>IA-Spec</td>
<td>09/05/00</td>
<td>10/06/17</td>
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<tr>
<td></td>
<td>Cabrillo</td>
<td></td>
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</table>
1. **APPROVE REVISED BOARD POLICY 6171 – TITLE I PROGRAMS**

   Approve revisions to Board Policy 6171 – Title I Programs. This policy asserts that the district shall use federal Title I funds to provide supplemental services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments. The Board Policy is being revised to add wording to assist schools in approving and operating their Title I programs. A Title I school may operate as a schoolwide program or as a targeted assistance school. Specific eligibility criteria is presented in the revised policy.

2. **APPROVE REVISED BOARD POLICY 1312.3 – UNIFORM COMPLAINT PROCEDURES**

   Approve revisions to Board Policy 1312.3 – Uniform Complaint Procedures. This policy is a process for investigating formal complaints within the district. The Board Policy is being revised to reflect updated requirements for any educational program which receives direct or indirect funding from any federal or state program. The Uniform Complaint Procedure Annual Notice and associated form will also reflect the appropriate modifications. The proposed changes satisfy the requirements currently set forth by the California Department of Education.

Prepared by

James Suarez, Assistant Director
Equity, Access, and College & Career Readiness

Approved and Recommended by

Christopher J. Steinhauser
Superintendent of Schools

Jill Baker
Deputy Superintendent of Schools

Ruth Ashley
Deputy Superintendent of Education Services

Pamela Seki, Assistant Superintendent
Curriculum, Instruction, Professional Development
Title I Programs

In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)

The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.

Local Educational Agency Plan

The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Governing Board for approval. (20 USC 6312)

The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.

The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.

Comparability of Services

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools:

1. The Board shall adopt and implement a districtwide salary schedule.

2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.
3. Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.

4. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.

5. The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Schoolwide Program vs Targeted Assistance School

A Title I school may operate as a schoolwide program or as a targeted assistance school.

*Schoolwide Program (SWP)*

A schoolwide program is a comprehensive reform strategy designed to upgrade the entire educational program in a Title I school; its primary goal is to ensure that all Students, particularly those who are low-achieving, demonstrate proficient and advanced levels of achievement on State academic achievement standards.

Section 1114 of Title I authorizes a school with a concentration of poverty of at least 40 percent to use funds under Title I, Part A, along with other Federal, State and local funds, to operate a schoolwide program and upgrade the entire educational program.

*Targeted Assistance School (TAS)*

This is in contrast to a Title I targeted assistance program (TAS), in which Part A funds may be used only for supplementary educational services for eligible children identified as being most at risk of not meeting State standards.

Under section 1115 of Title I, targeted assistance schools will identify the eligible children most at need of services. Long Beach Unified School District presents the student eligibility criteria for a TAS school using the following multiple measures to ensure that the most academically needy students are selected to receive services:
Grades K-2: Eligibility criteria is based on teacher judgment, interviews with parents, and:

1. Foundational Reading Skills Assessment: Note Met (Level 1) or Nearly Met (Level 2)
2. Math End of Course Exam: Not Proficient or Partially Proficient

Grades 3-5: The following multiple measures will be used to determine eligibility:

1. Smarter Balanced- Achievement Levels: Level 1 (lowest) or Level 2 for ELA and/or Math
2. Benchmark Book Assessment – using grade level retention criteria
3. Math Facts- using grade level retention criteria

For Middle School grades: The following multiple measures will be used to determine eligibility:

1. Smarter Balanced- Achievement Levels: Level 1 (lowest) or Level 2 for ELA and/or Math
2. Trimester/Semester Grades: F or D in English course and/or Math course
3. PSAT Results(Grade 8): Below Benchmark in ELA and/or Math

For High School grades: The following multiple measures will be used to determine eligibility:

1. Smarter Balanced (Grade 11 results)- Achievement Levels: Level 1 (lowest) or Level 2 for ELA and/or Math
2. Trimester/Semester Grades: F or D in English course and/or Math course
3. PSAT Results (Grades 9-11) and/or SAT Results (Grades 11-12): Below Benchmark in ELA and/or Math

To address multiple measures to comply with the ESEA Equitable Services to Private School requirements for Title I, if a private school student has fewer than two results from the aforementioned data sources as listed above, eligibility for private school students can be assessed using any of the following sources, with the results equivalent to “at-risk of meeting grade level standards”:

1. STAR or other standardized test given through the private school
2. San Diego Quick
3. Mann-Suiter
The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

Legal Reference:
EDUCATION CODE
11503 Parent involvement programs in Title I schools
52055.57 Districts identified or at risk of identification for program improvement
54020-54028 Economic Impact Aid
54420-54425 State Compensatory Education
64001 Single plan for student achievement, consolidated application programs
UNITED STATES CODE, TITLE 20
6301 Program purpose
6311-6322 Improving basic programs for disadvantaged students, including:
6312 Local educational agency plan
6313 Eligibility of schools and school attendance areas; funding allocation
6314 Title I schoolwide programs
6315 Targeted assistance schools
6316 School improvement
6318 Parent involvement
6320 Participation of private school students
6321 Comparability of services
7881 Participation of private school students

CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.79 Improving basic programs for disadvantaged students
ELEMENTARY & SECONDARY EDUCATION ACT OF 1965
Title I, Part A, Section 1114 and 1115

Management Resources:
CSBA PUBLICATIONS
Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services
Policy Briefs, August 2006
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
LEA Plan, rev. May 17, 2006
Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, rev. November 1, 2005
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Fiscal Changes and Equitable Services Requirements under The Elementary & Secondary Education Act of 1965
(ESEA), as amended by The Every Student Succeeds Act (ESSA), November 21, 2016
Title I Fiscal Issues, May 26, 2006
Designing Schoolwide Programs, March 22, 2006
The Impact of the New Title I Requirements on Charter Schools, July 2004
Parental Involvement: Title I, Part A, April 23, 2004
Serving Preschool Children Under Title I, March 4, 2004
Title I Services to Eligible Private School Students, October 17, 2003
Local Educational Agency Identification and Selection of School Attendance Areas and Schools and Allocation of
Title I Funds to Those Areas and Schools, August 2003
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov/iasa/titleone

Adopted: August 19, 2008
Revised: September 19, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT
Uniform Complaint Procedures

Uniform Complaint Procedures (UCP)

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by Long Beach Unified School District of federal or state laws or regulations governing educational programs, including non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how the District processes UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP. A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

The responsibilities of the District

Long Beach Unified School District shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

The District shall investigate and seek to resolve, in accordance with our UCP process, any complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by the District that are subject to the UCP.

The Long Beach Unified School District developed the Uniform Complaint Procedures (UCP) process with policies and procedures adopted by our governing board.
Programs and activities subject to the UCP are:

<table>
<thead>
<tr>
<th>Adult Education</th>
<th>Economic Impact Aid</th>
</tr>
</thead>
<tbody>
<tr>
<td>After School Education and Safety</td>
<td>Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district</td>
</tr>
<tr>
<td>Agricultural Vocational Education</td>
<td>English Learner Programs</td>
</tr>
<tr>
<td>American Indian Education Centers and Early Childhood Education Program Assessments</td>
<td>Every Student Succeeds Act / No Child Left Behind (Titles I–VII)</td>
</tr>
<tr>
<td>Bilingual Education</td>
<td>Local Control and Accountability Plans (LCAP)</td>
</tr>
<tr>
<td>California Peer Assistance and Review Programs for Teachers</td>
<td>Migrant Education</td>
</tr>
<tr>
<td>Career Technical and Technical Education; Career Technical; Technical Training</td>
<td>Physical Education Instructional Minutes (for grades one through six)</td>
</tr>
<tr>
<td>Career Technical Education</td>
<td>Pupil Fees</td>
</tr>
<tr>
<td>Child Care and Development</td>
<td>Reasonable Accommodations to a Lactating Pupil</td>
</tr>
<tr>
<td>Child Nutrition</td>
<td>Regional Occupational Centers and Programs</td>
</tr>
<tr>
<td>Compensatory Education</td>
<td>School Safety Plans</td>
</tr>
<tr>
<td>Consolidated Categorical Aid</td>
<td>Special Education</td>
</tr>
<tr>
<td>Course Periods without Educational Content (for grades nine through twelve)</td>
<td>State Preschool</td>
</tr>
<tr>
<td></td>
<td>Tobacco-Use Prevention Education</td>
</tr>
</tbody>
</table>

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to the UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.

2. Health and safety complaints regarding a Child Development Program shall be referred to Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
3. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).

4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.

3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to California Education Code (EC) § 52060(d).

The District ensures annual dissemination of a written notice of complaint procedures to all students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

The Long Beach Unified School District UCP Annual Notice shall also include information regarding the requirements of EC §§ 49010 through 49013 relating to pupil fees and information regarding the requirements of EC § 52075 relating to the LCAP.

The UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The following is responsible for receiving and investigating complaints and ensuring our compliance:
The person or office responsible for compliance and investigations is knowledgeable about the laws and programs assigned to investigate.

The Long Beach Unified School District will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC §§ 200 and 220 and Government Code (GC) § section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) § 422.55 or on the basis or a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

All complainants are protected from retaliation.

We advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

If the Long Beach Unified School District finds merit in a complaint regarding Pupil Fees, Local Control and Accountability Plans (LCAP), Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in our school district, Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades nine through twelve), and Physical Education Instructional Minutes (grades one through eight), we shall provide a remedy. In the case of complaints regarding Course Periods without Educational Content, Reasonable Accommodations to a Lactating Pupil, and Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in our school district, the remedy shall go to the affected pupil. In the case of complaints regarding Pupil Fees, Physical Education Instructional Minutes and LCAP, the remedy shall to go all affected pupils and parents/guardians.

A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.
The District ensures an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

The Long Beach Unified School District will provide an opportunity for complainants and/or representatives to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by the Long Beach Unified School District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complaint will be investigated and a written report with a Decision will be issued to the complainant by the District within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This report will contain the following elements:

i. The findings of fact based on the evidence gathered.
ii. Conclusion of law.
iii. Disposition of the complaint.
iv. The rationale for such a disposition.
v. Corrective actions, if any are warranted.
vi. Notice of the complainant’s right to appeal the Decision to the CDE.
vii. Procedures to be followed for initiating an appeal to CDE.

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body’s decision.

A complainant may appeal our Decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP.

To appeal a UCP complaint Decision the complainant must file a written appeal within 15 days of receiving the Decision to CDE. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition the appeal shall be sent to CDE with: (1) a copy of the original locally filed complaint; and (2) a copy of the Decision of this original locally filed complaint.

Legal References
20 United States Code (USC) § 6301 et seq.
34 Code of Federal Regulations (CFR) §§ 299.11 & 300.510-511
California Government Code (GC) § 11135
California Health and Safety Code (HSC) § 104420
California Penal Code (PC) § 422.55
California Welfare and Institutions Code (WIC) §§ 300, 309, 602
California Code of Regulations Title 5 (5 CCR) §§ 4600-4687
The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation, or bullying and seek to resolve those complaints in accordance with the procedures set out in sections 4600-4687 of the Title 5 Regulations and in accordance with the policies and procedures of the governing board.

The district shall follow uniform complaint procedures to resolve complaints alleging unlawful discrimination, harassment, violence, intimidation, and bullying, actual or perceived, based on age, sex, sexual orientation, gender, gender identity, gender expression, genetic information, ethnic group identification, race or ethnicity, ancestry, nationality, national origin, religion, marital or parental status, color, mental or physical disability or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or on the basis of a person’s association with a person or group with one or more of the actual or perceived characteristics, in any program or activity which is funded directly by, or that receives or benefits from any federal or state financial assistance. Uniform Complaint Procedures shall also be used to address any complaint alleging the district’s failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for development and adoption of a school safety plan and state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements. (PC 422.55, EC 200, EC 220, Title 5 CCR 4610, 4622).

Uniform Complaint procedures shall also be used to address any complaint alleging that the district has not complied with legal requirements related to the implementation of the Local Control and Accountability Plan (Education Code 52075), and any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations. (Title 5 CCR 4631)

The Board acknowledges and respects every individual’s right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis. (Title 5 CCR 4621, 4630)

The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district’s policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)
The Board prohibits retaliation in any form for participating in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant. (Title 5 CCR 4621)

The district’s Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments
4. Deficiency in the district’s provision of instruction and/or services to any students, who, by the completion of grade 12, has not passed one or both parts of the high school exit examination.

Legal References:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8600-8638 Adult basic education
18100-18203 School libraries
32289-32308 School safety plan, uniform complaint procedure
AR 1312.4 Williams uniform complaint procedure
37294 Intensive instruction and services for students who have not passed exit exam
41500-41513 Categorical education block grants
48885 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49440-49452 Child nutrition programs
52060-52075 Local Control and Accountability Plans
52160-52178 Bilingual education programs
52300-52305 Career technical education
52500-52616.24 Adult Schools
52800-52870 School-Based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54440-54445 Migrant education
54500-54529 Compensatory education programs
56000-56030 Special education programs
59000-59030 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by the state
12900-12996 Fair Employment and Housing Act
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4667 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
PENAL CODE 422.55 Hate crime; definition
INTERFERENCE WITH CONSTITUTIONAL RIGHTS OR PRIVILEGES
UNITED STATES CODE, TITLE 20
6601-6677 Title II Preparing and Recruiting High Quality Teachers and Principals
6801-6871 Title III, Language Instruction for Limited English Proficient and Immigrant Students
7101-7184 Safe and Drug-Free Schools and Communities Act, including
7201-7283 Title V Promoting Informed Parental Choice and Innovative Programs
7301-7372 Title V rural and low-income school programs

Management Resources:
WEB SITES — California Department of Education: http://www.cde.ca.gov

Adopted: September 9, 1992
Revised: May 6, 1997
1. Ratify Salary Warrants issued on August 25, 2017 and transfer of funds to Payroll Clearance Fund to cover deductions as follows:

   General Fund $2,971,264.80
   Adult Education Fund $12,954.44
   Child Development Fund $137,476.88
   Cafeteria Special Revenue Fund $130,162.56
   Building Fund $918.40

   TOTAL SALARY WARRANTS ISSUED .................................................. $3,252,777.08

2. Ratify Salary Refund Warrants Issued on August 25, 2017 as follows:

   TOTAL PAYROLL CLEARANCE FUND WARRANTS ISSUED ............... $228.59

3. Ratify Salary Warrants issued on September 1, 2017 and transfer of funds to Payroll Clearance Fund to cover deductions as follows:

   General Fund $743,879.18
   Adult Education Fund $83.88
   Child Development Fund $42,321.29
   Cafeteria Special Revenue Fund $10,836.80
   Salary Advance $1,758,168.00

   TOTAL SALARY WARRANTS ISSUED .................................................. $2,555,289.15
4. **Ratify** the execution and issuance of the warrants included in the following listing. Individual warrant listings are included in the agenda and available under separate cover.

<table>
<thead>
<tr>
<th>Date</th>
<th>Warrant Numbers</th>
<th>Date</th>
<th>Warrant Numbers</th>
</tr>
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<tbody>
<tr>
<td>08/15/17-23980049-23980120</td>
<td>08/17/17 23980049-23980120</td>
<td>08/23/17 23987869-23987905</td>
<td>08/24/17 23992554-23992615</td>
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<td>08/18/17 00341382-00341384</td>
<td>08/17/17 23982034-23982089</td>
<td>08/25/17 23994937-23995009</td>
<td>08/28/17 23996783-23996835</td>
</tr>
<tr>
<td>08/18/17 00341487-00341487</td>
<td>08/21/17 23984174-23984241</td>
<td>08/28/17 00342520-00342524</td>
<td>08/29/17 24003883-24003968</td>
</tr>
<tr>
<td>08/21/17 00341547-00341547</td>
<td>08/22/17 23985913-23986027</td>
<td>08/30/17 24005677-24005736</td>
<td>08/30/17 00342984-00342984</td>
</tr>
<tr>
<td>08/22/17 00341642-00341647</td>
<td>08/30/17 24003883-24003968</td>
<td>08/30/17 24005677-24005736</td>
<td>08/30/17 00342984-00342984</td>
</tr>
</tbody>
</table>

**Funds**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$9,819,032.03</td>
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<tr>
<td>Adult Education Fund</td>
<td>541.91</td>
</tr>
<tr>
<td>Child Development Fund</td>
<td>89,448.40</td>
</tr>
<tr>
<td>Building Fund</td>
<td>7,449,422.83</td>
</tr>
<tr>
<td>Capital Facilities Account Fund</td>
<td>8.69</td>
</tr>
<tr>
<td>Self-Insurance Fund</td>
<td>3,879,687.37</td>
</tr>
<tr>
<td>Warrant/Pass-Through Fund</td>
<td>311,052.12</td>
</tr>
</tbody>
</table>

**TOTAL WARRANTS ISSUED** .................................................. $ 21,549,193.35

**Recommendation**

Approve/Ratify the above listed items.

Approved: Yumi Takahashi  
Approved and Recommended: Christopher J. Steinhauser 

Chief Business and Financial Officer  
Superintendent of Schools
CONSENT ITEM

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Business Department Report

Enclosures

CATEGORY: Business Items
Reason for Board Consideration: Action

Business Department
Date September 19, 2017

Accept Gifts: Accept the following gifts to the District:

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Donor</th>
<th>Gift</th>
<th>Purpose</th>
<th>Amount or Amount Est. by Donor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Addams</td>
<td>Lifetouch National School Studios</td>
<td>Monetary</td>
<td>For the benefit of the students and staff.</td>
<td>$995.44</td>
</tr>
<tr>
<td>2. Addams</td>
<td>Dr. Harold J. Kaplan</td>
<td>One (1) HP Core Intel 13 computer #MXL25118FV</td>
<td>For the benefit of the students and staff.</td>
<td>$200.00</td>
</tr>
<tr>
<td>3. Bethune</td>
<td>The Oriana Shea Group</td>
<td>200 Backpacks and school supplies</td>
<td>For supporting homeless education throughout the District through the Bethune Transitional Center.</td>
<td>$450.00</td>
</tr>
<tr>
<td>4. Elementary Schools Office</td>
<td>Long Beach Education Foundation</td>
<td>Monetary</td>
<td>For the benefit of the students and staff.</td>
<td>$341.83</td>
</tr>
<tr>
<td>5. Holmes</td>
<td>Stephanie Carter</td>
<td>One (1) ¾ size Violin, E.R. Pfretzchner</td>
<td>For the benefit of the instrumental music program.</td>
<td>$275.00</td>
</tr>
<tr>
<td>6. Keller</td>
<td>Keller PTA</td>
<td>Monetary</td>
<td>For the purchase of Chromebooks.</td>
<td>$3,525.00</td>
</tr>
<tr>
<td>7. Middle Schools K-8 Office</td>
<td>Long Beach Education Foundation</td>
<td>Monetary</td>
<td>For the benefit of the students and staff.</td>
<td>$341.83</td>
</tr>
</tbody>
</table>

**Gifts Total**

Total amount of monetary gifts on this report: $5,204.10
Total value of non-monetary gifts on this report: $925.00
Recommendation:

Approve the items listed above.

Approved:                          Approved and Recommended:

Yumi Takahashi                     Christopher J. Steinhauser
Chief Business and Financial Officer Superintendent of Schools
CONSENT ITEM

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Purchasing & Contract Report

Enclosures ________________

CATEGORY: Business Items

Reason for Board Consideration ___________ Action ___________

Purchasing & Contracts

Date ___________ September 19, 2017

Contract Report

The following contracts are submitted for approval and available upon request:

**New Agreements and Renewals - General**

<table>
<thead>
<tr>
<th>No.</th>
<th>Agreement</th>
<th>Purpose</th>
<th>Term</th>
<th>Type</th>
<th>Cost</th>
<th>Originator</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Auditory Instruments, Inc. (1718-0213-00)</td>
<td>To provide audiological services for students with exceptional needs.</td>
<td>7/1/2017 - 6/30/2018</td>
<td>Renewal - 3rd year</td>
<td>To be a maximum of $50,000</td>
<td>Spec. Ed.</td>
<td>Spec. Ed./General Fund</td>
</tr>
<tr>
<td>2.</td>
<td>Central Drug System, Inc. (1718-0224-00)</td>
<td>To provide substance testing of all District employees who are required to hold a commercial driver’s license or operate a commercial motor vehicle as required by the Omnibus Transportation Employee Testing Act of 1991.</td>
<td>7/1/2017 - 6/30/2018</td>
<td>Renewal - 13th year</td>
<td>To be a maximum of $4,998</td>
<td>Transportation</td>
<td>General Fund</td>
</tr>
<tr>
<td>3.</td>
<td>City of Long Beach (1718-0247-00)</td>
<td>To provide law enforcement services to promote safety at Cabrillo, Jordan, Millikan, and Poly high schools.</td>
<td>9/1/2017 - 6/30/2018</td>
<td>Renewal - 14th Year</td>
<td>The District and the City of Long Beach will share the cost. Total cost for the District to be a maximum of $649,236</td>
<td>School Safety &amp; Emergency Preparedness</td>
<td>General Fund - LCFF</td>
</tr>
</tbody>
</table>
4. Agreement: Connect Ed: The California Center for College and Career (1718-0214-00)
   Purpose: To provide professional development services and training workshops related to
   Linked Learning for teachers and administrators throughout the District.
   Term: 7/1/2017 - 6/30/2019
   Type: Renewal - 2nd 2-year term
   Cost: To be a maximum of $163,000
   Originator: Assistant Superintendent - High Schools
   Funding Source: Career Technical Education Incentive Grant Program

5. Agreement: Gloria A. Estes, RN (1718-0222-00)
   Purpose: To conduct state-mandated Tuberculin skin tests for District employees.
   Term: 7/1/2017 - 6/30/2018
   Type: Renewal - 5th year
   Cost: To be a maximum of $16,856
   Originator: HRS
   Funding Source: General Fund

6. Agreement: Goodwill, Serving the People of Southern Los Angeles County (1718-0227-00)
   Purpose: To provide the Goodwill Works Employment Preparation program for selected high
   school students.
   Term: 7/1/2017 - 6/18/2018
   Type: Renewal - 4th Year
   Cost: No cost to the District
   Originator: EACCR
   Funding Source: N/A

7. Agreement: Institute for Applied Behavior Analysis (1718-0128-00)
   Purpose: To approve master contract for special education services provided for students with
   exceptional needs.
   Term: 7/1/2017 - 6/30/2018
   Type: Renewal - 6th Year
   Cost: Estimated to be $30,000
   Originator: Spec. Ed.
   Funding Source: Spec. Ed./General Fund

8. Agreement: Jewish Community Center of Long Beach (1718-0212-00)
   Purpose: For use of facilities and services for the purpose of providing special education
   vocational training for selected students.
   Term: 7/12/2017 - 7/11/2022
   Type: New Agreement
   Cost: No cost to the District
   Originator: Spec. Ed.
   Funding Source: N/A

9. Agreement: Meet the Masters, Inc. (1718-0223-00)
   Purpose: To provide in-service art lessons for teachers at St. Maria Goretti School.
   Term: 7/1/2017 - 6/30/2018
   Type: New Agreement
   Cost: To be a maximum of $2,739
   Originator: EACCR
   Funding Source: NCLB: Title II, Part A, Teacher Quality
10. Agreement: NAF, Inc. (1718-0218-00)
    Purpose: To provide design and curriculum implementation for career-themed programs of study, including staff training, at the various high school academies throughout the District.
    Term: 7/1/2017 - 6/30/2020
    Type: New Agreement
    Cost: To be a maximum of $40,325
    Originator: Assistant Superintendent - High Schools
    Funding Source: Career Technical Education Incentive Grant Program

11. Agreement: NAPA Center (1718-0217-00)
    Purpose: To conduct Independent Educational Evaluations and/or other Special Education Related Services for a student with exceptional needs.
    Term: 5/1/2017 - 6/30/2018
    Type: New Agreement
    Cost: To be a maximum of $800
    Originator: Spec. Ed.
    Funding Source: Spec. Ed./General Fund

12. Agreement: Petco Animal Supplies Stores, Inc. (1718-1111-00)
    Purpose: For use of facilities and services for the purpose of providing special education vocational training for selected students.
    Term: 7/12/2017 - 7/11/2022
    Type: Renewal - 3rd Year
    Cost: No cost to the District
    Originator: Spec. Ed.
    Funding Source: N/A

13. Agreement: YMCA of Greater Long Beach (1718-0226-00)
    Purpose: To provide a drowning prevention swim program for students at Burbank Elementary School.
    Term: 9/19/2017 - 11/30/2017
    Type: New Agreement
    Cost: No cost to the District
    Originator: Burbank
    Funding: N/A

New Agreements and Renewals - Facilities

14. Agreement: American Engineering Laboratories (10264.01)
    Purpose: To provide materials testing and inspection services for the Wilson High School Track and Field project.
    Term: 9/20/2017 through project completion
    Type: New Agreement
    Cost: To be a maximum of $19,801
    Originator: Facilities
    Funding Source: Building Fund
15. Agreement: American Engineering Laboratories (10274.01)
Purpose: To provide materials testing and inspection services for the Interim Housing projects at Kettering, Riley, Rogers, and Webster Schools.
Term: 9/20/2017 through project completion
Type: New Agreement
Cost: To be a maximum of $47,872
Originator: Facilities
Funding Source: Building Fund

16. Agreement: Associated Soils Engineering, Inc. (10245.02)
Purpose: To provide geotechnical engineering services for the Kettering Interim Housing project.
Term: 9/20/2017 - 6/30/2018
Type: New Agreement
Cost: To be a maximum of $23,260
Originator: Facilities
Funding Source: Building Fund

17. Agreement: ATC Group Services, LLC (10267.01)
Purpose: To provide hazardous materials surveying, testing, abatement plan preparation and monitoring services for the Fire Alarm projects at various sites.
Term: 9/20/2017 - 6/30/2019
Type: New Agreement
Cost: To be a maximum of $129,540
Originator: Facilities
Funding Source: Building Fund

18. Agreement: Chambers Group, Inc. (10262.01)
Purpose: To provide California Environmental Quality Act (CEQA) documentation services for the McKinley Elementary School HVAC project.
Term: 9/20/2017 - 12/31/2018
Type: New Agreement
Cost: To be a maximum of $63,674, including $572 reimbursable expenses
Originator: Facilities
Funding Source: Building Fund

19. Agreement: Converse Consultants (10266.01)
Purpose: To provide materials testing and inspection services for the Riley Interim Housing project.
Term: 9/12/2017 through project completion
Type: New Agreement
Cost: To be a maximum of $56,840
Originator: Facilities
Funding Source: Building Fund

20. Agreement: Converse Consultants (10268.01)
Purpose: To provide materials testing and inspection services for the Kettering Interim Housing project.
Term: 9/20/2017 through project completion
Type: New Agreement
Cost: To be a maximum of $69,910
Originator: Facilities
Funding Source: Building Fund
21. Agreement: Converse Consultants (10269.01)  
Purpose: To provide materials testing and inspection services for the Rogers Interim Housing project.  
Term: 9/20/2017 through project completion  
Type: New Agreement  
Cost: To be a maximum of $8,680  
Originator: Facilities  
Funding Source: Building Fund

22. Agreement: DMC Engineering (10265.01)  
Purpose: To provide topographic land and utility surveying services for the MacArthur Elementary School HVAC project.  
Term: 9/20/2017 - 12/31/2017  
Type: New Agreement  
Cost: To be a maximum of $34,980  
Originator: Facilities  
Funding Source: Building Fund

23. Agreement: Ghataode Bannon Architects (10186.01D)  
Purpose: To provide architectural services for the Barton Elementary School HVAC project, per the terms and conditions of the master agreement approved on April 5, 2017.  
Term: 9/20/2017 through projection completion  
Type: New Agreement  
Cost: To be a maximum of $582,500, including $25,000 reimbursable expenses  
Originator: Facilities  
Funding Source: Building Fund

24. Agreement: Henrikson Owen & Associates (10261.01)  
Purpose: To provide commissioning services for the Lindsey Academy HVAC project.  
Term: 9/20/2017 - 6/30/2019  
Type: New Agreement  
Cost: To be a maximum of $26,000  
Originator: Facilities  
Funding Source: Building Fund

25. Agreement: IBI Group (10189.01E)  
Purpose: To provide architectural services for the MacArthur Elementary School HVAC project, per the terms and conditions of the master agreement approved on April 5, 2017.  
Term: 9/20/2017 through projection completion  
Type: New Agreement  
Cost: To be a maximum of $701,156, including $15,000 reimbursable expenses  
Originator: Facilities  
Funding Source: Building Fund

26. Agreement: Koury Engineering & Testing, Inc. (10172.02)  
Purpose: To provide geotechnical engineering consulting services for the Wilson High School Track and Field project.  
Term: 9/20/2017 - 6/30/2018  
Type: New Agreement  
Cost: To be a maximum of $53,640  
Originator: Facilities  
Funding Source: Building Fund
27. **Agreement:** Koury Engineering & Testing, Inc. (10263.01)  
**Purpose:** To provide geotechnical engineering consulting services for the Jordan High School Major Renovation project.  
**Term:** 9/20/2017 - 6/30/2019  
**Type:** New Agreement  
**Cost:** To be a maximum of $155,020  
**Originator:** Facilities  
**Funding Source:** Building Fund

28. **Agreement:** Placeworks, Inc. dba Placeworks (10240.01)  
**Purpose:** To provide California Environmental Quality Act (CEQA) consulting services for the Rogers and Lowell Middle School HVAC projects.  
**Term:** 8/17/2017 - 6/30/2018  
**Type:** New Agreement  
**Cost:** To be a maximum of $56,828, including $3,596 reimbursable expenses  
**Originator:** Facilities  
**Funding Source:** Building Fund

29. **Agreement:** Placeworks, Inc. dba Placeworks (10246.01)  
**Purpose:** To provide California Environmental Quality Act (CEQA) documentation for the Garfield Elementary School HVAC project.  
**Term:** 8/17/2017 - 6/30/2018  
**Type:** New Agreement  
**Cost:** To be a maximum of $55,846, including $4,177 reimbursable expenses  
**Originator:** Facilities  
**Funding Source:** Building Fund

30. **Agreement:** Placeworks, Inc. dba Placeworks (10248.01)  
**Purpose:** To provide California Environmental Quality Act (CEQA) documentation for the Jefferson Middle School HVAC project.  
**Term:** 8/17/2017 - 6/30/2018  
**Type:** New Agreement  
**Cost:** To be a maximum of $46,770, including $3,300 reimbursable expenses  
**Originator:** Facilities  
**Funding Source:** Building Fund

31. **Agreement:** Twining Consulting (10246.01)  
**Purpose:** To provide geotechnical services for the Sato High School New Construction (New Building) project.  
**Term:** 9/20/2017 - 12/31/2017  
**Type:** New Agreement  
**Cost:** To be a maximum of $10,000  
**Originator:** Facilities  
**Funding Source:** Building Fund
Amend Agreements - General

32. Agreement: Governmentjobs.com dba Neogov, Inc. (1617-0108-03)
   Purpose: To provide a third party partner to integrate pre-employment testing software with the Neogov applicant tracking system, by incorporating renewal language to include a price increase not to exceed 5% from the previous term period.
   Term: Extend contract completion date from August 31, 2017 to be through August 31, 2018.
   Cost: Increase contract amount by $27,735 from $44,959, to be a maximum of $72,694. All other terms and conditions to remain the same.
   Originator: Personnel Commission
   Funding Source: General Fund

33. Agreement: InnoQual Consulting, LLC (1617-0484-01)
   Purpose: To conduct a rate study for the 2017-18 plan year for the District’s self-insured medical, dental, and vision plans, to include rate revisions for the 2017-18 final rates.
   Cost: Increase contract amount by $3,000 from $34,000 to be a maximum of $37,000. All other terms and conditions to remain the same.
   Originator: Risk Management
   Funding Source: Self Insurance Fund

Amend Agreements - Facilities

34. Agreement: Alta Environmental (10203.01)
   Purpose: To provide additional hazardous material surveying, testing, and abatement plan preparation services for the Stephens Middle School HVAC project.
   Cost: Increase contract amount by $2,990 from $16,760, to be a maximum of $19,750. All other terms and conditions to remain the same.
   Originator: Facilities
   Funding Source: Building Fund

35. Agreement: American Engineering Laboratories (10237.01)
   Purpose: To provide additional materials testing and inspection services for the Cabrillo High School Track and Field project.
   Cost: Increase contract amount by $13,949 from $7,046, to be a maximum of $20,995. All other terms and conditions to remain the same.
   Originator: Facilities
   Funding Source: Building Fund

36. Agreement: Colbi Technologies, Inc. (10145.01)
   Purpose: To provide additional Quality Bidders services for the support and maintenance of the contractor prequalification process.
   Term: September 7, 2017, with the option of three additional one year terms
   Cost: Increase contract amount by $13,000 from $47,000, to be a maximum of $60,000. All other terms and conditions to remain the same.
   Originator: Facilities
   Funding Source: Building Fund
37. Agreement: Cushman and Wakefield of California and 1501-1515 Business Center Association (10013.01)
   Purpose: To provide additional property management services, including common area maintenance, for the property located at 1501 and 1515 Hughes Way, Long Beach.
   Cost: Increase contract amount by $19,000 from $464,058, to be a maximum of $483,058. All other terms and conditions to remain the same.
   Originator: Facilities
   Funding Source: General Fund

38. Agreement: Outfront Media, Inc. (7661.01)
   Purpose: To extend rental agreement for the purpose of billboard advertisement at Powell Academy.
   Term: October 11, 2016 to be through June 30, 2021, with the option to extend for two (2) additional five (5) year terms. All other terms and conditions to remain the same.
   Originator: Facilities

**Income/Reimbursement Agreement - Facilities**

**Bid Awards**

The following bids are submitted for approval and available upon request:

**Commodity Bids - General**

39. Award Bid No. 08-1718 for the purchase of Air Filtration Systems and Filters with expenditure as listed below:
   
   SoCal Filters and Service Inc. $332,771.90
   
   Funding Source: Special Reserve Fund for Capital Outlay Projects

40. Award Bid No. 11-1718 for Classroom Medical/Science Equipment for the purchase of Anatomage Tables (Price Agreement), on an as-needed basis, for the period of September 2017 through August 2018, with estimated annual expenditure as listed below:
   
   Anatomage, Inc. $250,000.00
   
   Funding Source: California Career Pathways Trust

41. Award Bid No. FS376-1718/63 for the Purchase of Novelty Food Items and Beverages for the period of September 20, 2017 through August 31, 2018 as follows:
   
   Nestle Water North America, Inc. $47,973.00
   Shamrock Foods Company $120,713.20
   
   Funding Source: Cafeteria Special Revenue Fund

**Construction Bids - Facilities**

42. Award Bid No. FAC09-1718DM for the Monroe Interim Housing - Roofing project and approve contract with C.I. Services, Inc. for the amount of $48,810.
   
   Funding Source: Building Fund

43. Award Bid No. FAC10-1718DM for the Avalon High School - Gymnasium Floor Replacement project and approve contract with Ron Guidry's Floor Covering, Inc. dba Progressive Surfacing, for the amount of $159,750.
   
   Funding Source: Building Fund
Authorize Bid Extensions - General

44. Extend Bid No. 03-1516-4225 for the Purchase of Office Supplies (Price Agreement) for the period of October 1, 2017 through September 30, 2018 for an estimated total of $120,000.00 as follows:

- Bankit USA, Inc. dba Bazic Products $20,000.00
- Southwest School & Office Supply, Inc. $80,000.00
- Standard Stationery Supply Co. $20,000.00

Funding Source: General Fund

45. Extend Bid No. 04-1516-4225 for the Purchase of School Supplies (Price Agreement) for the period of October 1, 2017 through September 30, 2018 for an estimated total of $30,000.00 as follows:

- Southwest School & Office Supply, Inc. $20,000.00
- Standard Stationery Supply Co. $10,000.00

Funding Source: General Fund

46. Extend Bid No. 06-1516-4300 for the Purchase of Specialty Paper (Price Agreement) for the period of November 1, 2017 through October 31, 2018 for an estimated total of $90,000.00 as follows:

- Southwest School & Office Supply, Inc. $25,000.00
- Hamlet Paper Company $65,000.00

Funding Source: General Fund

47. Extend Bid No. 27-1516-2950 for the Purchase and Installation of Carpet District-Wide for the period of July 1, 2017 through June 30, 2018 and approve contract as follows:

- Progressive Surfacing $600,000.00

Funding Source: Building Fund; General Fund

48. Extend Bid No. 30-1516-4300 for the Purchase of 8-1/2" x 11" White Xerographic Paper (Price Agreement) for the period of November 1, 2017 through October 31, 2018 as follows:

- Office Depot, Inc. $22.40 per case

Funding Source: General Fund

Membership Approvals

Authorize District Memberships

49. Approve District memberships in the following organizations:

(A) Educational Development Center, Inc.  
    [Originator-Spec. Ed./$5,600]

(B) National Head Start Association  
    [Originator-Head Start/$3,000]


**Purchase Orders**

**Approve District Purchase Orders**

50. Approve purchase orders written during the period August 1, 2017 through August 31, 2017. A detailed list of purchase orders is available upon request.

<table>
<thead>
<tr>
<th>Contract</th>
<th>Regular</th>
<th>Stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>C671154 - C671228</td>
<td>P171320 - P171793</td>
<td>S830034 - S830045</td>
</tr>
<tr>
<td>$19,511,627.83</td>
<td>$3,740,921.38</td>
<td>$3,964,008.53</td>
</tr>
</tbody>
</table>

51. Approve Nutrition Services purchase orders written during the period August 1, 2017 through August 31, 2017. A detailed list of purchase orders is available upon request.

| Regular | 29590 - 29675 | $3,983,723.46 |

**Recommendation**

Approve and/or ratify the contracts, and take action on the bids as listed above.

Approved:                                     Approved and Recommended:

Yumi Takahashi                                Christopher J. Steinhauser
Chief Business and Financial Officer          Superintendent of Schools

RH/rk/sw
BACKGROUND:

Education Code 52060-52077 requires the Board of Education to adopt a three-year Local Control and Accountability Plan (LCAP). After spending over ten months engaging the community on how best to support students, the Long Beach Unified School District approved the 2017-20 LCAP on June 20, 2017.

Since then, based on feedback from the Los Angeles County Office of Education, the District has made the following amendments to the Plan:

- Provided additional details on how supplemental and concentration funds support unduplicated pupils; and
- Elaborated on how 2016-17 funds helped achieve LCAP goals.

These amendments do not materially alter any of the goals or programs that the Board approved on June 20, 2017. They help address specific requirements of the LCAP template. Complete details are available at www.lbschools.net.

RECOMMENDATION:

Approve the Amendments to the Approved Local Control and Accountability Plan.

Prepared by:  
Robert Garcia Tagorda  
Executive Director of Equity, Access, and College & Career Readiness

Approved and Recommended:  
Christopher Steinhauser  
Superintendent of Schools
SUBJECT: Kids Korner Rate Increase

Enclosures: None

CATEGORY: Superintendent
Reason for Board Consideration: Action
Date: September 19, 2017

BACKGROUND:
The Kids Korner program is a full cost program, designed for parents throughout our district that exceed the State maximum fee requirement for a subsidized program. The program serves students TK-8th grade. These programs are located at eight Child Development sites (Carver, Holmes, Kettering, Riley, Tincher, Burcham, Mann and Twain).

RECOMMENDATION:
Approve increases in the parent fee rate for the CDC Kids Korner full-cost program. Increases are necessary to maintain current childcare standards and to continue to provide high quality programs. There has not been an increase in fees since 2013. Increases for the 2017-2018 school year are from $6.25 to $6.75 for each additional hour; from $25.00 to $27.00 per child for a minimum of four hours; from $40.25 to $45.00 per full day for non-school days (e.g., winter, spring, and summer breaks). Parents will receive a written notification of increases no later than September 22, 2017 to be implemented starting October 1, 2017.

Prepared by: Cynthia Young
Approved and Recommended: Christopher Steinhauser
Director, CDC/Kids' Club
Superintendent of Schools
BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Board Policy 4030
Nondiscrimination in Employment

Enclosures: One

CATEGORY: New Business
Reason for Board Consideration: Action
Date: September 19, 2017

BACKGROUND:
Board Policy #4030, Nondiscrimination in Employment, is being revised to reflect updated state and federal requirements. The proposed changes satisfy the requirements currently set forth by the California Department of Education, which has identified specific items be included to ensure compliance with applicable state and federal laws and regulations.

RECOMMENDATION:
Approve Board Policy #4030, Nondiscrimination in Employment.

Prepared by: Ruth Ashley
Deputy Superintendent of Education Services

Approved and Recommended: Christopher Steinhauser
Superintendent of Schools
Nondiscrimination in Employment

The Governing Board prohibits unlawful discrimination against and/or harassment of district employees, interns, volunteers, and job applicants on the basis of actual or perceived race, color, ethnicity, national origin, nationality, ancestry, religion, age, actual or potential marital, parental or family status, pregnancy, physical or mental disability, medical condition, genetic information, gender, gender identity, gender expression, sex, sexual orientation, or veteran status or his/her association with a person or group with one or more of these actual or perceived characteristics. The Board is committed to providing a safe, positive environment to all where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

Any district employee who engages in unlawful discrimination, harassment, or retaliation, or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior is in violation of this policy and shall be subject to disciplinary action, up to and including dismissal.

Any district employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the principal, district administrator or Superintendent as soon as practical after the incident. Failure of a district employee to report discrimination or harassment may result in disciplinary action. The district shall protect any employee who reports such incidents from retaliation.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment.

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training.

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as, but not limited to:

   a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district’s failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment.

The District's policy and administrative regulation shall be posted in all schools and offices including staff lounges and student government meeting rooms.

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted.

The Board designates the following position as Coordinator for Nondiscrimination in Employment:

   Deputy Superintendent of Education Services
   1515 Hughes Way
   Long Beach, California 90810
   (562) 997-8000

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to managerial and/or supervisory personnel about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.
The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Other remedies

An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discrimination act(s), unless an exception exists pursuant to Government Code 12960. (Government Code 12960)
2. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)

Employees wishing to file complaints with the DFEH and EEOC should contact the Nondiscrimination Coordinator for more information.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
CIVIL CODE
51.7 Freedom from violence or intimidation
GOVERNMENT CODE
11135 Unlawful discrimination
11138 Rules and regulations
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.56 Definitions, hate crimes
CODE OF REGULATIONS, TITLE 2
11006-11086 Discrimination in employment
11013 Recordkeeping
11019 Terms, conditions and privileges of employment
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age discrimination in federally assisted programs
12101-12213 Americans with Disabilities Act  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.101-35.190 Americans with Disabilities Act  
CODE OF FEDERAL REGULATIONS, TITLE 34  
100.6 Compliance information  
104.7 Designation of responsible employee for Section 504  
104.8 Notice  
106.8 Designation of responsible employee and adoption of grievance procedures  
106.9 Dissemination of policy  
110.1-110.39 Nondiscrimination on the basis of age  
COURT DECISIONS  
Management Resources:  
CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS  
California Law Prohibits Workplace Discrimination and Harassment, December 2014  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
Notice of Non-Discrimination, August 2010  
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS  
Questions and Answers: Religious Discrimination in the Workplace, 2008  
New Compliance Manual Section 15: Race and Color Discrimination, April 2006  
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999  
WEB SITES  
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov  
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr  

Adopted: June 12, 1989  
Revised: January 17, 2006  
September 19, 2017  
LONG BEACH UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Board Policy 4119.11
Sexual Harassment

Enclosures: One

CATEGORY: New Business

Reason for Board Consideration: Action

Date: September 19, 2017

BACKGROUND:

Board Policy #4119.11, Sexual Harassment, is being revised to reflect updated requirements for federal and/or state programs. The proposed changes satisfy the requirements currently set forth by the California Department of Education. The Sexual Harassment Policy adopted herein should be posted in administrative buildings throughout the district.

RECOMMENDATION:

Approve Board Policy #4119.11, Sexual Harassment.

Prepared by: Ruth Ashley
Deputy Superintendent of Education Services

Approved and Recommended:

Christopher Steinhauser
Superintendent of Schools
Sexual Harassment

The Governing Board prohibits sexual harassment, as a form of sexual discrimination, of district employees and job applicants and provides notification of available remedies to anyone who is knowledgeable of alleged violations of sexual harassment. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns and volunteers.

The Long Beach Unified School District will not tolerate or condone any type of harassment. It is the policy of the District to provide a workplace and working environment in which harassment based on sex, race, color, national origin, disability, religion, age, sexual orientation, actual or potential marital, family, or parenting status, gender, gender identity, gender expression, or any other legally protected characteristic, is not permitted. It shall be the responsibility of each administrator, line manager or office supervisor to ensure the work environment is free of harassment and that all employees are aware of the Board Policy and Administrative Regulations regarding harassment. Violations of this harassment policy may result in disciplinary action up to and including termination.

According to Equal Employment Opportunity Commission guidelines, sexual harassment is an act of discrimination on the basis of sex within the meaning of Title VII of the Civil Rights Act of 1964, as amended. Sexual harassment is similarly construed within the meaning of Title IX of the Education Amendments pertaining to academic life. In accordance with Title VII and Title IX, the District defines sexual harassment including same-sex harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic status, (2) submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision or academic decision affecting that person, or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation, particularly the procedures for filing complaints and employees’ duty to use the district’s complaint procedures

2. Publicizing and disseminating the district's sexual harassment policy to staff

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, district administrator, Director of Human Resource Services, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4030 Nondiscrimination in Employment AR 4031 Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
GOVERNMENT CODE
12900-12996 Fair Employment and Housing Act, especially:
12940 Prohibited discrimination
12950.1 Sexual harassment training
LABOR CODE
1101 Political activities of employees
1102.1 Discrimination: sexual orientation
CODE OF REGULATIONS, TITLE 2
11009 Employment discrimination
11021 Retaliation
11023 Harassment and discrimination prevention and correction
11024 Sexual harassment training and education
11034 Terms, conditions, and privileges of employment
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments
CODE OF FEDERAL REGULATIONS, TITLE 34
106.9 Dissemination of policy
COURT DECISIONS
Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026
Management Resources:
OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Protecting Students from Harassment and Hate Crime, January 1999
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr/index.html

Adopted: April 18, 1998
Revised: February 22, 1993
May 6, 1997
October 7, 1997
June 5, 2001
January 3, 2006
May 19, 2009
September 19, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT
SUBJECT: Board Policy 5145.3
Nondiscrimination/Harassment

Enclosures: One

CATEGORY: New Business

Reason for Board Consideration: Action

Date: September 19, 2017

BACKGROUND:

Board Policy #5145.3, Nondiscrimination/Harassment for students, is being revised to reflect updated state and federal requirements. The proposed changes satisfy the requirements currently set forth by the California Department of Education, which has identified specific items be included to ensure compliance with applicable state and federal laws and regulations.

RECOMMENDATION:

Approve Board Policy #5145.3, Nondiscrimination/Harassment.

Prepared by: Ruth Ashley
Deputy Superintendent of Education Services

Approved and Recommended: Christopher Steinhauser
Superintendent of Schools
STUDENTS

BP 5145.3

Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district’s academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school, or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student’s actual or perceived race, color, ancestry, national origin, nationality, ethnic group identification, ethnicity, age, religion, actual or potential marital, parental or family status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school under the jurisdiction of the Superintendent of the school district, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school. (Education Code 234.1)

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 5131 – Conduct)
(cf. 5131.2 – Bullying)
(cf. 5137 – Positive School Climate)
(cf. 5145.9 – Hate-Motivated Behavior)
(cf. 5146 – Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

Prohibited: Unlawful discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe, persistent, or pervasive that it affects a student’s ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, or hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student’s academic performance; or otherwise adversely affects a student’s academic performance or educational opportunities.

The Board also prohibits any form of retaliation against any student or other individual who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying, or otherwise participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students’ access to the educational program by publicizing the district’s nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community’s understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district’s nondiscriminatory policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.
Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in discrimination, harassment, intimidation, bullying or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying or retaliation shall be subject to disciplinary action, up to and including dismissal.

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district’s nondiscrimination policies:

Director, Office of the Deputy Superintendent of Education Services
1515 Hughes Way
Long Beach, California 90810
(562) 997-8000

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

Legal References:
EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1741.1 Liability of parents/guardians for willful misconduct of minor
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
432 Student record
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1691.1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 42
2000d-2000-e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-20006-6 Title IX of the Civil Rights Act of 1964
CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
COURT DECISIONS
Management Resources
CSBA PUBLICATIONS
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006
NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, January 1999
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
First Amendment Center: http://www.firstamendmentcenter.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office of Civil Rights: http://www.ed.gov/about/offices/list/ocr

Adopted: September 23, 1991
Revised: January 17, 2006
September 4, 2012
August 20, 2013
March 18, 2014
September 19, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT
SUBJECT: Board Policy 5145.7
Sexual Harassment

Enclosures: [One]

CATEGORY: New Business
Reason for Board
Consideration: Action
Date: September 19, 2017

BACKGROUND:

Board Policy #5145.7, Sexual Harassment, is being revised to reflect updated requirements for federal and/or state programs. The proposed changes satisfy the requirements currently set forth by the California Department of Education. The Sexual Harassment Policy adopted herein should be posted in administrative buildings and school sites throughout the district.

RECOMMENDATION:

Approve Board Policy #5145.7, Sexual Harassment.

Prepared by: Ruth Ashley
Deputy Superintendent of Education Services

Approved and Recommended: Christopher Steinhauser
Superintendent of Schools
Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students by anyone, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint, testifies, or otherwise participates in district complaint processes.

The district strongly encourages any current or former student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult that has a continuing effect on campus to immediately report the activity to a teacher, counselor, or administrator. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or the Title IX district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the administrative regulation (AR 1312.3 Uniform Complaint Procedures).

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students.

6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable.

8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

Complaint Process and Disciplinary Actions

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-sponsored or school-related activity shall immediately contact his/her teacher, counselor, administrator, or any other employee. An employee who receives such a complaint shall report it in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. The district encourages students to report incidents of sexual harassment, including sexual assault, as quickly as possible, but recognizes that because of the particularly sensitive nature of such incidents, it may take time for a student to report it to school or district officials.

School administrators are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The following position is designated as the Coordinator for Sexual Harassment involving students:

Director, Office of the Deputy Superintendent of Education Services
1515 Hughes Way, Long Beach, CA 90810
562-997-8108 (562)997-8000

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.
Disciplinary Action

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Confidentiality and Record-Keeping

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in the schools.

(cf. 3580 - District Records)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term
CIVIL CODE
51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX, discrimination
UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
106.1-106.71 Nondiscrimination on the basis of sex in education programs
COURT DECISIONS
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Management Resources:
CSBA PUBLICATIONS
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, 2011
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Sexual Violence, April 4, 2011
Sexual Harassment: It’s Not Academic, September 2008
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Adopted: February 22, 1993
Revised: May 6, 1997
October 7, 1997
June 5, 2001
January 3, 2006
April 20, 2010
September 4, 2012
September 3, 2013
September 19, 2017
LONG BEACH UNIFIED SCHOOL DISTRICT
BACKGROUND:

The election of Governing Board Members for the Long Beach Unified School District, Districts 1, 3, and 5 will be held on April 10, 2018. As provided for in the California Education Code and the Long Beach City Charter, Long Beach Unified School District elections are consolidated with the city of Long Beach elections. In order for this city to proceed with the necessary preparations, the District must formally request this consolidation of elections.

RECOMMENDATION:

Recommend approval of Resolution No. 091917-A:

A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION OF THE LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY ORDERING A GOVERNING BOARD MEMBER PRIMARY ELECTION, SETTING FORTH THE SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION OF SUCH ELECTIONS WITH THE PRIMARY NOMINATING MUNICIPAL ELECTIONS TO BE HELD ON APRIL 10, 2018 IN THE CITY OF LONG BEACH

Approved:  
Yumi Takahashi  
Chief Business and Financial Officer

Approved and Recommended:  
Christopher J. Steinhauser  
Superintendent of Schools
A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION
OF THE LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY
ORDERING A GOVERNING BOARD MEMBER PRIMARY ELECTION,
SETTING FORTH THE SPECIFICATIONS OF THE ELECTION ORDER,
AND REQUESTING CONSOLIDATION OF SUCH ELECTIONS WITH
THE PRIMARY NOMINATING MUNICIPAL ELECTIONS
TO BE HELD ON APRIL 10, 2018 IN THE CITY OF LONG BEACH

WHEREAS, California Education Code section 5200 and following provide that the election of
Governing Board Members of the Long Beach Unified School District shall be governed by the
provisions of the Long Beach City Charter; and

WHEREAS, Article XXII of the Charter of the City of Long Beach provides for the election of
Governing Board Members of the Long Beach Unified School District with a primary election to be held
on the second Tuesday of April, which will fall on April 10, 2018; and

WHEREAS, the city of Long Beach has scheduled primary nominating municipal elections to
be held on April 10, 2018, for the election of City officers pursuant to the provisions of law of the State
of California; and

WHEREAS, the primary nominating municipal elections of the city named will be conducted in
territory which is in part the same as the territory within which the school district primary election will be
held; and

WHEREAS, the Governing Board of the Long Beach Unified School District desires that the
school district primary election scheduled for April 10, 2018 be consolidated with the primary
nominating municipal elections of the city named also scheduled for April 10, 2018 and that such be
done in accordance with provisions of the California Education and Elections Codes; and

WHEREAS, such consolidation will result in an election which is both efficient in expenditure of
tax dollars and convenient for voters;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Long Beach Unified
School District does hereby determine, order, and resolve as follows:

1. That pursuant to provisions of the California Education Code, the County Superintendent of
Schools of Los Angeles County is hereby directed to call an election to be held in the Long Beach
Unified School District on April 10, 2018, for the purpose of conducting a primary election for the
election of three members of the Governing Board from School Board districts 1, 3 and 5, of the Long
Beach Unified School District.

2. That pursuant to the Charter of the City of Long Beach and the California Education and
Election Codes, the specifications of the election order shall provide that the primary election to be held
on April 10, 2018 is for the purpose of determining which candidate shall be elected from each School
Board district by reason of obtaining a majority of the votes cast at the primary election, or in the event
no candidate obtains a majority of votes cast, which two candidates of the School Board district who,
having received the greatest number of votes at the primary election, shall thereafter stand for election
at the general election June 5, 2018; and that the terms of office shall be for four years for members
elected from School Board districts 1, 3 and 5, which terms shall commence on July 16, 2018. Any ties
in voting shall be settled by the casting of lots under the supervision of the Los Angeles County
Registrar-Recorder, and in such manner and place as the Los Angeles County Registrar-Recorder
decides.
3. That, in accordance with provisions of the Education and Elections Codes, the governing body of the city of Long Beach, be and hereby is requested to consolidate the school district primary election of April 10, 2018 with the primary nominating municipal elections of the city named for April 10, 2018.

4. That the election precincts, the polling places and voting booths, the polling hours and the officers appointed to conduct the election shall, to the extent possible, be the same as those provided for the municipal elections to be held in the above-named city.

5. That the respective governing bodies of the above-named city be and is hereby authorized to canvas the returns of said school district election which is being consolidated with the primary nominating municipal elections, and certify the election results to the Los Angeles County Registrar-Recorder.

6. That the school district election, as consolidated with the elections held in the above-named city, shall be held, to the extent possible, as if there were only one election held in the city, and, to the extent possible, only one form of the ballot shall be used.

7. That the governing bodies of the above-named city is hereby requested to take any and all steps necessary for the holding of said consolidated elections.

8. That the Long Beach Unified School District agrees to pay to the entity conducting each election any additional costs which are incurred by such entity as a result of this consolidation.

9. That a certified copy of this Resolution be filed by the Secretary of the Board of Education with the governing body of the above-named city, as well as the Los Angeles County Superintendent of Schools, and the Los Angeles County Registrar-Recorder.

BE IT FURTHER RESOLVED THAT, the Board of Education adopt Resolution No. 091917-A ordering a primary election for the Board of Education members of districts 1, 3 and 5 and consolidation of such election with the primary nominating municipal election to be held on April 10, 2018 in the city of Long Beach.

AYES: ____________

NOES: ____________

ABSTAIN: ____________

ABSENT: ____________
APPROVED, ADOPTED AND SIGNED on September 19, 2017.

THE GOVERNING BOARD OF EDUCATION OF LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY, CALIFORNIA

________________________________________________________________________
President

________________________________________________________________________
Vice-President

________________________________________________________________________
Member

________________________________________________________________________
Member

________________________________________________________________________
Member
RECOMMENDATION:

Recommend approval of Resolution No. 091917-B

A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION OF THE LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY RELATING TO CANDIDATE'S STATEMENT AND COSTS FOR GOVERNING BOARD ELECTION CALLED FOR APRIL 10, 2018

Approved: 
Yumi Takahashi
Chief Business and Financial Officer

Approved and Recommended:
Christopher J. Steinhauser
Superintendent of Schools
WHEREAS, Section 13307 of the California Elections Code provides that each candidate for the Board of Education may prepare a Candidate's Statement on any appropriate form provided by the Office of the Los Angeles County Registrar-Recorder; and

WHEREAS, said section provides that Candidate's Statement shall not exceed 200 words (unless an increase to 400 words is authorized by the Governing Board); and

WHEREAS, said section further provides that the Governing Board may estimate the total cost of printing, handling, translating, and mailing the Candidate's Statements filed pursuant to this section and may require each candidate filing a statement to pay in advance (at time of filing) to the local agency his or her prorata share as a condition of having his or her statement included in the voter's pamphlet;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the authority contained in California Elections Code Section 13307, the Board of Education hereby determines and orders regarding Candidate's Statements as related to the Governing Board Member Election ordered for Tuesday, April 10, 2018, as follows:

1. Candidate's Statements shall not exceed 200 words.

2. No materials other than the voter's pamphlet and sample ballot shall be sent to voters.

3. The estimated total costs of printing, handling, and mailing Candidate's Statements in English and Spanish are One Thousand Seven Hundred Eighty Eight Dollars and Forty One cents ($1,788.41) for District 1, One Thousand Six Hundred Nine Dollars and Eighty cents ($1,609.80) for District 3, and Two Thousand Three Hundred Twenty Six Dollars and Eleven cents ($2,326.11) for District 5. The reason for the difference in amounts is the relative number of voters in each district. If a candidate requests the statement to be translated and printed in another language, there will be an additional cost of fifty percent (50%) of the amount per district for each additional language requested.

4. Each candidate who files a Candidate's Statement shall pay in advance (at time of filing) to the Long Beach Unified School District through the Office of the Los Angeles County Registrar-Recorder an estimated amount as his/her prorata share of the estimated total costs of printing, handling, translating, and mailing Candidate's Statements as a condition of having said statement included in the voter's pamphlet.
5. Should the actual prorated costs of printing, handling, translating, and mailing Candidate's Statements be greater than the estimated sum, each candidate will be billed the difference between the actual prorated costs and the sum previously filed as his/her prorata share of estimated total costs. In the event of overpayment, the excess amount shall be prorated among the candidates and paid within thirty (30) days of the determination of the overpayment.

BE IT FURTHER RESOLVED, that the Board of Education adopt Resolution No.091917-B relating to candidate’s statements and costs for the governing Board election called for April 10, 2018.

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

APPROVED, ADOPTED AND SIGNED on September 19, 2017.

THE GOVERNING BOARD OF EDUCATION OF THE
LONG BEACH UNIFIED SCHOOL DISTRICT
OF LOS ANGELES COUNTY, CALIFORNIA

___________________________________________
President

___________________________________________
Vice-President

___________________________________________
Member

___________________________________________
Member

___________________________________________
Member