



OFFICE OF THE SUPERINTENDENT

MEETING OF THE BOARD OF EDUCATION
MONDAY, OCTOBER 2, 2017
1515 Hughes Way, Long Beach, CA 90810

A G E N D A

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, 09264441, BC585384, 12461437, 10297261 and CN827501
11. Collective Bargaining Proceedings Pursuant to Government Code Section 3549.1
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 19, 2017	Action
18.	Communications	GATE Teacher Recognition	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	None	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	<u>Action Items</u> Personnel Instruction Physical Education Exemption Physical Education Temporary Exemption Physical Education Exemption – 2-Year Exemption Finance Report Business Department Report Purchasing & Contract Report	Action Action Action Action Action Action Action Action
23.	Other Items	<u>Superintendent Items</u> Student Discipline	Action
24.	Unfinished Business	None	Information/Action
25.	New Business	Approval of Members to the Citizens' Bond Oversight Committee Resolution 100217-A, Authorize Formation of an Asset Management Advisory Committee Approval of Pre-Qualified Construction Inspection Consultants Approval of Utilizing Current Procedures for Evaluating Qualifications of Lease-Leaseback Contractors for Additional Construction Projects	Action Action Action Action

- | | |
|---|--|
| 26. Report of Board Members | Information |
| 27. Superintendent's Report | Information |
| 28. Announcements | Information |
| 29. Adjournment & Setting of Next Meeting | The next regular business meeting will be held on <u>WEDNESDAY, OCTOBER 18, 2017.</u> |

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.

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Personnel Transactions Enclosures

CATEGORY: Business Items Reason for Board
Consideration: Action

Human Resource Services Date: October 2, 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.

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Years of Service</u>
Goodrich, James	Teacher	Hudson	17

2. Classified Personnel

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

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Years of Service</u>
Robinson, Darkus	Inst Aide-Spec	Wilson	19
Theus, Laurella	Sr Office Asst	Nutr Svcs	36



**OFFICE OF THE DEPUTY SUPERINTENDENT OF EDUCATION SERVICES
HUMAN RESOURCE SERVICES**

John McGinnis
Human Resource Services
Long Beach Unified School District

CERTIFICATED

October 2, 2017

The Deputy Superintendent of Education Services recommends the following proposed actions for Board approval subject to requirements of California law:

APPOINTMENTS

TO

Alvarez, Vicente	Special Contract Head Start Teacher
Figueroa-Abboud,	“ ”
Annabelle	
Rogers, Pamela	“ ”

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

Ardina, Ronaldo	Day to Day Substitute Teacher
Brown, Alexandra	“ ”
Bryant, Terrance	“ ”
Cheek, Joshua	“ ”
Gordon, Mia	“ ”
Jones, Carla	“ ”
Meacham, Shana	“ ”
Montano Martinez, Juan	“ ”
Monterastelli, Christopher	“ ”
Orantes, Melicia	“ ”
Parker, Ian	“ ”
Peairs, Allison	“ ”
Pinto, Johnny	“ ”
Rodriguez, Melissa	“ ”
Salcedo, Maritza	“ ”
Schotter, Heather	“ ”
Stiles, Nesta	“ ”
Stokes Kennedy, Mylin	“ ”
Valencia, Nancy	“ ”
Von Iderstein, Kristine	“ ”
Wheeler, Rebecca	“ ”

INSERVICE CHANGES

Davis, Crystal	Special Contract Teacher
Thompson, William Denny	“ ”
Baril, Kimberley	Additional Service – Additional Hourly
Coleman, Veronica	“ ”
Diggs, Lashell	“ ”

Waiver: DS CTE
Waiver: APE

INSERVICE CHANGES

Itson, Andrea	Additional Service – Additional Hourly
Jimenez, Daniel	“ ”
Ludden, Kelly	“ ”
Navia, Michael	“ ”
Owens, Kenneth	“ ”
Paul, Seema	“ ”
Rosenquist, Wendy	“ ”
Saladana, Lolo	“ ”
Sowinski, Wendy	“ ”
Tullo, Sashya	“ ”
Williams-Young, Shannon	“ ”

LEAVES OF ABSENCE

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATES OF LEAVE</u>
Atkins, Anjali	Teacher Tucker	10/02/17 to 06/15/18 Other
Lim, Erin	Teacher Wilson	09/14/17 to 12/13/17 Family Medical Leave

RESIGNATIONS (BOARD POLICY 4117.2)

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATE OF EMPLOYMENT</u>	<u>DATE OF RESIGNATION</u>
Clark, Monette	Associate Teacher Educare	07/13/17	10/06/17

RETIREMENTS

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATE OF EMPLOYMENT</u>	<u>DATE OF RETIREMENT</u>
Goodrich, James	Teacher Hudson	01/03/00	02/02/18



OFFICE OF THE DEPUTY SUPERINTENDENT OF EDUCATION SERVICES
HUMAN RESOURCE SERVICES

REVISED
CLASSIFIED AND EXEMPT

John McGinnis
Human Resource Services Committee
Long Beach Unified School District

October 02, 2017

The Deputy Superintendent, of Education Services, recommends the following proposed actions for Board approval subject to requirements of California law:

APPOINTMENTS TO

Classified - Probationary

Alberto, Manuel J	IA-Spec	N-Tucker
Argota, Michelle A	IA-Spec	N-Tucker
Benson, Chai B	IA-Alt Sch	N-Beach
Berger, Luke	IA-Spec	N-Cabrillo
Coronado, Yesenia	IA-Spec	N-Signal Hill
Crawford, Shana	IA-Spec	N-Special Ed
Cruz, Ariana	IA-Spec	N-Tucker
Figuroa Moran, Evelyn T	IA-Spec	N-Lakewood
Gallo, Janeth	Int Nutr Svcs Wkr	P-Willard
Goddard, Linda S	Nutr Svcs Wkr	N-Jefferson
Griffen, Angela M	Sr Nutr Svcs Wkr	P-Cabrillo
Guzman, Jerrel I	IA-Spec	N-Polytechnic
LaFond, Rose A	IA-Spec	N-Bancroft
Martin, Michelle B	IA-Spec	N-Bufferum
Mohammed, Zamina	Int Nutr Svcs Wkr	P-Millikan
Oberacker, Trisha R	IA-Spec	N-Bufferum
Puentes Flores, Mariana	Human Res Asst	P-HRS
Ramos, Teresa	Nutr Svcs Wkr	N-Polytechnic
Robles Brister, Yvonne	Nutr Svcs Wkr	N-Garfield
Saavedra, Maria G	Sr Nutr Svcs Wkr	P-Polytechnic
Seng, Shanette L	Int Nutr Svcs Wkr	P-Lakewood
Sims, Adrian R	IA-Spec	N-Tucker
Smith, Alexandria M	Head Start Inst Aide	N-Head Start
Smith, Dominique A	Nutr Svcs Wkr	N-Roosevelt
Torres, Alejandra L	Office Asst-BI Sp	N-Head Start
Uribe, Evelyn	Office Asst-BI Sp	N-CDC
Vocke, Monica K	Inter Office Asst-Sch BI Sp	N-Muir

APPOINTMENTS

TO

Subject to separation if no substitute service for the school year

Sedlacek, William	Day to Day Substitute Campus Security Officer
Barriguete Cruz, Sunny C	Day to Day Substitute Instructional Aide-Special
Hamilton, Vanessa K	“ ”
Uriarte, Judith	“ ”
Washington, Andria R	“ ”
Donahue, Jeannette M	Day to Day Substitute Intermediate Office Assistant
Herrera, Cristina	“ ”
Nead, Roberta J	“ ”
Rodarte, Maria G	Day to Day Substitute Intermediate Office Assistant Bilingual Spanish
Johnson, Toni M	Day to Day Substitute Nutrition Services Worker
Barry, Maureen A	Day to Day Substitute Senior Health Assistant

Exempt

Gutierrez Perez, Dulce I	Rec Aide
Kripp, Allison B	“ ”
Nieto, Selenia E	“ ”
Washington, Sean L	“ ”

Exempt

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

Hayes, Alexis L	Instructor Athletics (HS)
Henderson, Brittnei E	“ ”
Hybel Westby, Oliver B	“ ”
Miramontes, Daniel	“ ”
Rockmore, John P	“ ”
Viliamu, Dylonn T	“ ”
Zylstra, Michelle L	“ ”

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

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATES OF LEAVE</u>
Brent, Hallie	IA-Spec Millikan	09/18/17 to 01/07/18 Study
Cruz, Erlinda	Nutr Svcs Wkr Edison	08/29/17 to 09/17/17 Other
Ly, Heang	Nutr Svcs Wkr Franklin	10/09/17 to 10/29/17 Other
Vesneski, Peggy	Nutr Svcs Wkr Lakewood	09/13/17 to 11/03/17 Rest and Recuperation
Vongphasouk, Vanhpheng	Site Spec-Spec Proj Whittier	08/28/17 to 11/17/17 FMLA

ABANDONMENT OF POSITION

In accordance with Section 9.1, Paragraph D, of the Rules and Regulations of the Classified Service. Close of work on date indicated.

Permanent

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>EFFECTIVE</u>
E 0062990 9	Rec Aide	10/05/17

SEPARATION – DECEASED

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATE</u>
Rivas, Gina A	IA-Spec Buffum	09/07/17

RESIGNATIONS (BOARD POLICY 4117.2)

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATE OF EMPLOYMENT</u>	<u>DATE OF RESIGNATION</u>
<u>Probationary</u>			
Bush, Sharonda	IA-Spec Grant	09/03/14	09/08/17
<u>Permanent</u>			
Amaral Jr., David	IA-spec Jordan	01/29/09	08/29/17
Brimley, Jessica L	Inst Asst-Gardening Los Cerritos	09/03/14	08/29/17
Garcia, Griselda	Nutr Svcs Wkr Nutr Svcs	09/14/15	09/29/17
Parker, Jacquiece	IA-Spec Jordan	09/12/13	08/29/17

RETIREMENTS

<u>NAME</u>	<u>ASSIGNMENT</u>	<u>DATE OF EMPLOYMENT</u>	<u>DATE OF RETIREMENT</u>
Robinson, Darkus A	IA-Spec Wilson	09/03/97	08/28/17
Theus, Laurella D	Sr Office Asst Nutr Svcs	10/12/81	12/27/17

AMENDMENTS

09/19/17 BA Amend Resignation Date for Jones, Jamecia from 09/08/17 to 09/18/17.

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Instruction

Enclosures

CATEGORY: Business Item/s

Reason for Board
Consideration: Action/Information
Date: October 2, 2017

1. APPROVE REVISED BOARD POLICIES

Approve revisions to the following Board Policies:

- BP 0410 - Nondiscrimination in District Programs and Activities
The revisions for BP 0410 reflect additions to protected groups, including “nationality”, “ethnicity”, and “family” status.
- BP 4033 - Lactation Accommodation
The revisions for BP 4033 add access to power sources and access to proper storage for expressed milk.
- BP 5131.2 - Bullying
The revisions for BP 5131.2 reflect additions to protected groups.
- BP 5145.9 - Hate-Motivated Behavior
The revisions for BP 5145.9 reflect additions to protected groups and the inclusion of “actual or perceived characteristics”.
- BP 5146 - Married/Pregnant/Parenting Students
The revisions for BP 5146 reflect additions to protected groups, support continuance of education to “attain strong academic and parenting skills” and adds protections for expressing milk and breastfeeding.
- BP 6143 - Courses of Study
The revisions for BP 6143 adds an annual notification that all courses of study are offered without discrimination.
- BP 6145 - Extracurricular and Co-Curricular Activities
The revisions for BP 6145 reflect additions to protected groups.
- BP 6145.2 – Athletic Competition
The revisions for BP 6145.2 reflect additions to discriminatory practices including, “the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname”, student participation consistent with their gender identity, and additional descriptions for complaints.
- BP 6145.5 - Student Organizations and Equal Access
The revisions for BP 6145.5 reflect additions to protected groups and prohibits labeling or scheduling student groups which results in separation or sex-segregation.
- BP 6164.2 - Guidance/Counseling Services
The revisions for BP 6164.2 reflect additions to protected groups and prohibits counseling of a disproportionate numbers of students of one sex enrolled in a particular class.

Each of the aforementioned Board Policies are being revised to reflect updated requirements. 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

mb/js

Nondiscrimination in District Programs and Activities

The Governing Board is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, **nationality**, national origin, **ethnicity**, ethnic group identification, age, religion, marital, **family**, or parental status, ~~physical or mental~~ disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; 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.

(cf. 4030 – Nondiscrimination in Employment)

(cf. 5131.2 – Bullying)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

Annually the Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including use of facilities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, **agents of the governing board, the general public**, and sources of referral for applicants about the district's policy on nondiscrimination, and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other recruitment materials distributed to these groups.

The following position is designated Coordinator for Nondiscrimination in District Programs and Activities:

Kim Dalton

Director, Office of the Deputy Superintendent **of Education Services/**

Human Resource Services

1515 Hughes Way, Long Beach, CA 90810

(562) 997- 8000 **8208**

kdalton@lbschools.net

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the

Americans with Disabilities Act and any implementing standards and/or regulations.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(6020 – Parent Involvement)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English 51007

Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state 11138

Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act 1681-1688

Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act 6311

State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

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-

2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy Management

Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010 Interim

Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

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

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010 WEB

SITES

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

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

Pacific ADA Center: <http://www.adapacific.org>

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

Adopted: January 17, 2006
Revised: September 4, 2012
January 8, 2013
August 20, 2013
March 18, 2014
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Lactation Accommodation

The Governing Board recognizes the immediate and long-term health advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030) To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided a private **and secure** location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable. **Employees shall be granted permission to bring to work a breast pump and any other equipment used to express breast milk. Access to a power source for a breast pump or any other equipment used to express breast milk will be made available to the employee, in addition to access to a place to store expressed breast milk safely.**

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207) Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

Legal References:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12940 Discriminatory employment practices

12945 Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

1010-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2

11-35-11049 Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS

2

BP 4033

Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF HEALTH PUBLICATIONS

Minimum Requirements of the California Lactation Accommodation Law

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

U.S. DEPARTMENT OF LABOR, WAGE AND HOURS DIVISION, PUBLICATIONS

Fact Sheet #3: Break time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse>

California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

Adopted: May 17, 2017

Revised: October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Bullying

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

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from bullying and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, color, ancestry, nationality, national origin, age, marital, family, or parental status, disability, ethnicity, ethnic group identification, culture, heritage, gender, gender identity or expression, genetic information, sex, sexual orientation, physical/mental attributes or religious beliefs or practices, or association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 5145.9 -- Hate-Motivated Behavior)

Definition

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3 or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

“A person is bullied when he or she is exposed, repeatedly over time, to negative actions on the part of one or more persons, and he or she has difficulty defending him or herself.” (Olweus)

The definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted, negative actions
2. Bullying involves a pattern of behavior repeated over time
3. Bullying involves an imbalance of power or strength. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

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

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

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

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

1. Acts and behavior that constitute bullying
2. A clear message that bullying behavior is not tolerated
3. A clear message that students do not have to endure bullying
4. Encouragement to report observed instances of bullying, even when the bullied individual has not complained

5. Information about the person(s) to whom a report of bullying should be made

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behavior and effective prevention and intervention strategies.

Intervention

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

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

When appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigations

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

When a student is using a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices

PENAL CODE

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

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

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

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008
Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org/>
California Cyber safety for Children: <http://www.cybersafety.ca.gov/>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss/>
Center for Safe and Responsible Internet Use: <http://cyberbully.org/>
National School Boards Association: <http://www.nsba.org/>
National School Safety Center: <http://www.schoolsafety.us/>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/3/12>

Adopted: July 3, 2012
Revised: August 20, 2013
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Hate-Motivated Behavior

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, **color, ancestry, nationality, national origin, age, marital, family, or parental status, disability**, ethnicity, **ethnic group identification**, culture, heritage, gender, **gender identity or expression, genetic information**, sex, sexual orientation, physical/mental attributes or religious beliefs or practices, **or association with a person or group with one or more of these actual or perceived characteristics.**

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 5137 – Positive School Climate)

(cf. 5145.3 – Nondiscrimination/Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Coordinator for Nondiscrimination/ Principal. Upon receiving such a complaint, the Coordinator/Principal shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulations.

(cf. 1312.1 – Complaints Concerning District Employees)

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 5131 – Conduct)

(cf. 5144 – Discipline)

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

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

(cf. 5145.7 – Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Coordinator/Principal, Superintendent or designee, and/or law enforcement, as appropriate.

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 – Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination 32282 School safety plans

Suspension for hate violence

Suspension or expulsion for threats or harassment

PENAL CODE

422.44 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Adopted: September 23, 1991

Revised: March 7, 2006

August 20, 2013

October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Married/Pregnant/Parenting Students

The Governing Board recognizes that early marriage, pregnancy, or parenting **and related responsibilities** may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students **to continue their education, attain strong academic and parenting skills**, and promote the healthy development of their children.

The district shall not discriminate against any student on the basis of the student's **actual or perceived marital, family, or parental** status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

(cf. 0410 –Nondiscrimination in District Programs and Activities)

Any education program or activity, including any class or extracurricular activity that is offered separately to such students shall be ~~comparable~~ **equal** to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

(cf. 6142.7 – Physical Education and Activity)

(cf. 6145 – Extracurricular and Co-curricular Activities)

Any complaint of discrimination on the basis of pregnancy or marital, **family** or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-6487 and BP/AR 1312.3 – Uniform Complaint Procedures. **Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district's Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student.** (Education Code 222; 5 CCR 4600-4687)

(cf. 1312.3 – Uniform Complaint Procedures)

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on participation rates in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. 0500 –Accountability)

(cf. 6162.5 –Student Assessment)

Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions.

A lactating student shall have access to a private **and secure** location, other than a restroom, to breastfeed or express milk for her infant child. **Students shall be granted a reasonable amount of time to accommodate the need to express breast milk or breastfeed an infant child as well as permission to bring to school sites, a breast pump and any other equipment used to express breast milk. Students shall also be provided access to a power source for a breast pump or any other equipment used to express breast milk, in addition to access to a place to store expressed breast milk safely. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. (Education Code 222)**

A student may be required, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by the district to provide such certification. (34 CFR 106.40)

To the extent feasible, educational and related support services shall be provided, either through the district or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Parenting education and life skills instruction
2. Academic and personal counseling

3. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

4. Tobacco, alcohol, and/or drug prevention and intervention services

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 – Absences and Excuses. The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

Legal Reference:

EDUCATION CODE

222 Reasonable accommodations; lactating students

230 Sex discrimination

8200-8498 Child Care and Development Services Act

48205 Excused absences

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

CIVIL CODE

51 Unruh Civil Rights Act

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

Pregnant Students and Confidential Medical Services

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev.

June 2013

WEB SITES

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

California Women's Law Center: <http://www.cwlc.org/resources>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

U.S. Department of Education: <http://www.ed.gov>

Adopted: December 20, 2005
Revised: April 15, 2014
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Courses of Study

The Governing Board recognizes that a well aligned sequence of courses fosters academic progress and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college and/or the workplace.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across the grade levels within the district. As necessary, he/she also shall work with representatives of appropriate postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all courses of study are offered without regard to any actual or perceived characteristic protected from discrimination by law. (34 CFR 100.B, 104.8, 106.9)

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 1312.3 – Uniform Complaint Procedures)

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's program. (20 USC 2354; 34 CFR 100.B)

Elementary Grades

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

Secondary Grades

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities, and to attain entry-level employment skills in business or industry. (Education Code 51228)

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical education, and a timely opportunity for all otherwise qualified students to enroll, within four years before graduation, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities. (Education Code 51224, 51228)

The Superintendent or designee shall develop a process by which courses that meet college admission criteria (referred to as "a-g" course requirements) are submitted to the

University of California (UC) for review and certification. He/she shall maintain an accurate list of all current district high school courses that have been so certified, shall ensure that the list is provided annually to each student in grades 9-12, and shall make updated lists readily available. (Education Code 51229, 66204)

Legal References:

EDUCATION CODE

33319.3 Driver education; CDE materials on road rage
33540 Government and civics instruction in interaction with government agencies
48980 Parent notifications
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics, and restricted dangerous drugs
51204 Course of study designed for student's needs
51204.5 History of California; contributions of men, women and ethnic groups
51210-51212 Areas of study for grades 1-6
51220-51228 Course of study for grades 7-12
51241 Exemption from physical education
51911-51921 Comprehensive health education plans
51930-51939 California Comprehensive Sexual Health and HIV/AIDS Prevention Act
51940 Curriculum for brain and spinal cord injury prevention
53278-53280 Supplemental School Counseling Program
66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5

10020-10049 Automobile driver education

10060 Physical education

UNITED STATES CODE, TITLE 20

6101-6251 School-to-Work Opportunities Act of 1994

Adopted: July 11, 2006
Revised: January 22, 2008
July 16, 2012
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Extracurricular and Co-Curricular Activities

The Governing Board recognizes that extracurricular and co-curricular activities enrich the education and social development and experiences of students. The District shall encourage and support student participation in extracurricular and co-curricular activities without compromising the integrity and purpose of the educational program.

Extracurricular activities are those programs that have all of the following characteristics: (Education Code 35160.5)

1. The program is supervised or financed by the school District.
2. Students participating in the program represent the school District.
3. Students exercise some degree of freedom in the selection, planning, or control of the program.
4. The program includes both preparation for performance and performance before an audience or spectators.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit and do not take place during classroom time. Co-curricular activities are programs that may be associated with the curriculum in a regular classroom.

An activity is not an extracurricular or co-curricular activity if either of the following conditions applies: (Education Code 35160.5)

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.
2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

No extracurricular or co-curricular program or activity shall be provided or conducted separately and no District student's participation in extracurricular and co-curricular activities shall be required or refused based on the student's **actual or perceived age**, gender, **gender identity**, **gender expression**, sexual orientation, **sex**, **ethnicity**, ethnic group identification, race, ancestry, **nationality**, national origin, religion, color, or ~~mental or physical~~ disability, **actual or potential parental, marriage, or family status**, or **association with a person or group with one or more of these actual or perceived characteristics**. Requirements for participation in extracurricular and co-curricular activities shall be limited to those that are essential to the success of the activity. (5 CCR 4925)

Any complaint regarding the district's extracurricular or co-curricular programs or

activities shall be filed in accordance with BP/AR 1312.3- Uniform Complaint Procedure.

No student shall be prohibited from participating in extracurricular and co-curricular activities related to the educational program because of inability to pay fees associated with the activities.

Eligibility Requirements

To encourage and promote academic excellence, students in grades 6-12 who participate in extra/co-curricular activities shall demonstrate satisfactory minimum progress in meeting grade level and/or graduation requirements by undertaking the prescribed course of study and meeting the standards of proficiency established by the District.

To be eligible to participate in extracurricular and co-curricular activities, students in grades 6 through 12 must demonstrate satisfactory educational progress in the previous grading period including but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale. A "C-" average shall not be considered a 2.0 equivalency.
2. Maintenance of minimum progress toward meeting high school graduation requirements.

A student who does not earn a C average shall become ineligible for the succeeding grading period. However, a student who does not earn a C average shall be given the opportunity to apply for a once per year Probationary Period for the succeeding grading period. Such student shall be required to apply for this waiver and meet with the School Site's Advisory Committee to determine the course of action. A student who does not achieve the required 2.0 GPA during the Probationary Period shall not be allowed to participate in co-curricular activities in the subsequent grading period and shall remain ineligible until the next grading period that a 2.0 GPA is achieved. Entering freshman will be given a "grace period" of one grading period of automatic eligibility. Classes taken during the summer session will be credited to the grade point average of the immediately preceding semester for eligibility purposes.

In the event an extra/co-curricular activity is conducted during the summer, and the student has no summer school grades to consider, a student's eligibility status shall be determined by the grade point average or truancy record at the end of the immediately preceding semester.

Students must be in attendance at least ½ of the school day of the extra/co-curricular activity to be eligible to participate on the day of the activity. If the activity falls on a non-school day, the student must have attended the last regular scheduled full day of school to be eligible to participate in the activity on the non-school day unless the student has a legitimate excuse arranged at least 24 hours before the activity.

The Superintendent or designee shall determine which activities may not be entered into after the onset of the activity, assuming eligibility is achieved after commencement of the activity.

Transfer Students

Students transferring to the District from districts outside the boundaries of the Long Beach Unified School District must meet the same eligibility requirements as LBUSD students in order to participate in the extra/co-curricular activity.

Annual Policy Review

The Board shall annually review this policy and implementing regulations **and monitor compliance with any and all applicable nondiscrimination rules and regulations.**

Legal Reference:

EDUCATION CODE

35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

48930-48938 Student organizations

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CDE U::GAL ADVISORIES

001.90 Access to School-Related Activities and Events by Disabled Students, LO: 3-0

409.87 Requirements for Pupil Participation in Extracurricular and Co-curricular activities, AB 2613, CIL: 86-87-11

WEB SITES

California Association of Directors of Activities: <http://www.cada1.org>

Adopted: November 24, 1986 as Eligibility for Participation in Junior and Senior High Co-curricular Activities

Revised: (no date) to Eligibility for Participation in Middle and High School Co-curricular Activities

April 15, 2008 to Extracurricular and Co-curricular Activities

June 17, 2008

October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Athletic Competition

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The district's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 5030 - Student Wellness)

(cf. 5137 - Positive School Climate)

(cf. 6142.7 - Physical Education and Activity)

(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 1325 - Advertising and Promotion)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 3290 - Gifts, Grants and Bequests)

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, **including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname.** The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, **and that students are permitted to participate in athletic activities consistent with their gender identity.**

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures. **Such complaints may include, but are not limited to, mandatory fees, deposits or other charges required for participation in athletic programs; discrimination, harassment, intimidation, or bullying based on actual or perceived characteristics set forth by BP1312.3 Uniform Complaint Procedures.**

(cf. 1312.3 - Uniform Complaint Procedures)

California Interscholastic Federation

Any district school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with CIF bylaws and rules and any applicable district policy and regulation. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. The Superintendent or designee shall recommend a candidate for the position who demonstrates an understanding of the district's goals for student learning and interscholastic activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and interpersonal communication and leadership skills.

The designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and report regularly to the Board on league, section, and statewide issues related to athletic programs.

(cf. 0500 - Accountability)

Student Eligibility

Eligibility requirements for student participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement, shall be the same as those set by the district for participation in extracurricular and co-curricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.

(cf. 3260 - Fees and Charges)

(cf. 5143 - Insurance)

Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship, and the Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5144 - Discipline)

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

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

Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5143 - Insurance)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event of an injury or a perceived imminent risk to a student's health, such as a concussion or passing out, fainting, or other sign of sudden cardiac arrest, during or immediately after an athletic activity, the coach or any other district employee who is present shall remove the student athlete from the activity, observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

200-262.4 Prohibition of discrimination
 17578 Cleaning and sterilizing of football equipment
 17580-17581 Football equipment
 32220-32224 Insurance for athletic teams, especially:
 32221.5 Required insurance for athletic activities
 33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program
 33354 California Department of Education authority over interscholastic athletics
 33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
 35160.5 District policies; rules and regulations
 35179 Interscholastic athletics
 35179.1 California High School Coaching Education and Training Program
 35179.5 Interscholastic athletics; limitation on full-contact practices
 48850 Interscholastic athletics; students in foster care and homeless students
 48900 Grounds for suspension and expulsion
 48930-48938 Student organizations
 49010-49013 Student fees
 49020-49023 Athletic programs; legislative intent, equal opportunity
 49030-49034 Performance-enhancing substances
 49458 Health examinations, interscholastic athletic program
 49475 Health and safety, concussions and head injuries
 49700-49701 Education of children of military families
 51242 Exemption from physical education for high school students in interscholastic athletic program
 PENAL CODE
 245.6 Hazing
 CODE OF REGULATIONS, TITLE 5
 4900-4965 Nondiscrimination in elementary and secondary education programs, especially:
 4920-4922 Nondiscrimination in intramural, interscholastic, and club activities
 5531 Supervision of extracurricular activities of students
 5590-5596 Employment of noncertificated coaches
 UNITED STATES CODE, TITLE 20
 1681-1688 Discrimination based on sex or blindness, Title IX
 CODE OF FEDERAL REGULATIONS, TITLE 34
 106.31 Nondiscrimination on the basis of sex in education programs or activities
 106.33 Comparable facilities
 106.41 Nondiscrimination in athletic programs
 COURT DECISIONS
 Mansourian v. Regents of University of California, (2010) 602 F. 3d 957
 McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275
 Kahn v. East Side Union High School District, (2003) 31 Cal. 4th 990
 Hartzell v. Connell, (1984) 35 Cal. 3d 899
 Management Resources:
 CSBA PUBLICATIONS
 Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination, March 2017
 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
 Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013
 CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS
 California Interscholastic Federation Constitution and Bylaws
 A Guide to Equity in Athletics
 Guidelines for Gender Identity Participation
 Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes and Parents/Guardians
 Pursuing Victory with Honor, 1999
 CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
 Heads Up: Concussion in High School Sports, Tool Kit, June 2010
 Heads Up: Concussion in Youth Sports, Tool Kit, July 2007
 Acute Concussion Evaluation (ACE) Care Plan, 2006
 U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS
 Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter, February 22, 2017
 Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague Letter, April 20, 2010
 WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 California Interscholastic Federation: <http://www.cifstate.org>
 Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>
 National Federation of State High School Associations: <http://www.nfhs.org>
 National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>
 U.S. Anti-Doping Agency: <http://www.usada.org>
 U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

BP 6145.2

Adopted: (no date)
Revised: February 7, 2012
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Student Organizations and Equal Access

The Governing Board believes that student groups or clubs reinforce the instructional program, give students experience in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulations.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3452 - Student Activity Funds)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

The Board encourages students to pursue interests and clubs which may not directly relate to the district's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during non-instructional time without regard to their religious, political, philosophical, or other speech content. The Board shall ensure that: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present at religious meetings only in a non-participatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Non-school persons shall not direct, conduct, control, or regularly attend activities of student groups.

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All non-curriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

No student group or club shall be required or refused based on the student's

actual or perceived age, gender, gender identity, gender expression, sexual orientation, sex, ethnicity, ethnic group identification, race, ancestry, nationality, national origin, religion, color, or disability, actual or potential parental, marriage, or family status, or association with a person or group with one or more of these actual or perceived characteristics. Requirements for participation in student groups or clubs shall be limited to those that are essential to the success of the group or club. (5 CCR 4925)

No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 USC 7905)

No student group or club shall be labeled or scheduled in a way which results in the separation of students on the basis of sex, sexual orientation, gender identity, race, ancestry, national origin, religion, color, and mental or physical disability. (5 CCR 4927)

Sex-segregated groups or clubs, shall be available to all pupils on the basis of their individual gender identity, irrespective of the gender listed on a pupil's records.

The Governing Board monitors compliance with any and all applicable nondiscrimination rule and regulations.

Legal Reference:

EDUCATION CODE

52 Designation of secondary schools

53 Designation of high schools

200-262.3 Prohibition of discrimination on the basis of sex 38130-38138

Civic Center Act

48900 Hazing

48907 Student exercise of free expression 48930-48938

Student organizations

48950 Freedom of speech

49020-49023 Athletic programs

PENAL CODE

627-627.10 Access to school premises

CODE OF REGULATIONS, TITLE 5

2 Definitions

5531 Supervision of extracurricular activities of students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Prince v. Jacoby, (2001) 303 F.3d 1074

Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061

Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093

Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076

Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64

Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431 Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources: WEB SITES

U.S. Department of Education: <http://www.ed.gov>

BP 6145.5

Adopted: February 19, 1985
Revised: April 15, 2014
October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

Guidance/Counseling Services

The Governing Board recognizes that a comprehensive counseling program promotes academic achievement and serves the diverse needs of all district students. Counseling staff shall be available to meet with students regarding their educational progress toward academic and/or career goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning.

The Superintendent or designee shall ensure that all persons employed to provide school counseling, school psychology, and/or school social work services shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of each position shall be clearly defined in a job description.

Academic and Career Counseling

The district's academic counseling program shall be designed to assist students to establish immediate and long-range educational plans, achieve academic standards, prepare for the high school exit examination, and complete the required curriculum in accordance with their individual needs, abilities, and interests. Insofar as possible, parents/guardians shall be included when making educational plans.

(cf. 6011 – Academic Standards)

(cf. 6020 – Parent Involvement)

(cf. 6174 – Education for English Learners)

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

The counseling program for high school students may include, at appropriate grade levels:

1. Information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships

(cf. 6143 – Course of Study)

(cf. 61646.1 – High School Graduation Requirements)

(cf. 6146.11 – Alternative Credits Toward Graduation)

2. An opportunity for each student and, if practicable, his/her parent/guardian to meet with a counselor to discuss the student's career goals, available educational and

career technical education options, and community and workplace experiences to support the student's goals

(cf. 6178 - Career Technical Education)

(cf. 6178.1 – Work-Based Learning)

3. Monitoring of each student's fulfillment of required coursework and progress toward promotion and graduation, and notification of the student and his/her parent/guardian of remaining academic requirements

(cf. 5123 – Promotion/Acceleration/Retention)

(cf. 6162.52 – High School Exit Examination)

4. Additional specialized counseling services for students identified as at risk of not graduating with their class

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. (Education Code 48431)

No counselor shall unlawfully discriminate against any student. Guidance counseling **and materials** regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 Nondiscrimination in District Programs and Activities.

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 5145.3 – Nondiscrimination/Harassment)

In addition, counselors shall affirmatively explore with students the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex (Education Code 221.5), **to ensure that any disproportionate number of students of one sex enrolled in a particular class is not the result of counseling or appraisal materials.**

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students, **based on any protected category specified in Board Policy 0410 (Nondiscrimination in District Programs and Activities).** (5 CCR 4931)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (Education Code 49603; 10 USC 503; 20 USC 7908)

Personal or Mental Health Counseling

Counseling staff shall identify and work with students whose personal problems may prevent them from reaching their potential. As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by his/her parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. (Education Code 49602)

(cf. 5022 – Student and Family Privacy Rights)

(cf. 5125 – Student Records)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel, whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Legal Reference: EDUCATION CODE

221.5 Prohibited sex discrimination

41505-41508 Pupil Retention/Block Grant

44266 Pupil personnel services credential

48431 Establishing and maintaining high school guidance and placement program

49600-49604 Educational counseling

151250-51251 School age military dependents 51513 Personal beliefs

52378-52380 Supplemental School Counseling Program

FAMILY CODE

6920-6929 Consent by minor for treatment or counseling

HEALTH AND SAFETY CODE

124260 Mental health services; consent by minors age 12 and older

PENAL CODE

11166-11170 Reporting known or suspected cases of child abuse

WELFARE AND INSTITUTIONS CODE

5850-5883 Mental Health Services Act
CODE OF REGULATIONS, TITLE 5
4930-4931 Counseling
80049-80049.1 Pupil personnel services credential
80632-80632.5 Preparation programs for pupil personnel services
UNITED STATES CODE, TITLE 10
503 Military recruiter access to directory information
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
7908 Armed forces recruiter access to students and student recruiting information
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family educational rights and privacy Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Results-Based School Counseling and Student Support Guidelines, 2007

Adopted: August 3, 1981 as Counseling and Guidance Services

Revised: December 5, 2006

January 8, 2008

April 15, 2014

October 2, 2017

LONG BEACH UNIFIED SCHOOL DISTRICT

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Physical Education Exemption
Education Code 51241 (c) (1)

Enclosure: One

CATEGORY: Instruction Item

Reason for Board
Consideration: Action

Date: October 2, 2017

BACKGROUND:

All high school students, except students excused or exempted pursuant to Education Code Section 51241, are required to attend physical education courses each year for a total period of time of not less than 400 minutes each 10 school days. Per Education Code Section 51225.3 (a) (1) (F), all students are required to complete two years of physical education in order to be eligible to graduate from high school. Further, per Education Code Section 51241 (b) (1), the governing boards of local school districts may grant a student an exemption from the remaining two years of physical education, with the consent of the students, if the student has met satisfactorily any five of the six standards of the physical performance test administered in grade 9 and/or 10, pursuant to Education Code Section 60800 (The FITNESSGRAM). A student has satisfactorily met the standards of the FITNESSGRAM if the student performed within the Healthy Fitness Zone (HFZ) on the tests in five of the six areas.

Under Education Code 51241 (c) (1), governing boards of local school districts may grant a permanent exemption from courses of physical education to a student who is 16 years of age or older and who has been enrolled in grade 10 for one academic year or longer.

Students on the attached list, as summarized below, have completed the physical education graduation requirement, have not passed the physical fitness test, are 16 years of age or older and have been enrolled in grade 10 one academic year or longer, which is defined in Long Beach Unified School District as being 60 credits or more deficient in grade 11/12. Staff is requesting an exemption from physical education courses for the 2016-17 school year for these students to allow adequate time in their schedules to take courses needed for graduation.

School	Grade 11	Grade 12
Avalon	0	0
Beach	2	2
Cabrillo	1	2
CAMS	0	0
EPHS	5	30

School	Grade 11	Grade 12
Jordan	0	0
Jordan Plus	3	4
Lakewood	1	1
Millikan	0	0
Poly	1	0
PAAL	1	3
Reid	4	8
Renaissance	0	0
State	0	1
Wilson	1	0

RECOMMENDATION:

That the Board of Education grant students on the attached list, summarized above, from taking a physical education course for the 2016-17 school year pursuant to Education Code 51241 (c) (1). The students listed have completed the physical education graduation requirement, have not passed the physical fitness test, are 16 years of age or older and have been enrolled in grade 10 for one academic year or longer, which is defined in the Long Beach Unified School District as being 60 credits or more deficient in grade 11/12. (The list is on file in the Office of the Executive Secretary to the Board of Education.)

Prepared by:

Approved and Recommended by:

Pamela Seki
Assistant Superintendent

Christopher Steinhauser
Superintendent of Schools

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Physical Education Temporary Exemption ENCLOSURE: One
EC Section 51241 (a) (1)

CATEGORY: Instruction Item REASON FOR BOARD
CONSIDERATION: Action
Date: October 2, 2017

BACKGROUND:

Education Code 51241 (a)(1) authorizes governing boards of a school district to grant a temporary exemption to a high school pupil from courses in physical education, if the pupil is ill or injured and a modified program to meet the needs of the pupil cannot be provided. Requests for such exemptions must be accompanied by a doctor's note indicating physical limitations. This note is then reviewed by the school nurse who determines if the student can participate in a modified course delivery or if a temporary medical exemption is needed.

Students summarized on the following chart have been recommended for a temporary medical exemption from physical education courses for all or part of the 2016-17 school year.

School	Grade 9	Grade 10	Grade 11	Grade 12
Jordan				1
Millikan		1		
Poly			1	
PAAL				1
Wilson			1	2

RECOMMENDATION:

That the Board of Education grant students on the attached list and summarized above an exemption from their physical education course for all or part of the 2016-17 school year pursuant to Education Code Section 51241(a)(1). These students qualify for a temporary exemption from physical education courses for medical reasons after a determination was been made that a modified course delivery is not appropriate. (The list of student names eligible for the temporary PE Exemption is on file in the Office of the Assistant Secretary to the Board of Education.)

Prepared by:

Pamela Seki
Assistant Superintendent

Approved and Recommended by:

Christopher Steinhauser
Superintendent of Schools

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Physical Education Exemption 2-Year Exemption Enclosure: One
Education Code 51241 (b) (1)

CATEGORY: Instruction Item

REASON FOR BOARD
CONSIDERATION: Action

Date: October 2, 2017

BACKGROUND:

Under Education Code Section 51241 (b) (1), governing boards of local school districts may grant a student an exemption from physical education courses for two years any time during grades ten to twelve if the following criteria are met: (1) the student consents to the exemption and (2) the student has met satisfactorily five of the six standards of the physical performance test administered in grade nine pursuant to Education Code Section 60800 (the FITNESSGRAM). A student has satisfactorily met the standards of the FITNESSGRAM if the student performed within the Healthy Fitness Zone (HFZ) on the test in five of the six areas.

If a student in grade nine does not satisfactorily meet five of the six standards on the physical performance test, the student is not eligible for the exemption from physical education course under Education Code Section 41241 (b) (1). Unless otherwise exempted, the student will need to take a physical education course in grade ten. If the student passes the FITNESSGRAM in grade ten, the local governing board may exempt the student from physical education courses for two years—grades eleven and twelve. Pursuant to Education Code 51241 (e) local districts may administer the FITNESSGRAM to students in grades ten to twelve, inclusive, and students who pass the FITNESSGRAM in any of grades ten to twelve, inclusive, are eligible for this exemption pursuant to Education Code Section 51241 (b) (1).

Passing the FITNESSGRAM is not a state high school graduation requirement. Instead, it is a measure of fitness proficiency and is also used to determine if students may select to opt out of the two years of physical education required beyond the two years required for high school graduation.

Students summarized on the following chart have met the exemption criteria pursuant to Education Code Section 51241 (b) (1) and are requesting a one to two semester exemption from physical education for the 2016-17 school year.

School	Grade 11	Grade 12
Avalon	6	10
Beach	3	7
Cabrillo	164	318
CAMS	154	153

School	Grade 11	Grade 12
EPHS	51	66
Jordan	287	403
Jordan Plus	14	39
Lakewood	353	509
McBride	146	148
Millikan	409	701
Poly	387	548
PAAL	58	71
Reid	7	0
Renaissance	64	88
Wilson	314	424

RECOMMENDATION:

That the Board of Education grant students on the attached list and summarized above an exemption from taking a physical education course during the 2016-17 school year pursuant to Education Code Section 51241 (b) (1). These students in grades eleven and twelve (1) consent to the exemption, (2) have satisfactorily met five of the six standards on the state's physical performance test, and (3) have completed the two-year physical education coursework required for graduation from high school. The list of student names eligible for this 2-year Physical Education Exemption is on file in the Office of the Assistant Secretary to the Board of Education.

Prepared by:

Approved and Recommended by:

Pamela Seki
Assistant Superintendent

Christopher Steinhauser
Superintendent of Schools

CONSENT ITEM

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Finance Report

Enclosures _____

CATEGORY: Business Items

Reason for Board

Consideration: Action

Fiscal Services

Date: October 2, 2017

1. Ratify Salary Warrants issued on September 8, 2017 and transfer of funds to Payroll Clearance Fund to cover deductions as follows:

General Fund	\$	5,074,627.94
Adult Education Fund		9,712.92
Child Development Fund		181,511.27
Cafeteria Special Revenue Fund		148,431.48
Building Fund		7,814.59
Self-Insurance Fund		<u>2,763.46</u>

TOTAL SALARY WARRANTS ISSUED..... \$ 5,424,861.66

2. Ratify Salary Warrants issued on September 15, 2017 and transfer of funds to Payroll Clearance Fund to cover deductions as follows:

General Fund	\$	24,732,395.71
Adult Education Fund		42,833.81
Child Development Fund		1,402,828.53
Cafeteria Special Revenue Fund		754,267.63
Building Fund		106,769.54
Self-Insurance Fund		<u>20,533.63</u>

TOTAL SALARY WARRANTS ISSUED..... \$ 27,059,628.85

3. 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.

08/26/17-09/11/17	F 52988 - F 53057		
08/31/17	24008008-24008059	09/08/17	00344303-00344303
08/31/17	00343251-00343252	09/11/17	24029256-24029278
09/01/17	24010812-24010879	09/12/17	24031340-24031405
09/05/17	24013005-24013065	09/12/17	00344692-00344693
09/06/17	24015803-24015879	09/13/17	24033352-24033391
09/06/17	00343938-00343938	09/14/17	24036149-24036213
09/07/17	24021197-24021214	09/14/17	00345556-00345556
09/08/17	24024088-24024156		

Funds

General Fund	\$ 3,168,390.70
Adult Education Fund	11,913.87
Child Development Fund	284,059.47
Building Fund	4,295,468.78
Self-Insurance Fund	2,204,176.88
Warrant/Pass-Through Fund	<u>15,332.15</u>

TOTAL WARRANTS ISSUED..... \$ 9,979,341.85

Recommendation

Approve/Ratify the above listed items.

Approved:

Approved and Recommended:

Yumi Takahashi
 Chief Business and Financial Officer

Christopher J. Steinhauser
 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 October 2, 2017

Approve Proposals: Approve the following Board Initiative Proposals:

1. Project: These funds will support the Classified Employee orientation program by Personnel Commission.
LCAP Target Area(s) Addressed: School Climate
Estimated Cost: \$12,000
2. Project: Paint the Distinguished School logo on the main building wall at Naples Elementary School.
LCAP Target Area(s) Addressed: School Climate
Estimated Cost: \$1,900

Accept Gifts: Accept the following gifts to the District:

	<u>Site Name</u>	<u>Donor</u>	<u>Gift</u>	<u>Purpose</u>	<u>Amount or Amount Est. by Donor</u>
3.	Bethune	Rossmoor Woman's Club	School Uniforms and other clothing.	For supporting homeless education throughout the District through the Bethune Transitional Center.	\$2,000.00
4.	Cleveland	Cleveland PTA	Eleven (11) Chromebooks	For the benefit of the students and staff.	\$2,500.00
5.	Gant	Edison International	Monetary	For the benefit of the students and staff.	\$126.00
6.	OCIPD-Textbooks	Long Beach Education Foundation	Monetary	For the benefit of the students and staff.	\$250.00
7.	Riley	Long Beach Education Foundation	Monetary	For the benefit of the students and staff.	\$105.00
8.	Smith	Bobbie Smith School PTA	Monetary	Funding for field trips.	\$8,000.00

Gifts Total Total amount of monetary gifts on this report: \$8,481.00
Total value of non-monetary gifts on this report: \$4,500.00

Authority to Compromise and Settle:

9. Authorize the continuation of delegation of authority for the compromise or settlement of all claims against the District no greater than \$50,000 to the Chief Business and Financial Officer or designee per Government Code Section 935.4, and issue a written order for the payment thereof under Part 3 of Division 3.6 of Title 1 of the Government Code.

Reject Claims as follows:

In accordance with the procedure as established by legal counsel, reject the claim(s) presented on behalf of claimant(s) under claim number(s), in connection with incident(s) as listed below. Authorize transmittal to the District's liability claims administrator.

	<u>Claim Number</u>	<u>Date of Incident</u>
10.	1423-17/18	05/04/17
11.	1424-17/18	05/04/17
12.	1425-17/18	05/04/17

Recommendation:

Approve the items listed above.

Approved:

Yumi Takahashi
Chief Business and Financial Officer

Approved and Recommended:

Christopher J. Steinhauser
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 _____ October 2, 2017

Contract Report

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

New Agreements and Renewals - General

1. Agreement: Angels Gate Cultural Center (1718-0246-00)
Purpose: To provide art instruction and creative writing workshops for students at Garfield Elementary School.
Term: 9/11/2017 - 12/22/2017
Type: New Agreement
Cost: No cost to the District
Originator: Garfield
Funding Source: N/A

2. Agreement: Arts Master Legacy (1718-0245-00)
Purpose: To provide instructional art programs for students, staff and parent volunteers at Los Cerritos Elementary School.
Term: 9/1/2017 - 6/15/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$2,250
Originator: Los Cerritos
Funding Source: Reimbursed by LBEF

3. Agreement: Patricia D. Barrett (1718-0241-00)
Purpose: To hold hearings of classified employees and submit written recommended decisions and proposed findings for the Personnel Commission.
Term: 8/1/2017 - 6/30/2018
Type: Renewal - 13th year
Cost: To be a maximum of \$7,000
Originator: Personnel Commission
Funding Source: General Fund

4. Agreement: Cameron Ford (1718-0231-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$3,030
Originator: OCIPD
Funding Source: General Fund - LCFF
5. Agreement: Lucy Ford (1718-0242-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: Renewal - 3rd year
Cost: To be a maximum of \$12,125
Originator: OCIPD
Funding Source: General Fund - LCFF
6. Agreement: Global Culture Education Foundation (1718-0230-00)
Purpose: To provide Chinese language and culture classes for 1st grade WRAP students at Powell Academy.
Term: 9/14/2017 - 2/15/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$2,310
Originator: Powell
Funding Source: After School Education and Safety
7. Agreement: Goodwill, Serving the People of Southern Los Angeles County (1718-0250-00)
Purpose: To provide a Certified Nurse Assistant training program for selected high school students.
Term: 9/1/2017 - 6/30/2018
Type: Renewal - 6th year
Cost: To be a maximum of \$84,336
Originator: Assistant Superintendent - High Schools
Funding Source: California Career Pathways Trust
8. Agreement: Hilton Long Beach (1718-0243-00)
Purpose: To provide room rental and catering services for the Most Inspiring Student Awards Dinner.
Term: 5/10/2018
Type: Renewal - 15th year
Cost: The District and the Long Beach Education Foundation will share the cost of the event. Total cost to the District to be a maximum of \$26,000.
Originator: EACCR
Funding Source: General Fund - LCFF
9. Agreement: Integrity Environmental Consultants, Inc. (1718-0253-00)
Purpose: To provide environmental consulting services as-needed throughout the District.
Term: 10/3/2017 - 10/2/2018
Type: New Agreement
Cost: To be a maximum of \$375,000
Originator: Maintenance
Funding Source: General Fund

10. Agreement: Jeffrey Scott Jones (1718-0233-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$1,190
Originator: OCIPD
Funding Source: General Fund - LCFF
11. Agreement: Amanda Liebzeit (1718-0235-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$12,825
Originator: OCIPD
Funding Source: General Fund - LCFF
12. Agreement: Lifesigns, Inc. (1718-0240-00)
Purpose: To provide sign language interpreting services for District employees as required by the Americans with Disabilities Act.
Term: 7/1/2017 - 6/30/2018
Type: Renewal - 11th year
Cost: To be a maximum of \$10,000
Originator: HRS
Funding Source: General Fund
13. Agreement: Long Beach CaLL (1718-0255-00)
Purpose: To provide dedicated human resources, operational support, and strategic planning for the Linked Learning Regional Hub of Excellence Network.
Term: 10/1/2017 - 9/30/2018
Type: New Agreement
Cost: To be a maximum of \$140,000
Originator: Assistant Superintendent - High Schools
Funding Source: Linked Learning Hub - Irvine Foundation
14. Agreement: Los Angeles County Office of Education (1718-0228-00)
Purpose: To support data information sharing efforts between all school districts within Los Angeles County to evaluate and improve the District's educational programs for foster youth.
Term: 7/1/2017 until terminated
Type: New Agreement
Cost: No cost to the District
Originator: Spec. Ed.
Funding Source: N/A
15. Agreement: Los Angeles County Office of Education (1718-0234-00)
Purpose: To provide educational services to District students enrolled in County Community Schools.
Term: 7/1/2017 - 6/30/2018
Type: Renewal - 2nd year
Cost: Estimated to be \$125,000
Originator: Assistant Superintendent - School Support Services
Funding Source: General Fund

16. Agreement: Media Leaders, LLC (1718-0236-00)
Purpose: To provide social media safety workshops and assemblies for parents and students at Sato Academy of Mathematics and Science.
Term: 9/21/2017 - 9/22/2017
Type: New Agreement
Cost: To be a maximum of \$4,900
Originator: Sato
Funding Source: General Fund - LCFF
17. Agreement: Samuel D. Montooth (1718-0238-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: New Agreement
Cost: To be a maximum of \$10,650
Originator: OCIPD
Funding Source: General Fund - LCFF
18. Agreement: Caitlin Olsen (1718-0237-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$10,650
Originator: OCIPD
Funding Source: General Fund - LCFF
19. Agreement: PFD Academy (1718-0232-00)
Purpose: To provide learning skills and character development in preparation for a collegiate level education for selected WRAP students at Powell Academy.
Term: 9/1/2017 - 5/31/2018
Type: New Agreement
Cost: To be a maximum of \$2,500
Originator: Powell
Funding Source: After School Education and Safety
20. Agreement: Susanne Smith Roley (1718-0239-00)
Purpose: To conduct Independent Educational Evaluations and/or other Special Education Related Services for a student with exceptional needs.
Term: 7/1/2017 - 6/30/2018
Type: New Agreement
Cost: To be a maximum of \$1,600
Originator: Spec. Ed.
Funding Source: Spec. Ed./General Fund
21. Agreement: Shaila Saint (1718-0248-00)
Purpose: To provide education workshops for parents of students at Keller Middle School.
Term: 9/1/2017 - 6/30/2018
Type: Renewal - 2nd year
Cost: To be a maximum of \$3,600
Originator: Keller
Funding Source: General Fund - LCFF

22. Agreement: Shaila Saint (1718-0249-00)
Purpose: To provide support workshops and team building activities for students at Keller Middle School.
Term: 9/1/2017 - 6/30/2018
Type: New Agreement
Cost: To be a maximum of \$4,500
Originator: Keller
Funding Source: General Fund - LCFF
23. Agreement: S.G. Adamson dba Greg Adamson (1718-0229-00)
Purpose: To provide music coaching services for students participating in the Long Beach Harmony Project.
Term: 8/15/2017 - 6/16/2018
Type: New Agreement
Cost: To be a maximum of \$8,475
Originator: OCIPD
Funding Source: General Fund - LCFF
24. Agreement: Traliant, LLC (1718-0252-00)
Purpose: To provide a software license and use of Traliant's online Preventing Discrimination and Harassment training programs for selected District staff.
Term: 9/1/2017 - 6/30/2019
Type: New Agreement
Cost: To be a maximum of \$2,194
Originator: HRS
Funding Source: General Fund

New Agreements and Renewals - Facilities

25. Agreement: 3QC, Inc. (10276.01)
Purpose: To provide commissioning services for the Jordan High School - Major Renovation project.
Term: 10/5/2017 - 12/31/2020
Type: New Agreement
Cost: To be a maximum of \$88,859
Originator: Facilities
Funding Source: Building Fund
26. Agreement: American Engineering Laboratories (10272.01)
Purpose: To provide DSA inspection services for the Wilson High School Track and Field project.
Term: 9/19/2017 through project completion
Type: New Agreement
Cost: To be a maximum of \$51,200
Originator: Facilities
Funding Source: Building Fund
27. Agreement: American Engineering Laboratories (10275.01)
Purpose: To provide DSA inspection services for the Head Start Project at Jordan Plus.
Term: 10/5/2017 through project completion
Type: New Agreement
Cost: To be a maximum of \$15,360
Originator: Facilities
Funding Source: Head Start

28. Agreement: Associated Soils Engineering, Inc. (10243.02)
Purpose: To provide geotechnical engineering consulting services for the Rogers Middle School HVAC project.
Term: 10/5/2017 - 12/31/2018
Type: New Agreement
Cost: To be a maximum of \$21,060
Originator: Facilities
Funding Source: Building Fund
29. Agreement: Converse Consultants (10273.01)
Purpose: To provide materials testing and inspection services for the Webster Interim Housing project.
Term: 10/5/2017 - 12/31/2018
Type: New Agreement
Cost: To be a maximum of \$56,840
Originator: Facilities
Funding Source: Building Fund
30. Agreement: Ghataode Bannon Architects (10186.01E)
Purpose: To provide architectural services for the Monroe Interim Housing project, per the terms and conditions of the master agreement approved on April 5, 2017.
Term: 10/5/2017 through projection completion
Type: New Agreement
Cost: To be a maximum of \$13,500, including \$500 reimbursable expenses
Originator: Facilities
Funding Source: Building Fund
31. Agreement: Koury Engineering & Testing, Inc. (10277.01)
Purpose: To provide materials testing and inspection services for the Head Start project at Jordan Plus.
Term: 10/5/2017 - 6/30/2018
Type: New Agreement
Cost: To be a maximum of \$17,690
Originator: Facilities
Funding Source: Head Start
32. Agreement: PBK, Inc. (10192.01I)
Purpose: To provide architectural services for the Sato High School New Construction (New Building) project, per the terms and conditions of the master agreement approved on April 5, 2017.
Term: 10/5/2017 through projection completion
Type: New Agreement
Cost: To be a maximum of \$1,015,938, including \$15,000 reimbursable expenses
Originator: Facilities
Funding Source: Building Fund

Amend Agreements - General

33. Agreement: Los Angeles County Office of Education (1617-1083-01)
Purpose: To provide additional educational services to District students enrolled in County Community Schools.
Cost: Increase contract amount by \$22,626 from \$125,000, to be a maximum of \$147,626. All other terms and conditions to remain the same.
Originator: Assistant Superintendent - School Support Services
Funding Source: General Fund

34. Agreement: South Bay High School (1617-0222-02)
Purpose: To provide additional Educationally Related Mental Health Services for students and their families.
Cost: Increase contract amount by \$177,020 from \$2,081,000, to be a maximum of \$2,258,020. All other terms and conditions to remain the same.
Originator: Spec. Ed.
Funding Source: Spec. Ed./General Fund
35. Agreement: Unite-LA, Inc. (1617-0459-03)
Purpose: To provide additional consulting and project management services relating to the District's EduCare project.
Cost: Increase contract amount by \$75,000 from \$280,000, to be a maximum of \$355,000. All other terms and conditions to remain the same.
Originator: Superintendent
Funding Source: General Fund - LCFF

Amend Agreements - Facilities

36. Agreement: Leighton Consulting, Inc. (10128.01)
Purpose: To provide additional environmental consulting services on an as-needed basis for various projects throughout the District.
Cost: Increase contract amount by \$500,000 from \$500,000, to be a maximum of \$1,000,000. All other terms and conditions to remain the same.
Originator: Facilities
Funding Source: Building Fund
37. Agreement: Soundearth Strategies California, Inc. (10130.01)
Purpose: To provide additional environmental consulting services on an as-needed basis for various projects throughout the District.
Cost: Increase contract amount by \$300,000 from \$500,000, to be a maximum of \$800,000. All other terms and conditions to remain the same.
Originator: Facilities
Funding Source: Building Fund

Amend Board Action - General

38. Amend Bid Award No. 44-1617 for Manufacturing Lab Equipment by correcting award amount from \$94,378.28 to \$194,378.28.
Funding Source: Career Technical Education Incentive Grant Program

Income/Reimbursement Agreements - General

39. Agreement: Able ARTS Work (1718-0244-00)
Purpose: To provide an interactive art learning experience and field trip for selected 3rd and 4th graders throughout the District.
Term: 10/2/2017 - 11/11/2018
Cost: No cost to the District
Originator: OCIPD

40. Agreement: State of California, Department of Rehabilitation (1617-0803-01) (30100)
Purpose: To provide additional reimbursement to the District for participation in the CaPROMISE (Promoting the Readiness of Minors in Supplemental Security Income) project.
Reimbursement: Increase contract amount by \$115,010 from \$767,806, to be a maximum of \$882,816. All other terms and conditions to remain the same.
Originator: Spec. Ed.

Bid Awards

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

Authorize Bid Awards

Commodity Bid - General

41. Award RFP No. 216-1718 for the Purchase of Fresh Baked Pizza Delivered to Various School Locations for the Outside Vendor Sales Program for the period of October 3, 2017 through June 30, 2018, with a total estimated annual expenditure of \$650,000 to the following vendors:

DHK Pizza Works, Inc. dba Domino's Pizza
GB You, Inc. dba Papa John's Pizza
Modenza Enterprises, LLC dba Papa John's Pizza
Pizza Depot, Inc.
PJ's East/West, LP dba Papa John's Pizza
PJCA-1, LP dba Papa John's Pizza
PJCA-6, LP dba Papa John's Pizza
SCP Enterprises dba Domino's Pizza
Southern California Pizza Company dba Pizza Hut
Western Enterprises, Inc. dba Domino's Pizza
Funding Source: Cafeteria Special Revenue Fund

Construction Bids - Facilities

42. Award Bid No. FAC08-1718 for the Head Start Conversion Project at Hudson Elementary School and approve contract with Golden Phoenix Construction Co., Inc. dba Golden Phoenix Electric, for the amount of \$202,000.
Funding Source: Head Start
43. Award Bid No. FAC11-1718DM for the Wilson High School - Improvements (Roofing Small Gym) and approve contract with Best Contracting Services, Inc., for the amount of \$212,754.
Funding Source: Building Fund

Construction Change Order

The following change order is submitted for approval and available upon request:

Authorize Change Order - Facilities

44. Approve Change Order No. 1 for Agreement 8288.01 with 2H CONSTRUCTION, INC., for the Auditorium Renovations, Boiler Replacement and ADA Improvements at Wilson High School, by increasing the contract amount by \$626,248.49 from \$20,780,000, for a new total contract amount of \$21,406,248.49 and extend contract term by 45 days.
Funding Source: Building Fund

Membership Approvals - General

Authorize District Memberships

45. Approve District memberships in the following organizations:
- (A) The California Association of International Baccalaureate World Schools
[Originator-Jordan/\$550]
 - (B) Greater Lakewood Chamber Of Commerce
[Originator-Superintendent of Schools/\$720]
 - (C) Price Philanthropies Foundation
[Originator-Superintendent/\$3,000]

Membership Approval - Facilities

Authorize District Membership

46. Approve District membership in the following organization:
- (A) Coalition For Adequate School Housing
[Originator-Facilities/\$1,135]

Recommendation

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

Approved:

Approved and Recommended:

Yumi Takahashi
Chief Business and Financial Officer

Christopher J. Steinhauser
Superintendent of Schools

RH/rk/sp

BS/sc

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Approval of Members to the
Citizens' Bond Oversight Committee

Enclosures: _____

CATEGORY: New Business Item

Reason for
Board Consideration: Action

Business Services

Date: October 2, 2017

BACKGROUND:

On November 4, 2008, voters passed Measure K bond which authorized \$1.2 billion in funding for needed repairs, upgrades, and new construction projects to the schools within the Long Beach Unified School District. On November 8, 2016, voters passed Measure E bond which authorized an additional \$1.5 billion in funding for technology, air conditioning and safety improvements to the schools within the Long Beach Unified School District.

In accordance with the requirements of Proposition 39, the Long Beach Unified School District Governing Board is required to appoint a Citizens' Oversight Committee consisting of seven members of the community to work with the District to ensure all bond funds are spent in accordance with voter approved bond measures.

Currently, there is one member that has resigned and one member whose term has expired.

The following appointments are being recommended for the Board's consideration and approval.

<u>Category(ies)</u>	<u>Member</u>
Parent/Guardian of an LBUSD Student(s)/ Taxpayers' Association Representative	Daniel Minkoff
Community At-Large Representative	Mario E. Gonzalez

RECOMMENDATION:

Approve the appointments of Daniel Minkoff as Parent/Guardian of an LBUSD student(s)/Taxpayers' Association Representative, and Mario E. Gonzalez as Community At-Large Representative to the Citizens' Oversight Committee.

Approved:

Approved and Recommended:

Yumi Takahashi
Chief Business & Financial Officer

Christopher J. Steinhauser
Superintendent of Schools

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Resolution No. 100217-A
Authorize Formation of an Asset
Management Advisory Committee

Enclosures: Yes

CATEGORY: New Business Item

Reason for Board
Consideration: Action

Business Services

Date: October 2, 2017

BACKGROUND:

The District is the owner of certain facility and real property that is not being, or will not be, utilized to its fullest potential. The property owned by the District has been identified below:

4310 Long Beach Blvd, Long Beach, CA 90807, (APN: 7134-016-900). This 0.349 acre property was previously used as administrative offices and as a file archive storage area. The District's Office of Multi-Media Services is currently occupying the space on a temporary basis.

Prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, the Board shall form an advisory committee pursuant to Education Code section 17388 et seq. The advisory committee must consist of no fewer than seven (7) and not more than eleven (11) members from a variety of classifications related to ethnicity, employment, business, community and educational involvement. The duties of the advisory committee are summarized below:

- Review project school enrollment and other data related to facility use
- Establish a priority list of use of the Surplus Property that will be acceptable to the community
- Circulate the priority list and conduct a public hearing to provide an opportunity for input from the community
- Ensure priority list will give consideration to the needs of Child Development Centers (CDC) programs
- Make a final determination on the Surplus Property with an explanation for the decision
- Provide an Advisory Report with a recommendation to the Board

Upon recommendation by the Advisory Committee, the Board of Education may adopt a declaration of intent to sell surplus property by a two thirds vote of all board members and then may proceed with the process to dispose of the property.

RECOMMENDATION:

Recommend approval of Resolution No. 100217-A

A RESOLUTION BY THE GOVERNING BOARD OF EDUCATION OF THE LONG BEACH
UNIFIED SCHOOL DISTRICT AUTHORIZING THE FORMATION OF AN ASSET
MANAGEMENT ADVISORY COMMITTEE

Approved by:

Approve and Recommended:

Yumi Takahashi
Chief Business & Financial Officer

Christopher J. Steinhauser
Superintendent of Schools



RESOLUTION NO. 100217-A

A RESOLUTION BY THE GOVERNING BOARD OF EDUCATION OF THE LONG BEACH UNIFIED SCHOOL DISTRICT AUTHORIZING THE FORMATION OF AN ASSET MANAGEMENT ADVISORY COMMITTEE

WHEREAS, the Long Beach Unified School District (“District”) is the owner of certain school facilities and real property that is not being, or will not be, utilized to its fullest potential (“Surplus Property”); and

WHEREAS, prior to disposing of the Surplus Property, the District’s Board of Education (“Board”) is required to form an advisory committee pursuant to Education Code section 17388 et seq., to advise the Board in the development of District-wide policies and procedures governing the use or disposition of Surplus Property; and

WHEREAS, Education Code section 17389 states that such an advisory committee must consist of no fewer than seven (7) and not more than eleven (11) members, and must be represented by each of the following:

- (a) The ethnic, age group, and socioeconomic composition of the District;
- (b) The business community, such as store owners, managers, or supervisors;
- (c) Landowners or renters, with preference to be given to representatives of neighborhood associations;
- (d) Teachers;
- (e) Administrators;
- (f) Parents of students;
- (g) Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which Surplus Property is located; and

WHEREAS, pursuant to Education Code section 17390, the advisory committee is charged with the following duties:

- (a) Review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property;
- (b) Establish a priority list of use of the Surplus Property that will be acceptable to the community;
- (c) Cause to have circulated throughout the attendance area a priority list of the Surplus Property and provide for hearings for community input to the committee on acceptable uses of the Surplus Property, including the sale or lease of the Surplus Property for child care development purposes pursuant to Education Code section 17458;
- (d) Make a final determination regarding the limits of tolerance of the Surplus Property; and
- (e) Forward to the District’s governing board a report recommending uses of the Surplus Property (“Advisory Report”); and

WHEREAS, the Board desires to appoint an advisory committee, pursuant to Education Code section 17388; and

NOW, THEREFORE, THE BOARD DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

- Section 1.** That the above recitals are all true and correct.
- Section 2.** Pursuant to Education Code Section 17387, the District will establish an Asset Management Advisory Committee to further review and consider the District's potential options regarding the following property: 4310 Long Beach Blvd, Long Beach, CA 90807, (APN: 7134-016-900).
- Section 3.** The Board delegates to the Superintendent or his designee, to solicit community members to serve on the committee, bring selected members for review and approval to the Board, establish the workings of the committee, set a schedule and commence the required meetings in accordance with the provisions of Education Code Section 17387, et. seq.
- Section 4.** At future meetings the Superintendent, or his designee, shall report to the Board regarding the Committee and its completion of the advising tasks set forth in the Education Code.

IN WITNESS THEREOF, we have hereunto set our hands on this 2nd day of October, 2017.

APPROVED, ADOPTED, AND SIGNED on October 2, 2017.

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

By: _____
President

By: _____
Vice President

By: _____
Member

By: _____
Member

By: _____
Member

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Christopher J. Steinhauser, Secretary, Board of Education of the Long Beach Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of said District at a meeting of said Board held on the 2nd day of October, 2017, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Secretary, Board of Education of the Long Beach Unified School District

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Approval of Pre-Qualified Construction
Inspection Consultants

Enclosures: Yes

CATEGORY: New Business

Reason for Board
Consideration: Action

Business Services

Date: October 2, 2017

BACKGROUND:

Pursuant to Request for Qualifications (RFQ) #1516/08, staff has compiled and is requesting that the Board approve a pool of Pre-Qualified Construction Inspection Consultants to provide services for various bond program facilities improvement projects. This list will supersede the former pre-qualified list established by Request for Qualifications #1213/01.

In alignment with the District's local hire procedure, which encourages the reinvestment of funds in the local area through increasing awareness of employment opportunities, the Construction Inspection Consulting Services RFQ was advertised in the Press Telegram, posted in the Long Beach Unified School District and the California Coalition for Adequate School Housing websites. Transmittals and the RFQ document were sent via electronic mail to notify each firm that is on the existing pre-qualified list.

The District received a total of fourteen (14) Statements of Qualifications (SOQ's). Each SOQ was reviewed and evaluated based on the selection criteria included in the RFQ. The evaluation team selected ten (10) firms for the Pre-Qualified List for Construction Inspection Consulting Services.

One (1) of the ten (10) firms selected to be on the Pre-Qualified List is located within the District's boundaries, in Lakewood. Seven (7) of the ten (10) firms are classified as Small Business Enterprises.

While a pre-qualified list is not required, a pre-qualified list allows staff to expeditiously select from a highly qualified list of consultants when services are required via a Request for Proposal process.

RECOMMENDATION:

Recommend approval of Pre-Qualified Construction Inspection Consultants.

Approved:

Approved and Recommended:

Yumi Takahashi
Chief Business & Financial Officer

Christopher J. Steinhauser
Superintendent of Schools

Long Beach Unified School District
October 2, 2017 Board Meeting

List of Pre-Qualified Construction Inspection Consultants Pursuant to RFQ #1516/08:

- American Engineering Laboratories, Inc.
- BPI Inspection Service
- Independent Construction Inspection, Inc.
- Knowland Construction Services
- Premier Inspection Services
- RS Construction Services Inc.
- Sandy Pringle Associates Inspection Consultants
- Stephen Payte DSA Inspections, Inc.
- TYR, Inc.
- Vital Inspection Services, Inc.

BOARD OF EDUCATION
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Approval of Utilizing Current Procedures for
Evaluating Qualifications
of Lease-Leaseback Contractors for
Additional Construction Projects

Enclosures: _____

CATEGORY: New Business Item

Reason for Board
Consideration: _____ Action _____

Business Services

Date: October 2, 2017

BACKGROUND:

The District has been utilizing the lease-leaseback delivery method for the construction of certain District projects. The operative statute, Education Code section 17406, was revised as of January 1, 2017 to, among other changes, require school districts to award lease-leaseback contracts based on a competitive solicitation process to the proposer providing the lowest bid or the best value to the District.

On March 1, 2017, the Governing Board passed Resolution No. 030117-B that adopted procedures and guidelines for evaluating the qualifications of prospective lease-leaseback contractors ("Evaluation Procedures") to ensure that the best value selections by the District, if that selection process was used, would be conducted in a fair and impartial manner. The District, following those procedures and guidelines, issued a request for qualification (RFQ) to establish a pool of qualified contractors. Following the establishment of a qualified pool of contractors, the District issued multiple Request for Proposals (RFPs) to select the best-value contractor for each project, and has been successfully procuring and contracting for multiple projects under those procedures.

In order to begin the development of additional construction projects planned for the 2020-2021 fiscal year, the District intends to utilize the same lease-leaseback procedures and guidelines adopted by Resolution No. 030117-B. In order to ensure an open and competitive process, the District will advertise and issue RFQ #1718/23 to invite additional contractors to submit to be added to the pool of currently-qualified contractors. The contractors in the currently approved pool would not need to submit a response since the Evaluation Procedures are the same and the District already found them to be qualified.

RECOMMENDATION:

District staff therefore is recommending that the Board approve utilizing the same Evaluation Procedures from Resolution No. 030117-B for the following projects:

POTENTIAL PROJECT(S) AND ANTICIPATED CONSTRUCTION (HARD COST) BUDGETS

Alvarado Elementary School HVAC/Modernization	\$6,400,000
Cubberley K-8 School HVAC/Modernization	\$15,250,000
Hamilton Middle School Gym Renovation, Fields	\$10,000,000
Hughes Middle School Modernization	\$20,700,000
Keller Middle School HVAC/Modernization	\$14,000,000
Madison Elementary School HVAC/Modernization	\$8,000,000
Sato Academy of Mathematics and Science New Construction	\$16,500,000

Approved:

Approved and Recommended:

Yumi Takahashi
Chief Business and Financial Officer

Christopher J. Steinhauser
Superintendent of Schools