

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Shores Update and Public Input re Shores Property

Staff was still working on this item when the April 25, 2007 Board packet was published. The Superintendent will provide a handout on this item.

RECOMMENDED: Informational Item Only,

7.1

April 25, 2007

To: Board Members

From: Tom Bishop

Subject: Cost for Site to Purchase Additional 07/08 Classified Enrichment Positions

At its last meeting, the Board directed staff to calculate the cost for part-time 07/08 classified enrichment positions. During the 06/07 school year, several sites used part-time classified enrichment aides to provide students with additional enrichment opportunities. It is anticipated that several of the sites will use classified enrichment aides again in 2007/2008.

The District used the 06/07 salaries of eight part-time ESC classified employees to create an average. The total cost of the eight part-time classified ESC was \$174,781, which generates an average of \$21,847 per employee. The total number of hours that these eight part-time ESC classified aides worked each week was 170.75 hours. (During 06/07, the District allocated different numbers of ESC aide hours to individual sites because of school size. Larger schools received more ESC aide hours because larger schools have more students.) If 170.75 hours per week is divided by the eight part-time classified ESC aides, it can be established that the average number of hours worked by the eight part-time ESC classified aides was 21.34 hours per week.

By adopting a policy that requires sites to pay \$5,461 per five hours of classified employment per week, it is simple to create a table that shows site fundraisers how much it will cost to purchase additional part time classified ESC aides:

5 hours per week will cost:	\$5,461
10 hours " " " "	\$10,923
15 hours " " " "	\$16,385
20 hours " " " "	\$21,845
25 hours " " " "	\$27,306
30 hours " " " "	\$32,767

If the table in this item is approved tonight, then sites can determine if the site wants to purchase additional part-time classified ESC aides for the 07/08 school year. It is also assumed that any funds that were raised to purchase additional part-time classified ESC aides would have to be raised by June 15.

RECOMMENDED: Informational Item Only.

7.2

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: What If Site Doesn't Raise Funds Needed For Additional Enrichment Staffing?

At its last meeting, the Board asked staff to develop an answer to this question: What happens if a school decides to raise funds between April 1 and June 15 to purchase additional 07/08 enrichment positions, but the fundraising program doesn't meet the goal?

This topic was discussed at the Superintendent's April 17 monthly meeting of PTA Presidents and the group unanimously suggested that it would be unfair (and reckless) for a site that fails to meet its goal to receive 100% of its staffing request. Here is an example:

Suppose a site decided to raise \$68,000 to purchase a full time ESC teacher, but only raised \$40,000 by June 15. In this case, the PTA Presidents suggested that it would be irresponsible of the Board/District to provide this site with a full-time ESC teacher. Instead the PTA Presidents suggested that this school be provided with a half-time enrichment teacher (Cost: \$34,000), and that the remaining \$6,000 be spent by the PTA on other programs. Another option discussed was to provide the additional enrichment staffing on a proportional basis. For example, suppose a site raised 75% or 80% of the goal, then that site should receive a .75 FTE or a .80 FTE enrichment teacher.

The group also talked about a school that raised 95% of its goal by June 15. The PTA group felt that some type of emergency "extension" of the June 15 goal would be appropriate to allow the site to solicit additional funds during the summer months.

What is the Board's pleasure on this topic?

RECOMMENDED: No recommendation.

7.3

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Process for Short Term/Long Term Planning

The staff is seeking board direction regarding the process that the Board wants to use to establish short term/long term goals for the DMUSD. Included in the discussion will be the possible use of an outside facilitator.

Attached is "*Process Options for School District Planning*" describing three different approaches of setting the vision and establishing goals for the school district.

RECOMMENDED: Superintendent recommends that the Board approve a process for short term/long term planning.

7.4

Process Options for School District Planning

The local school board has the responsibility to set the vision and establish goals for a school district. The board uses its management team (Superintendent, Directors, and Principals) to operationalize the vision and to achieve the board goals. Board strategies for setting and approving the board's vision range from simple models that involve few community members to complex models that involve many community members.

Option I: No Planning Process

Some local school boards never establish a District vision nor do they set yearly goals and objectives. These districts move from board meeting to board meeting without any long-range focus. A significant weakness for the school district that lacks a vision setting process is that the management team has difficulty determining which district issues are important. When managers don't know which priorities are important, it is likely that organizational resources can be scattered to different priorities and goals that may not be reached. Board meetings in a school district without vision are often full of disconnected "one time" topics.

Option II: A Simple Model

A simple model of setting the District's vision might involve only the board members. In this "simple" model, the board might have a collaborative team vision conversation during a special or regular meeting and instruct its Superintendent to bring the vision back for adoption at a future board meeting. This simple model can be useful in helping the board to develop its vision and is also beneficial to the superintendent and other members of the management team as they develop specific objectives that align with the agreed-upon vision.

Janet Bernard and Tom Bishop brainstormed in early February to develop a simple planning process that could be used by the board if the board believes it is appropriate.

Option III: A Collaborative Model

Given the complexity of making successful change efforts, a new best practice planning process emerged in best practice school districts over the past 15 years. By involving different school district stakeholders (parents, teachers, principals, classified employees, and community members) in an advisory role as part of the visioning/planning process, there is a greater possibility for stakeholder acceptance of change. Thus, the Superintendent and staff are able to move forward with the implementation of the board's vision.

By including multiple stakeholder groups in the planning process, the probability that the local school board's vision is accurate for the entire school district will be increased. Stakeholders are then able to reach agreements that will help the management team to implement the board's vision with minimal or less resistance from those who don't agree with the vision.

If a board elects to use a collaborative model for increasing the probability for stakeholder "buy-in," several steps must occur as follows:

- Identify an external consultant who specializes in the development of visioning and long-term planning.
- Determine the size and scope of an advisory stakeholder group to help create a new vision (mission statement) and the core beliefs that support the vision.
- Conduct a planning session, whereby the stakeholder group and board discuss district strengths and areas for improvement. District goals/priorities should then be collaboratively developed with a series of yearly objective to support each goal area. These objectives will help to promote positive movement across the District in fulfilling the District's vision.
- Employ voluntary "action teams" to develop a series of actions or activities that will help reach a goal within a five-year period. The external facilitator should coach the action teams and help them to create realistic plans.
- Present action team plans to the larger stakeholder group for either approval, modification, or rejection. If approved, the plans are submitted to the board for final approval.
- Implement yearly specifications from the action plan as determined by the management team. The Superintendent and Directors draft the yearly objectives for board consideration prior to the start of a twelve-month planning cycle. If the board decides to approve the objectives, then the Superintendent can assign specific responsibility and accountability to Directors and Principals so that the objectives occur as planned.

Examples of District goals might include the

- ❖ creation of a world language program.
- ❖ development of a plan to revise student achievement in mathematics.
- ❖ improvement of physical education across the District.
- ❖ improvement of Districtwide facilities to promote a positive learning environment for student success.

Having the stakeholder group actively involved in the planning/goal-setting process builds cohesion across school sites and provides guidance to the management team. The absence of goals hinders organizational achievement, promotes a lack of accountability, and wastes valuable time and energy. By creating its vision in a collaborative manner, the organization reaches agreement on priorities and provides momentum toward achieving those priorities.

The most important board responsibility during a five-year planning period is to remain focused on the goals and annual objectives, without creating new goals that aren't contained in the plan. Another board responsibility is to approve annual budgets that align with action plans and the overall goals. Given that a significant number of different stakeholders are involved with initial visioning and goal setting, and that other stakeholders are involved with action plan development, the collaborative planning process is usually more successful than the simple model of planning that only involves the school board.

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Board Review/Revision of Bylaws of the Board, BB 9321-9324

At the Special Board Meeting of April 4, 2007 Board members reviewed the 9000 series, Bylaws of the Board, beginning with BB 9000 and ending with BB 9320. There not being sufficient time to complete the review the Board decided to continue its review of the 9000 Series beginning with BB 9321 and ending with BB 9324 at the April 25, 2007 Regular Board Meeting.

For your convenience, BB 9321-9324 are included herein.

RECOMMENDED: For information only.

7.5

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9321: CLOSED SESSION PURPOSES AND AGENDAS

The Governing Board may hold closed sessions for purposes identified in law and placed on the meeting agenda in the manner required by law. The Board may hold a closed session at any time during a regular or special meeting. No closed session may be held during an emergency meeting of the Board.

The Board shall announce in open meeting the item to be discussed in closed session. No other matters shall be discussed in closed session.

No agenda, notice, announcement or report required by the Brown Act need identify any victim, or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

No matters other than these announced in open session shall be acted upon during closed session.

Personnel Matters

The Board may hold closed session to consider the appointment, employment, evaluation, performance, discipline or dismissal of an employee, or to hear complaints or charges against an employee. These sessions shall not include action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaint or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session.

Agenda items related to employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal or release require no additional information.

Negotiations/Collective Bargaining

Unless otherwise agreed upon by the parties involved, the following shall not be subject to the Brown Act:

1. Any meeting and negotiating discussion between the district and a recognized or certificated employee organization

Board Policy 9321

2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process
3. Any hearing, meeting or investigation conducted by a fact finder or arbitrator
4. Any executive session of the district or between the district and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives.

Closed sessions shall be for the purpose of reviewing the Board's position and instructing the Board's designated representative. Closed session meetings may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

The Board may meet in closed session with the Board's designated representative regarding employee salaries, salary schedules or compensation paid in the form of fringe benefits of its represented and unrepresented employees. These closed sessions may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the district's designated representative.

For represented employees, the Board may also meet in closed session to hear any other matter within the statutorily provided scope of representation.

For unrepresented employees, closed sessions held pursuant to Government Code 54957.6 shall not include final action on the proposed compensation of one or more unrepresented employees.

The Board may also meet in closed session with a state conciliator or a mediator who has intervened in these proceedings.

Agenda items related to negotiations shall specify the name of the district's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations.

Matters Related to Students

The Board shall meet in closed session to consider a suspension, disciplinary action, or any other action in connection with a student if a public hearing on the matter would violate student privacy rights. If a written request for open session is received from the parent/guardian, it will be honored to the extent that it does not violate the privacy rights of any other student.

Board Policy 9321

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

Security Matters

The Board may meet in closed session with the Attorney General, district attorney, sheriff or chief of police, or their respective deputies, on matters posing a threat to the security of public buildings or to the public's right of access to public services or public facilities.

Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer with whom the Board will consult.

Conferences with Real Property Negotiator

The Board may meet in closed session with the Board's real property negotiator prior to the purchase, sale, exchange or lease of real property in order to give its negotiator the authority to settle the price and terms of the property on behalf of the district.

Before holding the closed session, the Board shall, at a public meeting, identify the property under negotiation and specify the person(s) with whom the negotiator may negotiate.

Agenda items related to real property negotiations shall specify the district negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is not a street address, the agenda item shall specify the parcel number or another unique reference to the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both.

Pending Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with its legal counsel regarding pending litigation when a discussion of the matter in open session would prejudice the Board's position in the case. For this purpose, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

Board Policy 9321

Litigation shall be considered pending when any of the following circumstances exist:

1. Litigation to which the Board is a party has been initiated formally.
2. Based on existing facts and circumstances and the advice of legal counsel, the Board is meeting only to decide whether there is a significant exposure to litigation against the district and a closed session is therefore authorized or the Board has already determined that there is significant exposure to litigation against the district.
3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation.

“Existing facts and circumstances” authorizing a closed session pursuant to Government Code 54956.9(b) as described in #2 above are limited to the following:

1. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiffs and which do not need to be disclosed.
2. Facts and circumstances such as accidents, disasters, incidents or transactional occurrences which might result in litigation, which are already known to potential plaintiffs, and which must be publicly disclosed before the closed session or specified on the agenda.
3. The receipt of a claim pursuant to the Tort Claims Act or a written threat of litigation from potential plaintiff. The claim or written communication must be available for public inspection.
4. A threat of litigation made by a person in an open meeting and related to a matter for which the Board has responsibility.
5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection.

The above record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on their behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.

Before holding a closed session pursuant to this section, the Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(a), the Board shall either state the title or identify the litigation to be discussed or state that

Board Policy 9321

doing so would jeopardize the district's ability to provide service or process upon unserved parties or to conclude existing settlement negotiations to its advantage.

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding "Existing Litigation" or "Anticipated Litigation."

"Existing Litigation" items shall either specify the claimant's name, names of parties and case or claim number or shall state that disclosure would jeopardize service of process or existing settlement negotiations.

"Anticipated Litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(b) and shall specify the potential number of cases. When the district expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9 and shall specify the potential number of cases. The agenda or an oral statement before the closed session may also be required to provide information pursuant to Items 2-5 above.

JPA/Self-Insurance Liability Claims

The Board may meet in closed session to discuss a claim against a joint power authority or self-insurance authority of which it is a member, for the payment of tort liability losses, public liability losses or workers' compensation liability.

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made.

Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review.

Agenda items related to the review of student assessment instruments shall state that the Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that the Education Code requires closed session for this purpose in order to maintain the confidentiality of the assessment under review.

Board Policy 9321

Legal Reference:EDUCATION CODE

35145 Public meetings
 35146 Closed session (re student suspension)
 44929.21 Districts with ADA of 250 or more
 48918 Rules governing expulsion procedures; hearings and notice
 49073 Release of directory information
 49076 Access to records by persons without written parental consent
 49079 Notification to teacher re: students whose actions are grounds for suspension or expulsion
 60617 Meetings of governing board

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act
 6250-6268 California Public Records Act
 54950-54963 The Ralph M. Brown Act

COURT DECISIONS

Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners (2003) 107 Cal.App.4th 860
Bell v. Vista Unified School District (2001) 82 Cal.App. 4th 672
Fischer v. Los Angeles Unified School District (1999) 70 Cal.App. 4th 87
Furtado v. Sierra Community College District (1998) 68 Cal. App. 4th 876
Roberts v. City of Palmdale (1993) 5 Cal.4th 363
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

86 Ops.Cal.Atty.Gen. 210 (2003)
 78 Ops.Cal.Atty.Gen. 218 (1995)
 59 Ops.Cal.Atty.Gen. 532 (1976)

*Management Resources:*CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2003

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, 2002

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

CSBA: <http://www.csba.org>
 California Attorney General's Office: <http://www.caag.state.ca.us>

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9321.1: CLOSED SESSION ACTIONS AND REPORTS

No matters other than those announced in open session shall be acted upon during the closed session. (Government Code 54957.7)

The Board shall reconvene in open session before adjourning and report closed session actions, the votes or abstentions thereon, and other disclosures required by Government Code 54957.1. These disclosures may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing them. (Government Code 54957.7)

Personnel Matters

The Board shall report any personnel action taken and the votes or abstentions thereon at the public meeting during which the closed session is held. This report shall identify the title of the position. However, the report of a dismissal or nonrenewal of an employment contract shall be deferred until the first public meeting after administrative remedies, if any, have been exhausted. (Government Code 54957.1)

Legal Reference:

EDUCATION CODE

35145 Public meetings
 35146 Closed session (re student matters)
 48918 Rules governing expulsion procedures; hearings and notice
 49073-49079 Privacy of student records
 60617 Meetings of governing board

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:
 54957.1 Closed sessions; public report of action taken
 54957.6 Closed sessions; representatives to employee organization(s)
 54957.7 Disclosure of items to be discussed

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy

ATTORNEY GENERAL OPINIONS

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

Kleitman v. Superior Court of Santa Clara County 87 Cal Rptr. 2d (1999)

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9322: AGENDA/MEETING MATERIALS

Construction of Agenda

After receiving the input of the Board President at the previous Board meeting, the Superintendent shall prepare an agenda for each meeting of the Board. Board members may place any item on the agenda no later than five days before the scheduled meeting date.

All agendas shall include the meeting time and place and a brief description of each business item to be transacted or discussed. All agendas shall be posted as required by law.

Any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request must be in writing and submitted to the Superintendent with supporting documents and information, if any, at least ten working days before the scheduled meeting date.

When constructing the agenda, the Board President and Superintendent will decide whether a request is within the subject matter jurisdiction of the Board and whether the agenda item is appropriate for discussion in open or closed session.

The Board shall also give members of the public the opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. An agenda item for such input shall be included on Board agendas. The Board shall not take action on such matters at that meeting.

All public communications with the Board are subject to requirements of relevant board policies and administrative regulations.

Initiating Requests for Staff Reports

Requests for research or administrative studies, desired by one or more Board members, shall be submitted to the whole Board for consideration. If approved by the majority of the Board, the Board shall direct the Superintendent to make such studies. Individual members shall confer directly with the Superintendent if specific information is desired or if information is needed regarding a complaint or request from a citizen.

Consent Items

In order to promote efficient meetings, the Board may act upon more than one item by a single vote through the use of a consent agenda. Consent items shall be items of a routine

Board Bylaw 9322

nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.

In accordance with law, the public has a right to comment on any consent item. At the request of any member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular item.

Legal Reference:

EDUCATION CODE

35144 *Special meetings*

35145 *Public meetings*

35145.5 *Right of public to place matters on agenda*

GOVERNMENT CODE

53635.7 *Separate item of business*

54954.1 *Mailed agenda of meeting*

54954.2 *Agenda posting requirements; board actions*

54954.3 *Opportunity for public to address legislative body*

54954.5 *Closed session item descriptions*

54956.5 *Emergency meetings*

54957.5 *Public records*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 *Effective communications*

36.303 *Auxiliary aids and services*

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 1999

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies,, California Attorney General's Office, 2002

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999 as BB 9320.1

BB 9322 Reviewed by the Board of Trustees: September 27, 2005, October 26, 2005

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9323: MEETING CONDUCT

The Governing Board desires to conduct its meetings effectively and efficiently. All Board meetings shall begin on time and shall be guided by an agenda prepared and delivered in advance to all Board members and other designated people.

Parliamentary Procedures

Board meetings shall be conducted by the President in a manner consistent with adopted Board bylaws and parliamentary procedure.

Quorum

A majority of the members of the Board shall constitute a quorum (Education Code 5095, 35165).

Unless otherwise provided by law, affirmative votes by a majority of the Board's membership are required to approve any action under consideration, regardless of the number of members present (Education Code 35164).

Public Participation

Because the Board has a responsibility to conduct district business in an orderly and efficient manner, the following procedures shall regulate public presentations to the Board.

1. The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each agenda item (Education Code 35145.5, Government Code 54954.3).
2. At a time so designated on the agenda, members of the public also may bring before the Board matters that are not listed on the agenda of a regular meeting. The Board may refer such a matter to the Superintendent or designee or take it under advisement, but shall not take action at that time. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the Board (Education Code 35145.5, Government Code 54954.3).
3. A person wishing to be heard by the Board shall first be recognized by the President. He/she shall then identify himself/herself and proceed to comment as briefly as the subject permits.
4. Individual speakers shall be allowed up to three minutes to address the Board on each agenda or non-agenda item during "public comments." A speaker's allotted

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999 as 9320.2

Submitted for 1st Reading by the Board of Trustees as BB 9323: September 27, 2005

Revisions to BB 9323 Approved by the Board of Trustees: October 26, 2005

Board Bylaw 9323

time may not be increased by a donation of time from members of the Public in attendance. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for individual public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

5. With Board consent, the President may modify the time allowed for public presentation or may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the President may indicate the time and place when it should be presented.
6. The Board President may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the President may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts or omissions.

Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957.

7. In the event of willful interruption by individuals or groups so as to render the orderly conduct of any open meeting unfeasible and order cannot be restored by the removal of the individuals or groups who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue the session. Only matters appearing on the agenda may be considered in such a session. Representatives of the media, except those participating in the disturbance, shall be allowed to attend such session.

After the room is cleared, the Board shall determine on either an individual or group basis whether the individual or group shall be readmitted to the meeting. Individuals or groups not responsible for the interruption or who did not participate in the interruption shall be readmitted.

Regular Board meetings shall be adjourned no later than 11:00 p.m. unless extended to a time certain by a majority of the Board. The meeting shall be extended no more than once and may be adjourned to a later time.

Board Bylaw 9323

8. Board meetings shall be conducted by the President in a manner consistent with adopted Board bylaws and parliamentary procedure.

Meeting agenda items that are discussion items, that is, not part of the approved consent calendar or a report, will follow this presentation format:

1. The Board President calls for the item on the agenda.
2. The District Superintendent or his designee presents the item in a manner that allows for concise, accurate understanding of the item or issue.
3. Board members may then ask clarifying questions of the District Superintendent or his designee.
4. The Board President then calls for Public Input on the agenda item.
5. At the conclusion of Public Input, the Board President calls for Board discussion of the item.
6. At the conclusion of Board discussion, the Board President calls for a motion, which may then be seconded, followed by a vote or more discussion.
7. Action on motions shall follow established parliamentary procedure until the vote is cast and the item concluded.

Legal Reference:

EDUCATION CODE

5095 Powers of remaining board members and new appointees
 32210 Willful disturbance of public school or meeting a misdemeanor
 35010 Prescription and enforcement of rules
 35145.5 Agenda; public participation; regulations
 35163 Official actions, minutes and journal
 35164 Vote requirements
 35165 Effect of vacancies upon majority and unanimous votes by seven member board

GOVERNMENT CODE

54953.5 Audio or video tape recording of proceedings
 54953.6 Broadcasting of proceedings
 54954.2 Agenda; posting; action on other matters
 54954.3 Opportunity for public to address legislative body; regulations
 54957 Closed sessions
 54957.9 Disorderly conduct of general public during meeting; clearing of room

COURT DECISIONS

Baca v. Moreno Valley Unified School District, (C.D. Cal. 1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

76 *Ops. Cal. Atty. Gen.* 281 (1993)
 66 *Ops. Cal. Atty. Gen.* 336, 337 (1983)
 63 *Ops. Cal. Atty. Gen.* 215 (1980)
 61 *Ops. Cal. Atty. Gen.* 243, 253 (1978)
 59 *Ops. Cal. Atty. Gen.* 532 (1976)

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9323.2: ACTIONS BY THE BOARD

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the members to make a positive or negative decision
3. A vote by a majority of the members when sitting as the Board upon a motion, proposal, resolution, order or ordinance

The Board may take action in a regular meeting on a subject not listed on the published agenda only when it publicly identifies the item to be acted upon in conjunction with one of the following circumstances: (Government Code 54954.2)

1. The Board, by majority vote of its members, determines that the action responds to an emergency situation.
2. The Board determines, either by a two-thirds majority vote of the members present at the meeting or, if less than two-thirds of the members are present, by a unanimous vote of all members present, that the need to take immediate action came to the district's attention after the posting of the agenda.
3. The matter was properly posted for a previous meeting occurring not more than five days earlier and was continued to the meeting at which action is being taken.

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

Board Bylaw 9323.2

Legal Reference:EDUCATION CODE

- 15266 School construction bonds
- 17466 Declaration of intent to sell or lease real property
- 17481 Lease of property with residence for nondistrict purposes
- 17510-17511 Resolution requiring unanimous vote of all members constituting board
- 17546 Private sale of personal property
- 17556-17561 Dedication of real property
- 17582 District deferred maintenance fund
- 17583 Deferred maintenance fund; transfer of excess local funds
- 35144 Special meeting
- 35145 Public meetings
- 35164 Majority vote of all members constituting board for board action
- 35165 Vacancies, effect on majority and unanimous vote
- 48660 Establishment of community day schools
- 48661 School site restrictions for community day schools

GOVERNMENT CODE

- 53094 Authority to render zoning ordinance inapplicable
- 53097 Compliance with ordinances
- 53097.3 Charter school ordinances
- 53790-53792 Exceeding the budget
- 53820-53833 Temporary borrowing
- 53850-53858 Temporary borrowing
- 54950 Meetings: declaration; intent; sovereignty
- 54952.6 Action taken, definition
- 54953 Meetings to be open and public; attendance; secret ballots
- 54953.5 Right to record proceedings; conditions
- 54954.2 Agenda posting requirements; board actions
- 54954.5 Closed session item descriptions
- 54954.6 New or increased taxes or assessments; hearings; notice
- 54956 Special meetings; call; notice
- 54956.5 Emergency meetings in emergency situations
- 54960 Action to prevent violations
- 54960.5 Costs and attorney fees
- 65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

- 20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
- 20113 Emergencies, award of contracts without bids

COURT DECISIONS

- Bell v. Vista Unified School District, (2002) 82 Cal.App.4th 672
- Boyle v. City of Redondo Beach, (1999) 70 Cal.App.4th 1109

Management Resources:CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 1999

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, 2002

CALIFORNIA CITY ATTORNEY PUBLICATIONS

Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

First Reading, Bylaws of the Governing Board 9000 Series
 Adopted at the Regular Board Meeting on December 8, 1999
 Submitted for 1st Reading by the Board of Trustees: September 27, 2005
 Approved by the Board of Trustees: October 26, 2005

Board Bylaw 9324

DEL MAR UNION SCHOOL DISTRICT
Bylaws/Administrative Regulations of the Board

Board Bylaw 9324: MINUTES AND RECORDINGS

The Secretary of the Board shall keep minutes and record all actions of the Board. Copies of the minutes shall be made for distribution to the Board members at the meeting when the minutes are presented for approval.

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed. Individual votes will be recorded unless the action was unanimous. All resolutions by the Board shall be numbered consecutively at the beginning of each fiscal year (Education Code 35163).

Maintaining of Minutes

The Board minutes shall be maintained as outlined below:

1. Content – Board Procedure
 - a. The date, place, and type of each meeting.
 - b. Members present and members absent by name.
 - c. Call to Order and Pledge of Allegiance to the Flag of the United States of America.
 - d. Arrival of tardy members by name and time of arrival.
 - e. Departure of members by name before adjournment or if absence takes place when any Board agenda items are acted upon.
 - f. Date of next meeting.
 - g. Adjournment of the meeting.
 - h. Record of written notice of special meetings.
 - i. Record of items of business to be considered at special meetings.
2. Content – Board Actions
 - a. Approval or amended approval of minutes of preceding meetings.

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999 as BB 9320.3

Submitted for Review by the Board of Trustees as BB 9324: September 27, 2005, October 26, 2005

Revisions to BB 9324 Approved by the Board of Trustees: October 26, 2005

Board Bylaw 9324

- b. Information as to each subject of the Board's deliberation.
- c. Complete information as to each subject including the roll call record of the vote on a motion if not unanimous.
- d. All Board resolutions in complete context numbered serially for each fiscal year.
- e. A record of all authorized contracts.
- f. All employments and resignations or terminations of employment.
- g. A record of all bid procedures including calls for bids authorized, bids received, and other action taken.
- h. A record by number of all warrants approved for payment.
- i. Adoption of the annual budget.
- j. A record of financial reports.
- k. A record of all correspondence presented to the Board.
- l. A record of the Superintendent's report to the Board.
- m. Adoption of all policies, bylaws, and Board-adopted regulations.
- n. A record of all delegations appearing before the Board.
- o. Adoption of the annual school calendar.
- p. Annual approval of employment of district personnel.

Recording of Votes

Motions or resolutions shall be recorded as having passed or failed. Individual votes will be recorded unless the action was unanimous. All resolutions by the Board shall be numbered consecutively at the beginning of each fiscal year.

Recording Devices

A video or audio tape recording of any meeting of the Board may be made. The presiding officer will announce that a recording is being made at the beginning of the meeting. The recording device shall be placed in plain view of the persons present, so far as possible.

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999 as BB 9320.3

Submitted for Review by the Board of Trustees as BB 9324: September 27, 2005, October 26, 2005

Revisions to BB 9324 Approved by the Board of Trustees: October 26, 2005

Board Bylaw 9324

Recordings made during regular or special meetings of the Board are deemed public records. Recordings made during closed sessions are not public records. All recordings, tapes, discs, or other, shall be kept in a fire-proof location.

Legal Reference:**EDUCATION CODE***35145 Public meetings**35163 Official actions; minutes and journals**35164 Vote requirements***PENAL CODE***632 Unlawful to intentionally record a confidential communication without consent of all parties to the communication***GOVERNMENT CODE***54957.2 Closed sessions; clerk; minute book**54960 Violations and remedies*

First Reading, Bylaws of the Governing Board 9000 Series

Adopted at the Regular Board Meeting on December 8, 1999 as BB 9320.3

Submitted for Review by the Board of Trustees as BB 9324: September 27, 2005, October 26, 2005

Revisions to BB 9324 Approved by the Board of Trustees: October 26, 2005

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Review of BP/AR 1325: Community Relations (Includes Flyer Distribution)

Last month the Board asked to review BP/AR/E 1325—Community Relations - Advertising and Promotions.

The current BP/AR/E 1325 is attached to this Board item.

The current BP/AR/E 1325 was last reviewed and modified by the Board in December 2005. During that review, major changes were implemented to BP/AR/E 1325 that have lessened the number of fliers being sent home with students.

Perhaps the Board President might consider asking two Board members who have an interest in this topic to meet and review the current BP/AR/E 1325. As part of the review process for the two Board members, it would be instructive to gather input from several school Administrative Assistants and the District Administrative Assistant.

7.6

DEL MAR UNION SCHOOL DISTRICT
COMMUNITY RELATIONS

BOARD POLICY 1325: ADVERTISING AND PROMOTION

The primary function of the school and school personnel is to educate children. However, in order to promote positive relationships between the schools and community organizations, the Governing Board of the Del Mar Union School District desires to cooperate with community organizations, who provide strong support for our schools, by agreeing to publicize services, special events and public meetings of interest to students and parents/guardians that meet specific district guidelines.

The Superintendent or designee shall develop regulations that delineate guidelines for materials sent home to students and for those materials approved for counter distribution.

All distribution of materials will ultimately be at the discretion of the Superintendent or designee according to adopted guidelines. The Superintendent or designee may approve the distribution of materials prepared by organizations which are school-sponsored, further the district's intended purpose, directly benefit the students, support the basic educational mission of the district or be of intrinsic value to the students. Materials shall not promote any particular religious or political interest.

Legal Reference:

EDUCATION CODE

7050-7058 *Political activities of school officers and employees*

35160 *Authority of governing boards*

35160.1 *Broad authority of school districts*

35172 *Promotional activities*

38130-38138 *Civic Center Act*

48907 *Student exercise of free expression*

BUSINESS AND PROFESSIONS CODE

25664 *Advertisements encouraging minors to drink*

U.S. CONSTITUTION

Amendment I, Freedom of speech and expression

COURT CASES

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

DEL MAR UNION SCHOOL DISTRICT
COMMUNITY RELATIONS

ADMINISTRATIVE REGULATION TO BOARD POLICY 1325:
ADVERTISING AND PROMOTION

Distribution of Materials to Students/School Personnel

Materials may be distributed or posted in district schools only when prior approval has been granted by the Superintendent or his designee.

Criteria for Distribution of School-Sponsored Flyer

School-sponsored information (PTA, Site Council, etc.): The principal is directly responsible for the content and distribution of individual school-sponsored flyers.

District-sponsored information (Parental Rights, Immunization Requirements, DMSEF, Personnel Bulletins, etc.): The originator is directly responsible for the content and distribution of district-sponsored flyers. The principal is responsible for any clarification necessary.

Criteria for Distribution of Community (Non-School Sponsored) Flyers

Before distribution, the Superintendent or his/her designee shall review all flyers to assure that it complies with the provisions of Board Policy and administrative regulations.

Materials must meet the following criteria in order to be distributed to students:

1. Agency distributing must be non-profit, and be an established entity operating as a business (not an in-home cottage operation).
2. If a fee is involved, scholarships must be provided, and it must be noted on the flyer.
3. A majority of the activities specified must be age-appropriate for K-6 students.
4. The activity must fall within the boundaries of the Del Mar Union School District. In the case of sports teams, at least half of the games must be played within the boundaries of the Del Mar School District.
5. No more than one flyer per month, per organization will be distributed.

6. Non-profit organizations operating outside the Del Mar School District may be authorized if all other criteria are met and they are participating in the DMUSD PTA-sponsored Summer Camp and Activities Fair.

Procedures for Distribution of Materials to Students

If the above guidelines have been met and the flyer has been approved by the Superintendent or his/her designee, the following procedure must be followed when distributing flyers:

1. A copy of the flyer must be brought to the Superintendent or designee for review.
2. An approval form from the Superintendent or designee will be issued to the organization requesting distribution. The authorization must be presented at each school site before the site will distribute the flyer to students.
3. A file copy of the authorization will remain in the district office.
4. All flyers or announcements will be bundled as specified by the Superintendent or designee and delivered to the school sites by 3:00 p.m. on the preceding Friday in order to be included in the weekly envelope the following week.
5. Flyers will not be distributed during the first week of school or during any week which may result in a conflict with the distribution of district materials.

DEL MAR UNION SCHOOL DISTRICT
ADVERTISING AND PROMOTION
Exhibit I

Helpful Reminders

The district has supported the practice of permitting qualified organizations to distribute flyers through students. On a regular basis, it is not unusual for our district office to receive as many as 10-20 requests per week to distribute flyers. In order to assist the school personnel who perform this service, the district office has implemented guidelines to ensure that flyers are distributed in an orderly and timely manner.

We realize that timelines are often rushed and deadlines are challenging. However, please be reminded of the following requirements:

- An approval sheet must be obtained before dropping off flyers. When you receive your approval sheet from the district office, please make enough copies so that every school will receive a copy of the approval notification for their files.
- Flyers should be delivered to the school sites no later than 3:00 p.m. on the Friday before the week of distribution (usually Wednesdays).
- In order to allow enough time for the flyers to meet the Friday deadline, please give the district office adequate time to issue approval sheets.
- Please provide accurate fax numbers in which to issue approvals (correct area codes, operational fax machines, etc.). Incorrect fax or non-operational fax numbers can cause delays.

Your cooperation is appreciated and will assist us in serving your organization.

Del Mar Union School District
Office of the Superintendent

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Approval, Revision to Administrative Regulations 5030:
Student Wellness

Recently several parent leaders asked whether or not cake or cookies could be provided after the 6th grade promotion ceremony. Staff has looked up Section J of AR 5030 which states that “schools should limit celebrations that involve food during the school day to no more than one party per class per month”.

Staff suggests that AR 5030 be changed to read “schools should limit celebrations that involve food during the school day to no more than one party per class per month; ***6th grade promotion is defined as a celebration, and parent/staff leaders may use their judgment in providing celebratory food that is customary to DMUSD promotion receptions.***”

AR 5030 is attached hereto with the revision noted in ***bold italics***.

RECOMMENDED: The Superintendent recommends that AR 5030 be revised as per this board item.

7.7

DEL MAR UNION SCHOOL DISTRICT
STUDENTS

ADMINISTRATIVE REGULATION 5030: STUDENT WELLNESS

To achieve the District Wellness goals:

I. School Wellness Committee:

The school district will have an established school wellness committee to develop, implement, monitor, review, and, as necessary, revise school nutrition and physical activity policies. The committee also will serve as resources to school sites for implementing those policies. This School Wellness Committee may be represented by individuals from the school and community and should include parents, representatives of the school food services, members of the school board, school administrators, teachers, health professionals, and members of the public. They will meet a minimum of four times a school year.

II. Nutritional Quality of Food and Beverages served and sold on campus:

A. School Meals

Meals served in the Del Mar Union School District will:

- Be appealing and attractive to children;
- Be served in clean and pleasant settings;
- Meet or exceed nutrition requirements established by local, state, and federal statutes and regulations;
- Offer a variety of fruit and vegetables;
- Serve only low-fat (1%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (to be defined by USDA); and
- Ensure that half of the served grains are whole grain

The schools will have available and can provide the nutritional content information for all items served in the school meal program.

B. Free and Reduced-priced Meals

Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

C. Meal Times and Scheduling

- Schools shall require students be seated for a minimum of 15 minutes after sitting down for lunch and shall provide 20 minutes total time for eating lunch as recommended by the National Association of State Boards of Education;
- Schools should schedule meal periods at appropriate times, e.g., lunch should be scheduled between 11 a.m. and 1 p.m.;
- Schools should not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- Schools will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
- Schools should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

D. Qualifications of School Food Service Staff

Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, the district will provide continuing professional development for all nutrition professionals in schools.

E. Sharing of Foods and Beverages

Schools should monitor students sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

F. Food Service Program

Any food made available by Del Mar Union School District during the school day will follow all nutritional guidelines as outlined in Board Policy 3550.

G. Fundraising Activities

To support children's health and school nutrition-education efforts, school fundraising activities either will not involve food or will use only foods that meet the nutrition and portion size standards outlined in Board Policy 3550. The school district will make available a list of ideas for acceptable fundraising activities and encourage activities that promote physical activity.

H. Snacks

Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The district will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.

I. Rewards

Schools will discourage the use of foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually, as rewards for academic performance or good behavior,¹ and will not withhold food or beverages (including food served through school meals) as a punishment.

J. Celebrations

Schools should limit celebrations that involve food during the school day to no more than one party per class per month. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually. The district will disseminate a list of healthy party ideas to parents and teachers. These celebrations should occur at least 30 minutes after the lunch hour. *6th grade promotion is defined as a celebration, and parent/staff leaders may use their judgment in providing celebratory food that is customary to DMUSD promotion receptions.*

K. Instructional Related Activities

When food is used as part of instructional activities (science projects, cooking classes, math activities) efforts will be made to offer healthy choices that follow district nutritional guidelines.

¹ Unless this practice is allowed by a student's Individual Education Program (IEP).

III. Physical Activity Opportunities and Physical Education:

Physical Education (P.E.) K-6 - All students in grades K-6, including students with disabilities, special health-care needs, and in alternative educational settings, will receive 200 minutes every two weeks of physical education. Student involvement in other activities involving physical activity (e.g., interscholastic or intramural sports) will not be substituted for meeting the physical education requirement.

A. Exemptions

Temporary exemptions from physical education should be limited to students whose medical conditions do not allow for inclusion in the general, modified, or adapted physical education program.

B. Fitness Testing

School districts will administer physical fitness tests according to Board Policy 6142.7.

C. Daily Recess

All elementary school students will have at least 15 minutes a day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity and provide appropriate space and equipment.

Schools should discourage extended periods (i.e., periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

D. Physical Activity Opportunities

The school district will encourage students to walk or ride bicycles to school to the extent possible.

E. Physical Activity and Punishment

Teachers and other school and community personnel will not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

IV. Communications with Parents

The district/school will support parents' efforts to provide a healthy diet and daily physical activity for their children. The district/school will offer healthy eating information for parents, post nutrition tips on school websites, and provide nutrient analyses of school menus. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet nutrition standards for individual foods and beverages. The district/schools will provide parents a list of foods that meet the district's snack standards and ideas for healthy celebrations/parties, rewards and fundraising activities. In addition, the district/school will provide opportunities for parents to share their healthy food practices with others in the school community.

The district/school will provide information about physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information about physical activity and physical education through the website, special events, or physical education homework.

V. Monitoring and Policy Review

A. Monitoring

The Superintendent or designee will ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the principal or designee will ensure compliance with those policies in his/her school and will report on the school's compliance to the school district superintendent or designee.

The Superintendent or designee will annually develop a summary report on district-wide compliance with the district's established nutrition and physical activity wellness policies. That report will be provided to the School Board and the District Wellness Committee for review and recommendations. Information will also be provided to school principals, parent/teacher organizations and school health services personnel in the district.

B. Policy Review

To help with the initial development of the district's wellness policies, each school in the district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies through the auspices of the school nurse and health offices. The results of those school-by-school assessments will be compiled at the district level to identify and prioritize needs and forward the results to the District Wellness Committee.

Assessments will be repeated every two years to help review policy compliance, assess progress, and determine areas in need of improvement. As part of that review, the school district will review the nutrition and physical activity program elements and the provision of an environment that supports healthy eating and physical activity. The district will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

Legal Reference:

EDUCATION CODE

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49493 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49560 Meals for needy students
49565-49565.8 California Fresh Start pilot program
49570 National School Lunch Act
51222 Physical education
51223 Physical education, elementary schools

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Program, especially:
1751 Note Local wellness policy
1771-1791 Child Nutrition Act, including:
1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Cross Reference:

Board Policy 3550
Board Policy 6142.7
Board Policy 5141.21

April 16, 2007

To: Board Members
From: Tom Bishop
Subject: Discussion, Availability of Audio CD From School Board Meetings
AND Review of Pilot Paperless Board Packet

About one year ago, the DMUSD Board of Trustees implemented the paperless board packet process. It is appropriate for the Board to discuss some of the benefits and drawbacks of the paperless board packet process, and provide direction to staff regarding the continuation or modification of the paperless board packet process. Does the Board want to continue with the paperless board packet process? Does the Board want to make any changes in its paperless board packet process?

Staff from the DMUSD Technology Department have been researching the costs associated with posting an audio recording of Governing Board meetings on the DMUSD web site. Technology staff believe that it can post an audio recording of Governing Board meetings on the DMUSD web site for very little cost.

In researching school districts that have audio recordings of Governing Board meetings available on the school district web sites, staff came across the web site of Tucson Unified School District (in Arizona), which posts audio recordings of its Governing Board meetings on its web site. In checking the Board minutes of the Tucson Unified School District, the Tucson Governing Board meeting Minutes contain only the specific action of the Governing Board and do not contain all the comments of Board members and the public. Instead, the audio recordings of the Tucson Governing Board meetings contain ALL THE COMMENTS BY ALL BOARD MEMBERS and COMMUNITY MEMBERS regarding the various topics. The posting of the audio recording of DMUSD Board meetings could help to reduce the amount of staff time that is currently being used to create the current (lengthy) DMUSD Board Minutes.

RECOMMENDED: Informational Item Only.

7.8

April 16, 2007

To: Board Members
From: Tom Bishop
Subject: Resolution of the Del Mar Union School District in Opposition to the Proposed School Property Tax Shift for Regional Fire Protection

In February, San Diego County Supervisor, Dianne Jacob, proposed shifting school property tax revenues to create a new rural fire protection district in the eastern portion of San Diego County. Attached is a February 21 article from the Union-Tribune that explains Jacob's proposal. Also attached is a recent press release by Randolph Ward, the new County Superintendent, that explains why he and the San Diego County school districts oppose Jacob's proposal. The attached Resolution has been approved by many local school boards in San Diego County and it will be forwarded to State Senators and Assemblypersons that represent Del Mar and Carmel Valley in Sacramento after Board action.

RECOMMENDED: Supt recommends that the Board oppose the proposed school property tax shift for regional fire protection.

7.9

DEL MAR UNION SCHOOL DISTRICT
RESOLUTION 2007-05
BOARD OF TRUSTEES OPPOSES
SCHOOL PROPERTY TAX SHIFT FOR REGIONAL FIRE PROTECTION

Whereas Supervisor Jacob and all those involved in trying to provide better, more reliable fire protection and emergency services for San Diego County should be commended for their efforts to find solutions to this important issues; and

Whereas the Cedar and Paradise wildfires of 2003 killed 16 people, destroyed more than 2400 homes and burned nearly 400,000 acres in San Diego County and require important consideration of the best provision of fire and emergency services to the county's residents; and

Whereas Supervisor Dianne Jacob has been advocating for a solution that would authorize a shift of property tax revenues away from schools and into a consolidated agency formed to provide fire protection and emergency services at a cost estimated to be between \$22.2 and \$47.6 million annually; and

Whereas the Supervisor, in supporting her proposals, has suggested the historically higher priority by taxpayers for our local schools beyond the statewide average support provided in other counties somehow results in an inequity that should be resolved; and

Whereas the proponents of the property tax shift proposal have significantly overlooked the basic operation of the State Constitution and the minimum funding guarantee established by Proposition 98 that would result in schools across San Diego County shouldering direct costs of the property tax shift; and

Whereas the extent to which San Diego County is successful in diverting property tax revenues away from schools will lead to similar action in other counties at a time when greater investment in basic education funding in California is needed, not less; and

Whereas we are fortunate that the people of San Diego County made education a slightly higher priority than other counties nearly 40 years ago; and

Whereas, under the property tax shift proposal, addressing the so-called "inequity" would have San Diego County taxpayers level-down school funding to match communities with lower performing schools across the state; and while other counties may have made the choice not to invest properly in public schools, it doesn't mean San Diego County taxpayers should follow; and

Whereas the fiscal scheme in the property tax shift proposal mistakenly relies on the assumption that its provisions would cleverly result in dumping the entire fiscal burden onto the state's general fund, but actually backfires on local San Diego County school districts;

NOW, THEREFORE BE IT RESOLVED, that the Del Mar Union School District strongly opposes the proposal to fund a merger of the fire and emergency services agencies in San Diego by diverting property tax support for our local schools, and shall actively oppose any state legislation aimed at implementing such a diversion of local property tax support for public schools in San Diego County.

Passed and Adopted by the Governing Board of the Del Mar Union School District this 25th day of April, 2007 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

STATE OF CALIFORNIA)
)
 COUNTY OF SAN DIEGO)

I, Thomas F. Bishop, Secretary of the Governing Board of the Del Mar Union School District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a regularly called and conducted meeting held on said date.

Thomas F. Bishop, Secretary of the Governing Board

Don't Subvert Local Voters by Using School Funds for Rural Fire Protection

By Randolph E. Ward
San Diego County Superintendent of Schools

Anyone in San Diego County in the fall of 2003 has powerful memories of the Cedar and Paradise wildfires. Sixteen people were killed, and more than 400,000 acres were burned. I was working in Oakland at the time, but even from that distance I was aware of the devastation of the fires.

The wildfires drew attention to the shortage of fire protection services in much of rural San Diego County. The issue had been raised previously, but never had the region's vulnerability been exposed so vividly.

To their credit, several local agencies, spearheaded by County Supervisor Dianne Jacob among others, have refused to let the issue fade. Plans to merge the multiple, rural fire protection agencies into a single force with enhanced services have been drafted, and proposed state legislation is expected soon.

Unfortunately, Supervisor Jacob's well-intended initiative targets cash-strapped local schools to pay for the enhanced firefighting services. With all due respect, legislation re-directing tax dollars from school classrooms to rural fire protection would be seriously misguided.

Here are a few of the reasons:

--- Prop. 172, approved by California voters in 1993, enacted a half-cent sales tax to pay specifically for such public safety needs. It was placed on the ballot to insure that public safety needs would be met, without compromising other vital public services.

--- Local voters have repeatedly shown their support for adequate school funding, and funds approved by voters for schools should stay with schools. If voters want to approve more tax dollars for fire protection, they should be given that choice.

--- Prop. 98, the complex school funding measure approved by voters in 1988, makes schools dependent on local property tax revenues under certain circumstances. Both the state Department of Finance and Legislative Analyst project those circumstances to be present within a very short time.

Supervisor Jacob has pointed out that other counties in the state do not provide the level of support for their schools that San Diego County residents provide. While true, I have yet to hear anyone say, "We need to cut school programs so we're not spending more than anyone else."

In fact, as I travel throughout San Diego County to familiarize myself with our 42 local school districts and their distinct communities, I have heard a recurring theme: Please help us generate more resources for our teachers and classrooms.

Local residents are justifiably proud of their San Diego County public schools. Our schools are preparing more students for higher education, with far more advanced academic skills, than ever before.

Thanks to our schools, students confronted by extreme social and economic challenges are getting the very best chance they will ever have of lifting up their lives and becoming productive citizens. I have been your San Diego County Superintendent less

than eight months, but I am in awe of the life-changing work I have already seen in our local schools.

Supervisor Jacob is to be commended for her steadfast effort to provide improved fire protection for rural San Diego County. As a former teacher and school board member, she knows the importance of adequate school funding. However, in this instance she is taking a position that will be strongly opposed by school boards and other educational organizations throughout San Diego County.

We hope that an alternative plan to fund rural fire protection services can be devised. I look forward to working with Supervisor Jacob to find such a solution, one that has the support of our entire community.

Fire plan would use school funds

UT 2/21

By Chris Moran
STAFF WRITER

A plan to provide better medical rescue and fire protection to the county's backcountry is being eyed with suspicion by education leaders who fear it may come at the expense of students.

County Supervisor Dianne Jacob wants to pay for more firefighters in remote areas by using money from schools, and she hopes the state will fill any resulting school funding hole.

The San Diego County School Boards Association has invited representatives of all 42 local school districts to a meeting tonight in Linda Vista to learn more about Jacob's proposal and to plan a response.

Association leaders worry

Jacob wants backcountry to be protected

the school money won't be replaced. Fire protection is in a bind, they suggest, because the county has chosen to spend fire and public safety money on prosecutors and sheriff's deputies instead of firefighters.

"It seems to me that they're finding it easier to take money away from schools than from the Sheriff's Department," said Barbara Groth, president of the association board and a member of the San Dieguito Union High School District board.

Jacob, who represents East County on the Board of Supervisors, has championed improved fire protection for the backcountry with increased urgency since the 2003 Cedar fire destroyed more than 2,400 homes.

It's not just a backcountry issue, Jacob said. Improved firefighting will stop the spread of a regional inferno like the Cedar fire. More rapid medical response might save the lives of coastal residents who hike in the Cuyamacas, stop for pastries at Santa Ysabel or attend the Mother Goose Parade in El Cajon.

The Legislature decides how property tax money is distributed within each county, Jacob said, and schools claim a much higher proportion of property tax money in San Diego County than in other counties. Jacob wants the state to help correct what she sees as an imbalance by shifting local tax money and covering whatever schools lose.

Her legislative proposal, which she expects will be introduced by Friday's deadline for new bills, would shift 1 percent of local property tax money — about \$32 million — from schools to fire protection. Jacob would not say who is sponsoring the legislation because she wants the announcement to come from the lawmaker.

Jacob said the bill will call for the state to cover the money the schools lose.

"I would never bring anything forward that would hurt schools and harm children in any way," said Jacob, a former elementary school teacher and school board member. She is also an inductee in the county school boards association's hall of fame.

Jacob has been a supervisor since 1992 and ran unopposed in her last re-election in 2004. She has lived in East County since 1944.

The school board association is a network of elected officials representing the county's 42 school districts responsible for educating nearly 500,000 children. Part of the organization's mission is to advocate public policy that promotes opportunity for students.

Even small reductions in funding can have significant effects on education, Groth said. For example, San Dieguito has recently increased class sizes in ninth and 10th grades from 20 students to more than 30 to save about a million dollars a year, she said.

School board members wonder why fire protection isn't funded by Proposition 172, a statewide sales tax approved by voters in 1993 to pay for public safety. Groth said if unincorporated areas of the county don't have adequate fire protection, that may be due in part to the Board of Supervisors' decision to spend Proposition 172 money on the Sheriff's Department, the Probation Department and the District Attorney's Office.

Firefighters, too, have asked why fire departments get such a small fraction of the money.

Groth wants two questions answered: "Where's the (fire protection) money now, and why do you think it should come from schools?"

Chris Moran: (619) 498-6637;
chris.moran@uniontrib.com

AT ISSUE: FIRE PROTECTION FUNDING

County Supervisor Dianne Jacob is advocating better firefighter/paramedic coverage in the backcountry. She is proposing to pay for it by shifting about \$32 million in property tax money currently used for schools.

Proponents say: The funding change won't hurt schools because the state will make up the money shifted away from schools.

Opponents say: Schools will suffer if the state doesn't fill the gap in education funding left by the shift of property tax money to fire protection.

SUNDAY, FEBRUARY 11, 2007

Sacramento may get look at fire merger funding plan

GIG CONAUGHTON
STAFF WRITER

SAN DIEGO — After three years of talk, a proposal that would shift a portion of San Diego County's property taxes from local schools to help pay for a merger of rural fire agencies may finally be headed to Sacramento for debate.

County Supervisor Dianne Jacob said last week that she expected her property tax-shift plan to be sponsored by a legislator — whom she declined to identify — within the next three weeks.

The statement came on the same day a new report said the fire merger would require \$22.2 million to \$47.6 million a year in new funding.

The property tax plan would require the Legislature and Gov. Arnold Schwarzenegger to approve a new law authorizing it.

"It is not dead," said Jacob, who has touted the plan since 2004. "We have a (sponsor) ... we may have two sponsors. Everything is on track."

Money, money, money

Fire leaders and politicians have debated the idea of merging the county's "glut" of rural fire agencies for decades. That debate was rekindled after the Cedar and Paradise wildfires killed 16 people and destroyed more than 2,400 homes across the county in 2003.

Those fires started as small blazes in the backcountry, but raged out of control into urbanized areas.

Merger proponents say unifying the agencies — San Diego is the only urban county in the state without a county fire department — would improve fire service by unifying command and training, and give merged agencies more financial clout to buy equipment.

Money, however, has always been considered the biggest obstacle to any merger idea. The county used to pay for fire protection in the backcountry, but abandoned it in the 1970s because of increasing costs.

Now, fire service in the county is provided by a patchwork of more than 60 unequally funded fire agencies, water districts, volunteer groups, tribal, state and federal agencies.

A fire task force in 2004 estimated that merging 28 agencies would cost \$155 million a year.

However, the commission's report, the result of two years of study, stated that merging the two dozen agencies under one flag would cost between \$22.2 million and 447.6 million more a year than the \$22.6 million those agencies now spend.

Officials say that any merger would cost more than current fire service because many agencies are underfunded and the only way a merger would work was if it improved fire service.

Mike Ott, executive director of the commission, said last week that now that the fire-merger cost study had been completed the agency planned to conduct two months of "public educational outreach," including holding forums, before voting on the merger issue in May. If the commission voted for a merger, voters in the affected areas would have to be asked for their approval.

Rumblings

Jacob's assertion about her proposal to pay for the merger could quell any rumblings from the fire community that no one should be talking about merging fire agencies because no one has figured out who would pay for it.

Andy Menshek is a fire chief with East County's San Miguel Consolidated Fire Protection District. He is also a board member for the Local Area Formation Commission that has been studying the idea of merging 24 of San Diego County's rural fire agencies into one entity.

Menshek led a small group of fire officials in 2005 who said the commission should abandon all merger discussions if no one had found the money to fund it by the time the merger-cost report was finished.

The commission is the state agency that must bless all governmental reorganizations; it is also the agency that released the merger-cost report last week.

Menshek said Friday that he still felt strongly that politicians and fire leaders shouldn't be wrestling over merger plans if they didn't know how they would pay for it.

But Menshek also said he was willing to wait to see the fate of Jacob's long-discussed plan.

"She (Jacob) said she'll have a bill sponsored within three weeks," Menshek said. "I have to take her at her word. We'll see what happens."

Piece of the pie?

Jacob outlined her plan in 2004 that could create hundreds of millions of dollars to fund the merger, a plan that she says would right "an injustice."

The plan is simple in concept. But it is complicated be-

cause it requires approval of the Legislature and Schwarzenegger.

Currently, San Diego County spends about 63 cents out of every local property-tax dollar it gets on education, according to the state controller's office.

That's 11 cents more than the average figure for the state's 58 counties. And some counties, such as Los Angeles County, at 44 cents out of every dollar, spend far less.

Jacob has proposed letting San Diego County shift "a couple" of cents from that 63 cents per dollar. Shifting just 2 cents would generate \$112 million a year, Jacob has said in the past.

At the same time, Jacob maintains that the shift would not hurt local schools because the state would be required by law to pick up the tab for the shifted portion.

Despite that assertion, some behind the scenes have said the education community could oppose Jacob's plan.

But Jacob said it isn't fair that San Diego County residents should have to spend more of their local property taxes on education than other counties.

"It's a fairness issue," she said last week.

Still, Jacob said she expected that it could take two years for any bill to make its way through the Legislature.

"It's an uphill battle," she said. "But as I've said in the past, if this (fire merger) were easy, it would have been done already."

Contact staff writer Gig Conaughton at (760) 739-6696 or gconaughton@nctimes.com. Comment at nctimes.com.

Educators will fight plan to shift funds

Idea would move money to rural fire agency

SHAYNA CHABNER
STAFF WRITER

SAN DIEGO — Local school board leaders from districts across San Diego County said Wednesday night that they will fight for education funds and that they question a proposal to shift a portion of the county's property taxes from schools to a centralized rural fire agency.

Several dozen school board presidents, vice presidents and representatives from the county's 42 school districts gathered at a San Diego School Boards Association meeting in San Diego to hear more about the proposal and discuss the impact it would have on students.

"Lawmakers need to understand how schools feel on this issue," said Sharon Kudder, president of the Encinitas Union School District school board. "We cannot allow this to happen."

The plan, which has been discussed by leaders including county Supervisor Dianne Jacob for several years, would reallocate a portion of the property tax revenues that currently go to local schools to the creation of a unified rural fire agency.

The county spends about 63 cents of every local property tax dollar it gets on education. The proposal would take a couple of those cents and put them toward the merged agency, generating about \$112 million a year, Jacob has said in the past.

At the same time, Jacob asserts that the shift in funds would not harm local schools because the state would be required by law to cover the extra portion.

Proponents of the merger say that by bringing the 28 rural fire agencies under one department they will improve fire services with unified command and training, and increase the department's abilities to tackle situations like the 2003 Cedar and Paradise wildfires that killed 16 people and destroyed more than 2,400 homes.

Merging the 28 agencies would cost between \$22.2 million and \$447.6 million more a year than the \$22.6 million that those agencies currently spend.

But educators at the meeting said they would not trust the state to pick up the bill and that local school districts would see their budgets tightened if the proposal went into effect.

Kevin Gordon, a lobbyist for the association in Sacramento, said the proposal does not fully grasp the state's requirements for distributing school funding and that as the economy fluctuates in coming years, those funds would be tightened.

"Whenever there is a threat to school money by an individual or group that is naive about how our funding works, it needs to be addressed," Gordon said, noting that if the proposal was passed, it could open the doors for other counties to request more money also.

A result, he said, that many lawmakers will be weary of them and will most likely steer them away from supporting the proposal.

North County
Times

Jacob said earlier this month that a lawmaker, whom she declined to name, will bring the proposal the floor before Friday, the final day to introduce legislation in this session.

In the meantime, board members left the meeting Wednesday night with resolutions to bring back to their districts that outlined their opposition to the proposal on the grounds that would strap local school districts and does adequately address either the issue of funding education or fire services.

"We need to start somewhere, and this was a start," said the association's President Barbara Groth, who added that the evening's goal was to get districts talking about the issue and looking at its effects.

April 25, 2007

To: Board Members

From: Tom Bishop

Subject: Resolution: DMUSD Endorses DMSEF as Primary Fundraising Vehicle

At its last meeting, the Board of Trustees directed the administration to place the following resolution in support of the Del Mar Schools Education Foundation on the Board agenda for April 25, 2007.

7.10

THE DEL MAR UNION SCHOOL DISTRICT
RESOLUTION NO. 2007-03
BOARD OF TRUSTEES IN SUPPORT OF THE
DEL MAR SCHOOLS EDUCATION FOUNDATION

On motion of Member _____ and seconded by Member _____, the following resolution is adopted by the Governing Board of the Del Mar Union School District:

WHEREAS, the Governing Board recognizes that members of the community are willing to make voluntary contributions that will provide needed additional resources for the students of the school district; and

WHEREAS, the Del Mar Schools Education Foundation came into being in 2000 to help the District to provide improved programs for students; and

WHEREAS, the Del Mar Schools Education Foundation has donated more than \$2,000,000 to the Del Mar Union School District since its inception; and

WHEREAS, the Del Mar Union School District has used the annual DMSEF donation to help provide expanded student enrichment programs in Art, Music, Science, and Technology; and

WHEREAS, the Board of Trustees of the Del Mar Union School District commend the DMSEF Board of Directors for their upcoming effort to conduct a thorough evaluation of the DMSEF corporate practices;

NOW THEREFORE, be it resolved by the Board of Trustees of the Del Mar Union School District that the Del Mar Schools Education Foundation is hereby fully and unconditionally endorsed as the primary DMUSD fundraiser for voluntary contributions by the community.

*On an annual basis the DMUSD Board of Trustees agrees to meet with the Board of Directors of the Del Mar Schools Education Foundation to review and discuss matters of mutual interest with the intent of having a strong and successful Foundation providing significant donations to help the DMUSD pay for its numerous outstanding programs.

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Resolution: Reaffirm BP 3290 (Grants, Gifts, and Requests)

At its March 29, 2007 meeting, the Board directed staff to create a Resolution that reaffirms BP 3290 (Grants, Gifts, and Requests) and allows the Board to accept gifts/funds from different sources.

Staff used the ideas in Motion #9 from the recent Easton/White proposal to create the attached resolution.

7.11

***DEL MAR UNION SCHOOL DISTRICT
BUSINESS AND NON-INSTRUCTIONAL OPERATIONS***

BOARD POLICY 3290: GIFTS, GRANTS AND BEQUESTS

The Governing Board may accept any bequest or gift of money or property on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts, which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

Before accepting a gift, the Board shall consider whether the gift:

1. Has a purpose consistent with the district's vision and philosophy
2. Begins a program, which the Board would be unable to continue when the donated funds are exhausted
2. Entails undesirable or excessive costs
3. Implies endorsement of any business or product

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

All gifts, grants and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used at a particular school.

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

DEL MAR UNION SCHOOL DISTRICT
RESOLUTION 2007-04
BOARD OF TRUSTEES RESOLUTION FOR REAFFIRMING BP 3290 (GIFTS,
GRANTS, AND BEQUESTS) AND
RECOGNITION THAT THE BOARD WILL ACCEPT GIFT AND
FUNDS AS PER EDUCATION CODE 41032.

Whereas: The Governing Board of the Del Mar Union School District appreciates and values gifts of money and property that will enable the DMUSD to meet its obligations and responsibilities, and;

Whereas: The Governing Board reaffirms Board Policy 3290 and Ed Code 41032 as its guiding policy regarding gifts of money and property, and;

Whereas: the Governing Board asks that any organization that plans to donate more than \$1,000 to the DMUSD secure pre-approval from the Board of Trustees sixty days prior to commencing any activity that may generate proceeds for the potential gift, and;

Whereas: the Governing Board directs all DMUSD staff to bring all donations to the Board for approval, and:

Whereas the Governing Board will continue to accept gifts of money and property from many sources as the proposed gifts align with BP 3290, Ed Code 41032, and this resolution.

Passed and Adopted by the Governing Board of the Del Mar Union School District this 25th day of April, 2007 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Thomas F. Bishop, Secretary of the Governing Board of the Del Mar Union School District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a regularly called and conducted meeting held on said date.

Thomas F. Bishop, Secretary of the Governing Board

April 25, 2007

To: Board Members
From: Tom Bishop
Subject: Schedule Change for June 13 & 14, 2007

The Board approved 2006/2007 calendar contains the following "End of Year" calendar item:

As Is:

Wednesday, June 13 - Minimum Day, dismissal is 12:30 p.m.
Thursday, June 14 - Last student day, currently a full-day for students,
dismissal is 2:30 p.m.

Option:

Board changes the Wednesday, June 13, Minimum Day to a full-day, and also changes Thursday, June 14 to a Minimum Day.

The administration has discussed this proposed calendar change with Principals, Directors, PTA leaders, and DMCTA leaders. All stakeholders favor having a full day of instruction on Wednesday, June 13, and a minimum day on Thursday, June 14.

RECOMMENDED: Superintendent recommends that the Board change Wednesday June 13 to a full day of instruction and that June 14 become a minimum day.

FISCAL IMPACT: None

7.12

April 16, 2007

To: Board Members
From: Tom Bishop
Subject: Board Approval, Del Mar Union School District's Uniform Complaint Quarterly Report for January 1 – March 31, 2007

As the Board is aware, the governing boards of school districts in California are now required to review and approve the District's quarterly report of complaints regarding instructional materials, facilities and teacher staffing.

Attached for your approval is the first quarterly report of 2007 prepared for the period of January 1 through March 31, 2007. No complaints have been received for this period.

The San Diego County Office of Education has created a link on their website for school districts to electronically report the required information, and the Del Mar School District has completed the reporting process for the quarter specified here.

The Superintendent recommends approval of the District's quarterly report as presented.

FISCAL IMPACT: None

RECOMMENDED: The Superintendent Recommends Approval of the Del Mar Union School District's Uniform Complaint Quarterly Report for January 1, 2007 – March 31, 2007

*7.13

SDCOE Williams Settlement
Quarterly Complaint Summary
ADD a new summary record

District Number : Quarter to Add:

Please fill in the following table. Enter 0 in any cell that does not apply.

	Number of Complaints for Quarter		
	Received	Resolved	Unresolved
Instructional Materials	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
Facilities	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
Teacher Vacancy and Misassignment	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

Submitted By: Title:

Add Quarter Record

Williams Compliant Summary SDCOE Services

[Back to Home Menu](#)

The Complaint Summary Record has been added.

April 25, 2007

To: Board Members

From: Thomas Bishop

Subject: Motion #7 of Easton/White Proposal – Creation of Personnel Committee

At its last meeting, the Board decided to table Motion #7 (new Personnel Committee) until the April 25, 2007 Board meeting. As of the publication date (April 19) for the April 25 Board meeting, staff had not yet met with Board Member White to discuss several of the proposed Personnel Committee items that were previously discussed. It is possible that Board Member White and the staff may have an opportunity to create a write-up on this item for the April 25 Board meeting.

Board Member White may have a handout of the revised Board Personnel Committee proposal.

RECOMMENDED: Informational Item Only.

7.14

April 19, 2007

To: Board Members
From: Tom Bishop
Subject: Reminder of Upcoming Events and Schedules

Wednesday, April 25, 2007

Budget Committee meeting, 12:30 p.m., Ashley Falls MUR

Wednesday, April 25, 2007

Regular School Board Meeting, 6:00 p.m., Del Mar Hills Academy

Monday – Friday, April 30 – May 4

STAR Testing Week

Tuesday, May 8, 2007

Otis Lennon Testing

Friday, May 11, 2007

County Superintendent, Dr. Randy Ward visits the DMUSD

Monday, May 14

School Board Visitation to Torrey Hills, 12:30 p.m.

Wednesday, May 23, 2007

Regular School Board Meeting, 6:00 p.m., Del Mar Hills Academy

Thursday, May 24, 2007

Open House at Sage Canyon and Sycamore Ridge; SMART Night at Del Mar Hills Academy

Monday, May 28, 2007

Memorial Day Holiday. No School.

Tuesday, June 5, 2007

End of Year Recognition/Ice Cream Social, 3:15 – 4:00 p.m., Ashley Falls

RECOMMENDED: Information Item Only.

7.15