

Gateway Unified School District

Providing Excellence in Learning: Every Student, Every Day

4411 Mountain Lakes Blvd. ■ Redding, CA 96003 ■ (530) 245-7900 ■ (530) 245-7920
www.gateway-schools.org

RESOLUTION NO. 16-17-09

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

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

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

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

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

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

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any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Gateway Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED this 14th day of September, 2016 at a meeting, by the following vote:


AYES: 3 – LEWIS, GIOVANNONI, SMITH

NOES: 0

ABSENT: 2 – BOURNE, JANULEWICZ

ABSTAIN: 0

 for
President of the Board, Debbie Bourne


Clerk of the Board

BUCKEYE SCHOOL
OF THE ARTS
3407 Hiatt Drive
Redding, CA
96003
(530) 225-0420

CENTRAL VALLEY
HIGH SCHOOL
4066 La Mesa Avenue
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96019
(530) 275-7075

GATEWAY
EDUCATIONAL OPTIONS
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GRAND OAKS
ELEMENTARY
5309 Grand Avenue
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(530) 275-7040

MOUNTAIN LAKES
HIGH SCHOOL
17752 Shasta Dam Blvd.
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96019
(530) 275-7000

SHASTA LAKE
SCHOOL
4620 Vallecito Street
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(530) 275-7020

Conflict of Interest Code of the Gateway Unified School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. **Category 1:** A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. **Category 2:** A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.
3. **Full Disclosure:** Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

<u>Designated Position</u>	<u>Disclosure Category</u>
Governing Board Members	1
Superintendent of Schools	1
Assistant/Associate Superintendent	1
Director	2
Principal	2
Assistant Principal	2
Maintenance and Operations Director	2
Supervisor	2

Disclosures for Consultants

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

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

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

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

CONFLICT OF INTEREST

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

(cf. 9005 - Governance Standards)

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

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

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

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

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

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

(cf. 9320 - Meetings and Notices)

CONFLICT OF INTEREST (continued)

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

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

Conflict of Interest under the Political Reform Act

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

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

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

Additional Requirements for Boards that Manage Public Investments

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

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

CONFLICT OF INTEREST (continued)

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

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

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

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

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

(cf. 3430 - Investing)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and

CONFLICT OF INTEREST (continued)

necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

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

Incompatible Offices and Activities

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

(cf. 4136/4236/4336 - Nonschool Employment)

Gifts

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

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

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

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

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

CONFLICT OF INTEREST (continued)

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

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

Honoraria

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

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

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

Legal Reference: (see next page)

CONFLICT OF INTEREST (continued)

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office
 35107 School district employees
 35230-35240 Corrupt practices, especially:
 35233 Prohibitions applicable to members of governing boards
 41000-41003 Moneys received by school districts
 41015 Investments

FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers
 1125-1129 Incompatible activities
 81000-91014 Political Reform Act of 1974, especially:
 82011 Code reviewing body
 82019 Definition, designated employee
 82028 Definition, gift
 82030 Definition, income
 82033 Definition, interest in real property
 82034 Definition, investment
 87100-87103.6 General prohibitions
 87200-87210 Disclosure
 87300-87313 Conflict of interest code
 87500 Statements of economic interests
 89501-89503 Honoraria and gifts
 89506 Ethics; travel
 91000-91014 Enforcement

PENAL CODE

85-88 Bribes

REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:
 18700-18707 General prohibitions
 18722-18740 Disclosure of interests
 18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)
Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261
Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469
Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655
Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

Legal Reference continued: (see next page)

CONFLICT OF INTEREST (continued)

Legal Reference: (continued)

ATTORNEY GENERAL OPINIONS

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

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

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

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

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

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

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

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

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

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

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

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

WEB SITES

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

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

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

Bylaw

adopted: September 15, 2010

revised: September 14, 2016

GATEWAY UNIFIED SCHOOL DISTRICT
Redding, California

CONFLICT OF INTEREST

**RESOLUTION ADOPTING A
CONFLICT OF INTEREST CODE**

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

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

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

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

WHEREAS, the Gateway Unified School District has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

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

NOW THEREFORE BE IT RESOLVED that the Gateway Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED this _____ day of _____, 20__ at a meeting, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President of the Board

Clerk of the Board

CONFLICT OF INTEREST (continued)**Conflict of Interest Code of the
Gateway Unified School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX**Disclosure Categories**

1. **Category 1:** A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. **Category 2:** A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

CONFLICT OF INTEREST (continued)

3. **Full Disclosure:** Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
 - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

<u>Designated Position</u>	<u>Disclosure Category</u>
Governing Board Members	1
Superintendent of Schools	1
Assistant/Associate Superintendent	1
Director	2
Principal	2
Assistant Principal	2
Maintenance and Operations Director	2
Supervisor	2

Disclosures for Consultants

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

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

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CONFLICT OF INTEREST (continued)

4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
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7. Adopt or grant district approval of district policies, standards, or guidelines

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

Exhibit:
version: September 15, 2010
revised: September 14, 2016

GATEWAY UNIFIED SCHOOL DISTRICT
Redding, California

JAMES M. HARRELL
Superintendent



MEMBERS – BOARD OF TRUSTEES
Debbie Bourne
Lynn "Jo" Giovannoni
Karl Janulewicz
Phil Lewis
Dannielle Smith

Gateway Unified School District

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September 15, 2016

Shasta County Clerk of the Board
Attn: Glenda Tracy, Chief Deputy Clerk of the Board
1450 Court Street, Suite 308B
Redding, CA 96001-1673

Subject: 2016 Local Agency Biennial Notice Form

Enclosed please find the 2016 Local Agency Biennial Notice for the Gateway Unified School District. The Board of Trustees approved the Resolution #16-17-09: Adopting a Conflict of Interest Code at our September 14, 2016 Regular Board Meeting. In addition, there were revisions to our Board Bylaw 9270 and Exhibit 9270: Conflict of Interest.

I have also enclosed the Certification of Board Minutes for the September 14, 2016 meeting indicating the Board's approval for the board bylaw, exhibit and resolution.

If there is anything else that you need, please give me a call at (530) 245-7908.

Sincerely,

Theresa A. Ungaro
Executive Assistant to the Superintendent

Enclosures:

As stated

BUCKEYE SCHOOL
OF THE ARTS
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September 15, 2016

CERTIFICATION OF BOARD MINUTES

SUBJECT MATTER: Approval of Resolution #16-17-09: Adopting a Conflict of Interest Code

DATE OF ACTION: September 14, 2016

In accordance with provisions of legal codes for the State of California the Governing Board of the above-named school district hereby approves and adopts the action described below:

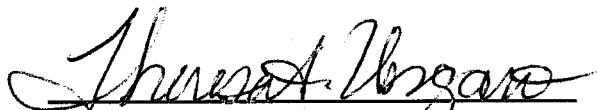
SMITH/GIOVANNONI

Moved and seconded the approval of Resolution #16-17-09: Adopting a Conflict of Interest Code

Motion carried unanimously: 3 AYES – LEWIS, GIOVANNONI, SMITH
0 NOES
2 ABSENT – BOURNE, JANULEWICZ

Supportive Data: Regular Board Meeting Agenda, September 14, 2016
Agenda Item No. 17A

I hereby certify and attest that the foregoing statements are true and correct:


Theresa A. Ungaro, Recording Secretary
Executive Assistant to the Superintendent

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Gateway Unified School District

Regular Board Meeting

September 14, 2016 7:00 PM

District Office Board Room

4411 Mountain Lakes Blvd.

Redding, CA 96003

6:00 p.m. - Closed Session: Superintendent's Office

7:00 p.m. - Open Session: District Office Board Room

In compliance with the Americans with Disabilities Act, the Gateway Unified School District will make available to the public who has a disability, any needed modification or accommodation in order for that person to participate in the public meeting. Contact the District Office at (530) 245-7908 at least one (1) week prior to the scheduled meeting.

GOALS

1. Gateway Unified School District will work in partnership with parents and the community to assure that all students meet or exceed state standards. Developing and sustaining high performing schools for all PreK-12 students to graduate career and college ready without remediation.
2. Gateway Unified School District students/staff will learn and work in a safe, supportive and caring environment.
3. Gateway Unified School District will engage with the community to meet the District's Mission and Vision.
4. Gateway Unified School District will ensure that the work force is highly qualified and well trained.
5. Gateway Unified School District will provide and maintain facilities and grounds that enhance student learning and accommodate student capacity.
6. Gateway Unified School District will be fiscally accountable to the public and will allocate resources based on Board Goals.

Providing Excellence in Learning: Every Student, Every Day

Public Comments for Items Listed on the Agenda: Persons who wish to address the Board for items listed on the agenda, are required to complete the Speaker Card provided and hand it to the Board of Trustees' secretary prior to the formal opening of the meeting.

1. Formal Opening Call to Order by Presiding Officer (Time):

Closed Session: 6:00 p.m. - Superintendent's Office

Open Session: 7:00 p.m. - Board Room

2. Roll Call - Closed Session

Governing Board:

Debbie Bourne, Board Member

Lynn Giovannoni, Board Member

Karl Janulewicz, Board Member

Phil Lewis, Board Member

Dannielle Smith, Board Member

James M. Harrell, Superintendent & Secretary to the Board

3. Approval of Closed Session Agenda as presented:

4. Public Comment: Under this item, the public is invited to address the Board regarding items that are listed on the Closed Session agenda. Speakers are limited to three minutes each. The Board is not allowed under the law to take action on matters that are not listed on the agenda.

5. Recess to Closed Session (Superintendent's Office)

5.a. With respect to every item of business discussed in Closed Session pursuant to Government Code Section 54957.6: Negotiations with GTA/CTA, CSEA and unrepresented employee(s); District negotiators: James M. Harrell, Superintendent and/or Legal Counsel

5.b. With respect to every item of business discussed in Closed Session pursuant to Education Code Section 48900: Student Discipline

6. Reconvene to Open Session (This meeting will be held in the District Office Board Room and is open to the public)

7. Call to Order (Time):

8. Roll Call - Open Session

Governing Board:

Debbie Bourne, Board Member

Lynn Giovannoni, Board Member

Karl Janulewicz, Board Member

Phil Lewis, Board Member

Dannielle Smith, Board Member

James M. Harrell, Superintendent & Secretary to the Board

9. Flag Salute (Pledge):

10. Approval of the Open Session Agenda as presented:

11. Announcement of any Reportable Actions Taken in Closed Session

11.a. With respect to every item of business discussed in Closed Session pursuant to Government Code Section 54957.6: Negotiations with GTA/CTA, CSEA and unrepresented employee(s); District negotiators: James M. Harrell, Superintendent and/or Legal Counsel

11.b. With respect to every item of business discussed in Closed Session pursuant to Education Code Section 48900: Student Discipline

12. Public Comment for Items Not Listed on the Agenda: Under this item, the public is invited to address the Board regarding items that are not listed on the agenda. Speakers are limited to three minutes each. By law, the Board is not allowed to take action on matters that are not listed on the agenda.

13. Items of Interest/Communications

13.a. Receipt of Letter from Shasta County Administrative Office (CAO) regarding their 90 Day Notice for Termination of the Lease Agreement at 18300 Antler School Road, Lakehead, CA

The effective date of the termination is 12:01 a.m. on December 1, 2016.

14. Staff Reports (Information Items)

14.a. Classified School Employees Association (CSEA) Update by Classified Staff Representative(s)

14.b. Gateway Teachers' Association (GTA) Update by Certificated Staff Representative(s)

14.c. School Site and Department Updates by Site Administrators & Directors

15. Consent Agenda:

15.a. Approval of the August 10, 2016 Regular Board Meeting Minutes

15.b. Approval of the Personnel Report: September 2016

15.c. Approval of the amended Resolution #16-17-08: Regarding Dual Enrollment

Dual enrollment with Shasta Tehama Trinity Joint Community College District which benefits Gateway Unified School District students, Shasta College students and the public at-large. This resolution includes an Amendment to the Memorandum of Understanding that was approved at the August 10, 2016 board meeting.

15.d. Approval of the 2016-17 School Sponsored Trips involving out-of-state and/or overnight travel for Central Valley High School

15.e. Approval of Resolution #16-17-12: Declaring October 10-14, 2016 as Week of the School Administrator

15.f. Approval of the Budget Revisions through September 9, 2016

15.g. Approval of Warrants through September 7, 2016

16. Board Policy Adoption(s)/Revision(s)

16.a. Reading, discussion and/or action to approve California School Boards Association (CSBA) April, May, June, July and September 2016 Policy Updates and May 2016 Minor Revision Policy Updates:

Adoptions, Revisions and/or Deletions for the following policies based on the attached guidesheet:

April 2016: BP/AR 3515.2

May 2016: E 0402.1, BP 1230/AR 1230, BP 3311/AR 3311, BP 3541.2/AR 3541.2, BP 3580, ~~BP 4112.24/AR 4112.24/E(1)E(2) 4112.24~~, E 5145.6, BP 6200/AR 6200, BB 9222 and BB 9270/E 9270

May "Minor Revisions" 2016: AR 3314, AR 3515.5, BP 4030, AR 4112, BP 4112.21, AR 4112.23, BP 4117.13/4317.13, AR 5141.4, AR 6171 and E(1)9323.2

June 2016: BP 2121 and BB 9321

July 2016: BP 0450/AR 0450, BP 0520.2/AR 0520.2/~~E(1)E(2) 0520.2~~, BP 0520.3/~~AR 0520.3~~, BP 3513.3/AR 3513.3, AR 3516.3, BP 3553/AR 3553, BP 3555, BP 4112.2, E 4112.9/4212.9/4312.9, BP 4113, AR 4115, AR 4222/~~E4222~~, BP 5116.1/AR 5116.1, BP 5131.62, AR 6158, AR 6164.41 and BP 6179

September 2016: BP 1312.3/AR 1312.3, BP 3230/AR 3230, BP 3270/AR 3270, AR 3440, AR 3460, AR 3512, BP 5145.3/AR 5145.3 and BP 5145.7/AR 5145.7

16.b. First Reading for Board Policy and Exhibit 3515.7: Firearms on School Grounds

17. New Business (Discussion and/or Action Items)

17.a. Approval of Resolution #16-17-09: Adopting A Conflict of Interest Code

17.b. Hold a Public Hearing regarding Sufficiency of Textbooks and Instructional Materials for the 2016-2017 School Year

17.c. Discussion and action to adopt Resolution #16-17-10: Sufficiency of Textbooks and Instructional Materials for the 2016-2017 School Year

17.d. Approval of Certification of Provision of Standards-Aligned Instructional Materials for the 2016-2017 School Year

17.e. Discussion and action to approve the revisions to the 2016-2017 Local Control Accountability Plan (LCAP)

17.f. Discussion and action regarding the Approval of the 2015-2016 Standardized Account Code System (SACS) Financial Reports, Unaudited Actuals

17.g. Approval of Resolution #16-17-11: Adopting the Gann Appropriations Limit

17.h. Consideration and recommendation to Cancel Employment Agreement with Director of Instructional Services and Approve Employment Agreement for Assistant Superintendent

17.i. Approval of the Educator Effectiveness Fund Expenditure Plan

17.j. Approval to waive the age requirement in Exhibit 3541.1: Transportation For School-Related Trips

Exhibit 3541.1 currently states:

"To ensure that private transportation services will be provided in a safe, efficient and cost effective manner, the following requirements will be met:

1. The driver must be at least age 21 to drive for business purposes and age 25 if transporting students, possessing a valid California driver's license, and have been continuously licensed for a minimum of 3 years."

It is requested, with the Superintendent or designee's approval, to waive the minimum age requirement (as needed) for employees of the district that are under the age of 25 where their job requires transporting students.

17.k. Discussion and action to approve Resolution #16-17-13: Convening and Appointing Members to the Gateway Unified School District Advisory Committee (7-11 Committee)

17.l. Approval of Resolution #16-17-14: Authorizing Teacher Assignment

18. District Reports

18.a. District-wide Update by Superintendent James M. Harrell

18.a.1. Participation in the 2016-2017 Mandate Block Grant

18.b. Trustee Reports by Governing Board Members

19. Recess to Closed Session, if needed (Time):

At this time, the Board may recess back to Closed Session to further discuss items that are listed on the Closed Session Agenda.

20. Adjournment (Time):

Copies of the agenda may be reviewed at each school site, as well as on the Gateway Unified School District website at <http://www.gateway-schools.org/home.aspx> under the Governance heading. Copies of the agenda, complete with backup materials, may be reviewed at the Gateway Unified School District Office, 4411 Mountain Lakes Blvd., Redding, CA 96003, during the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.