



## Pacifica School District

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*Preparing Students for an Evolving World*

www.pacificasd.org

### MEMORANDUM

Business Services

Meeting of: 08/24/2016

**TO:** Wendy S. Tukloff, Ed.D., Superintendent  
for Members, Board of Trustees  
**FROM:** Josephine Peterson, Chief Business Official  
**SUBJECT:** CSBA May 2016 Board Policy Maintenance/Minor Revisions

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#### Recommendation

It is recommended that the Board approve the CSBA Board Policy Maintenance/Minor Revisions-BP/AR3311, AR3314, AR/BP3541.2 and BP3580.

#### Background

CSBA provides sample Bylaws, Board Policies and Administrative Regulations reflecting any legislation changes three times each year with descriptions identifying major changes in revised materials as well as editorial changes or technical revisions. Staff compares the CSBA sample policies to current policies. The May 2016 Board Policy CSBA Manual Maintenance includes updates to BP/AR3311, BP/AR 3541.2, BP3580 and minor revisions to AR3314 which were reviewed by the Board on August 3, 2016.

#### BP/AR3311 (Bids)

Policy and regulation updated to include requirements for districts that choose to use the alternative Uniform Public Construction Cost Accounting Act (UPCCAA) for contracting for public works projects. Policy and regulation also updated to reflect NEW LAW (AB 1358, 2015) which authorizes a district to award a design-build contract for a public works project in excess of \$1 million on the basis of either low bid or "best value," as defined. Regulation also reflects new 2016 bid limit established by the Superintendent of Public Instruction for specified projects, and adds new section on "Lease-Leaseback Contract" reflecting legal requirements and NEW COURT DECISION (McGee v. Balfour Beatty Construction LLC).

#### AR3314 (Payment for Goods and Services)

Revise 4th paragraph to reflect Public Contract Code 7201, as amended by AB 1705 (Ch. 670, Statutes of 2014), as follows:

The proceeds to be withheld by the district may exceed five percent when the Board has made a finding, prior to the bid and during a properly noticed and regularly scheduled **public** meeting, that the project is substantially complex and requires a higher retention amount than five percent. In such cases, the Board's finding **shall include a description of the specific project and why it is a unique project that is not regularly, customarily, or routinely performed by the district or licensed contractors. The bid documents shall include details explaining the basis for the finding and the actual amount to be withheld** ~~shall be included in the bid documents.~~ (Public Contract Code 7201)

AR/BP3541.2 (Transportation for Students with Disabilities)

Policy updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized education program (IEP) teams to use when determining a student's transportation needs, and add material re: the provision of information to IEP teams. Regulation deleted and material moved to BP re: provision of alternative transportation when a student is excluded from school bus transportation for a disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

BP3580

Policy updated to reflect legal requirement to disclose any breach of security of district records that contain personal information, as defined, by providing a written or electronic notification that meets the content and formatting requirements specified in law.

The PSD and new CSBA recommended policies are attached with the comments.

A master binder of new and revised policies is located in the Office of the Superintendent.