

**TRANSFERS OF FUNDS**

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

*(cf. 3100 – Budget)*

*(cf. 3400 – Management of District Assets/Accounts)*

The Board may transfer funds during or at the end of the fiscal year in accordance with law as necessary to meet district needs or to permit the payment of district obligations. (Education Code 16095, 17582-17592, 42600-42603, 42605, 42841-42843, 52616.4)

Tier 3 Categorical Flexibility

From the 2008-09 through 2012-13 fiscal years, the Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. Funds received for programs identified by law as Tier 3 categoricals may be expended for any educational purpose.

The Board shall hold a public hearing to take testimony from the public, discuss, and approve or disapprove the proposed use of the funding, and shall make explicit for each of the categorical budget items the purposes for which the funds will be used. (Education Code 42605)

The Superintendent and/or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved. He/she shall also complete any necessary reports required by the California Department of Education.

*(cf. 0420 – School Plans/ Site Council)*

*(cf. 0420.1 – School-Based Program Coordination)*

*(cf. 0440 – District Technology Plan)*

*(cf. 0520.1 – High Priority Schools Grant Program)*

*(cf. 1312.4 – Williams Uniform Complaint Procedures)*

*(cf. 3111 – Deferred Maintenance Funds)*

*(cf. 3530 – Risk Management/ Insurance)*

*(cf. 4111 – Recruitment and Selection)*

*(cf. 4112.2 – Certification)*

*(cf. 4112.21 – Interns)*

*(cf. 4113 – Assignment)*

*(cf. 4131 – Staff Development)*

*(cf. 4131.1 – Beginning Teacher Support/ Induction)*

*(cf. 4138 – Mentor Teachers)*

*(cf. 4139 – Peer Assistance and Review)*

*(cf. 4231 – Staff Development)*

*(cf. 4331 – Staff Development)*

*(cf. 5123 – Promotion/ Acceleration/ Retention)*

*(cf. 5136 – Gangs)*

*(cf. 5141.32 – Health Screening for School Entry)*

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

*(cf. 5145.6 – Parental Notifications)*

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS - BP 3110 (Continued)**

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- (cf. 5146 – Married/Pregnant/Parenting Students)*
- (cf. 5147 – Dropout Prevention)*
- (cf. 5148.1 – Childcare Services for Parenting Students)*
- (cf. 5149 – At-Risk Students)*
- (cf. 6111 – School Calendar)*
- (cf. 6141.5 – Advanced Placement)*
- (cf. 6142.6 – Visual and Performing Arts Education)*
- (cf. 6142.91 – Reading/Language Arts Instruction)*
- (cf. 6146.1 – High School Graduation Requirements)*
- (cf. 6151 – Class Size)*
- (cf. 6161.1 – Selection and Evaluation of Instructional Materials)*
- (cf. 6162.52 – High School Exit Examination)*
- (cf. 6163.1 – Library Media Centers)*
- (cf. 6164.2 – Guidance/Counseling Services)*
- (cf. 6172 – Gifted and Talented Student Program)*
- (cf. 6176 – Weekend/Saturday Classes)*
- (cf. 6177 – Summer School)*
- (cf. 6178 – Career Technical Education)*
- (cf. 6178.2 – Regional Occupational Center/Program)*
- (cf. 6179 – Supplemental Instruction)*
- (cf. 6184 – Continuation Education)*
- (cf. 6185 – Community Day School)*
- (cf. 6200 – Adult Education)*
- (cf. 9323.2 – Actions by the Board)*

Legal Reference:

**EDUCATION CODE**

78	Definition Governing Board
5200	Districts Governed by Boards of Education
16095	Transfer of District Funds to District State School Building Fund
17582	Deferred Maintenance Fund; Establishment; Purpose
17583	Deferred Maintenance Fund; Transfer
17584	Budgeting Certification Deferred Maintenance Fund; Apportionment
17585	Applications for Deferred Maintenance Funding
41301	Section A State School Fund Allocation Schedule
42125	Designated and Unappropriated Fund Balances
42600	District Budget Limitation on Expenditure
42601	Transfers Between funds to Permit Payment of Obligations at Close of Year
42603	Transfer of Monies Held in Any Fund or Account to Another Fund; Repayment
42605	Tier 3 Categorical Flexibility
42840-42843	Special Reserve Fund
52616.4	Expenditures from adult education fund

Management Resources:

**CSBA PUBLICATIONS**

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Team, Budget Advisory, March 2009

**CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE**

Fiscal Issues Relating to Budget Reductions and Flexibility Provisions, April 2009

WEB SITES

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

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

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Adopted: 5/25/83; Revised: 2/9/94 (BP 615 – Fiscal Accounting and Reporting); 12/17/03; 5/12/10