

CARDIFF SCHOOL DISTRICT
1888 Montgomery Avenue, Cardiff-by-the-Sea, California

**REGULAR MEETING OF THE GOVERNING BOARD
AGENDA**

**THURSDAY, MAY 10, 2018 • 4:30 PM CLOSED SESSION • DISTRICT CONFERENCE ROOM
5:00 PM • PUBLIC MEETING CARDIFF SCHOOL AUDITORIUM
1888 MONTGOMERY AVENUE • CARDIFF-BY-THE-SEA, CA 92007**

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the board meeting are available for inspection at the Cardiff School District, 1888 Montgomery Avenue, Cardiff.

In compliance with the American with Disabilities Act, if you need special assistance, disability-related modifications, including auxiliary aids or services, in order to participate in the public meeting of the district's governing board, please contact the office of the District Superintendent by sending a written request to the District Office at 1888 Montgomery Avenue, Cardiff-by-the-Sea, California, or by faxing the request to (760) 942-5831. Notification by letter or fax 72 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the district shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

I. ORGANIZATIONAL ITEMS

Exhibit

- A. Call to order
Roll call
Ms. Siena Randall, President
Mr. David Ross, Clerk
Ms. Nancy Orr, Member
Mr. Dave Clark, Member
Mr. Mark Whitehouse, Member
Ms. Jill Vinson, Superintendent

B. 4:30 p.m. – CLOSED SESSION

Conference with Legal Counsel regarding anticipated litigation –
Government Code 54956.9

5:00 p.m. – PUBLIC SESSION

- C. Pledge of allegiance
D. Report from Closed Session
E. Approval of agenda for May 10, 2018
All items are action unless labeled information

F. Approve minutes from the regular meeting of April 3, 2018

A

II. HEARING SESSION

- A. Public Comments *(The purpose of the Board meeting is to conduct the School Board's business in public. The Board welcomes and encourages public comments however Board members may not respond to comments during the public comment portion of the agenda. Any member of the public who wishes to address the Board on an item on the agenda or on another topic which lies within the governing board's jurisdiction may do so, but must present a written request. Please hand your form to the secretary before the meeting. Presentations are limited to 3 minutes per person per topic. The total amount of time to be allowed on any item is twenty minutes, unless the time limit is waived by a majority vote of the Board. The Board may 1) acknowledge receipt of the information; 2) refer to staff for further study; or 3) refer the matter to a future agenda).*

- B. Cardiff Elementary Teachers Association
- C. ELAC/DELAC
- D. School Site Council
- E. Cardiff SEA
- F. School Reports
- G. Reports on Workshops/Conference
- H. Superintendent's Report

III. CONSENT CALENDAR

Items listed in the Consent Calendar are considered to be routine and are acted on by the Board in one motion unless members of the Board request specific items to be discussed or pulled. It is understood that the Superintendent recommends approval on all Consent Items. Each item of the Consent agenda approved by the Board shall be deemed to have been considered in full and adopted as recommended.

- A. Approval of Current Business Items:
 - 1. Purchase Orders
 - 2. Commercial Warrants #14-385869 to #14-397559 \$195,312 **B**
 - 3. Payroll Warrants, April, 2018, \$ 903,720
- B. Enrollment Report as of 05/04/18 **C**
- C. Approval of Cardiff School District's Uniform Complaint Quarterly Report for January 1, 2018 – March 31, 2018 **D**
- D. Adopt Resolution Numbers 17-18-10, 17-18-11, 17-18-12, 17-18-13, **E** and 17-18-14, for routine payroll, accounting and financial report signature authorizations to the San Diego County Office of Education
- E. Authorize the payment not to exceed \$3,000.00 per OAH Case No 2018020156Agreement. This is reimbursement to attorney fees for a special education student per final settlement and release agreement
- F. Approve the Single Plan for Student Achievement 2017-18 Update **F**
- G. Removal of items from Consent Calendar
- H. Approval of Consent Calendar

IV. GENERAL FUNCTIONS

- A. Acceptance of Measure GG Independent Citizens Oversight Committee 2017 Annual Report **G**
- B. Approve CSBA Manual Policy Updates for May **H**
- C. Consider approval of revised District Technology Coordinator job description **I**

V. BUSINESS AND FINANCE

A. Consider approval of resolution calling for Full and Fair Funding of California's Public Schools ***J***

B. Consider approval of revised 2018-19 Budget Assumptions ***K***

VI. FACILITIES

A. Bond Implementation Update

B. Approve amendment to the contract agreement between Cardiff School District and Land Surveying Consultants, Inc. ***L***

VII. FUTURE AGENDA ITEMS

VIII. CLOSED SESSION (If needed, immediately following public session)

IX. ADJOURNMENT OF MEETING

CARDIFF SCHOOL DISTRICT
1888 Montgomery Avenue
Cardiff-by-the-Sea, California 92007

MINUTES
REGULAR MINUTES OF APRIL 3, 2018

The regular meeting of the Governing Board of the Cardiff School District was held on Tuesday, April 3, 2018 at the Cardiff School, 1888 Montgomery Avenue, Cardiff-by-the-Sea, California. President Randall called the meeting to order at 5:03 p.m. and led Trustees and visitors in the pledge of allegiance. President Randall reported there was no action to report from closed session.

Members present: Clark, Orr, Randall, Ross, Whitehouse

Members absent: None

Administrators
present: Vinson, Parker, Scheftner

Visitors: Trish d'Entremont, CETA
Adam Sweet, SEA
Robyne Ruterbusch
Jon Colton
Renee Mullen
Tiana Hejduck
George Hejduck
Stacie Hogan
Janette Kreinberg

The Facilities section of the agenda was moved to the front. The agenda for April 3, 2018 was then approved as presented.

MOTION: Orr
SECOND: Clark
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The minutes from the regular meeting of March 8, 2018 were approved as written.

MOTION: Clark
SECOND: Orr
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

Exhibit A

Trustees heard comments related to the Measure GG facilities project. George and Tiana Hejduck addressed the Board regarding their concerns about the handling of an incident in February proceeding a class performance.

Randy Peterson, Bond Program Manager, reported that now that the design is complete, engineers and other consultants will become more involved in the project during the next phase. Mr. Peterson reported that we continue to work with various agencies such as the Division of the State Architect, State of California Office of Grants and Local Services, and the City of Encinitas. Studio E Architects and McCarthy Construction presented the phasing plan and anticipated timeline.

The contract agreement between Cardiff School District and Construction Testing & Engineering, Incorporated (CTE, Inc.) was approved.

MOTION: Clark
SECOND: Orr
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

Hearing Session:

- Trish d'Entremont thanked the Board for considering the salary increase. She thanked the SEA for providing treats during parent conference week at both school sites.
- Julie Parker reported School Site Council will meet for the last time this year on May 1st. The Committee will review the final draft of the Plan for Student Achievement.
- Adam Sweet reported the Gala was held last Saturday night. He said the official numbers are not available but thinks about \$60,000 to 65,000 was raised. Planning for the Ice Cream Social is the focus now.
- Adam reported that Independents Citizens Oversight Committee met to finalize the annual report that will be brought before the Board at its next meeting. Principal Parker reported teachers are halfway through parent conferences. She also said LCAP input has been collected and analyzed. Data is being compared to goals and actions and services are being drafted for 2018-19. A draft LCAP will be sent to all parents and staff and posted on our website in early May.
- Principal Scheftner reported Ada Harris is celebrating the CA Distinguished School Award. She thanked Superintendent Vison and Ms. Parker for their contributions. She explained that although Deb Heyer and Trish d'Entremont were the main writers, the award represents a continuum of K-6 work. The Ability Awareness Fair that was held on March 31st was a big success. The sixth graders are starting their rotation at Spanish Club, and the school is getting ready for their annual talent show.
- David Ross reported on his attendance as Board representative at the NCCSE Trustee Review Committee Meeting

Hearing Session continued:

- Ms. Vinson reported on the attendance of Siena Randall, Courtney Jasper, and herself to the SF2 Spring Symposium. She said it was an informative day with a number of excellent speakers.
- Superintendent Vinson thanked her great team. She said the Cardiff School rebuild is a once in a generation opportunity and is a product of everyone coming together. She especially thanked the two Principals, Julie Parker and Janelle Scheftner for looking at the demographics of how the construction project will impact the two campuses. Ms. Vinson also reported on the meeting she and Julie Parker had with Christy Villa for the City of Encinitas who gave her an update on the Rail Corridor Pedestrian Underpass and an upcoming opportunity for community input. Lastly, Ms. Vinson informed Trustees of teacher Maggie Clune's decision to move back East to be near family.

The consent calendar was approved as presented.

MOTION: Orr
SECOND: Ross
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The ratification of the Collective Bargaining Agreement between Cardiff Elementary Teachers' Association (CETA) and Cardiff School District was approved.

MOTION: Clark
SECOND: Whitehouse
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The AB 1200 document for certificated and classified employees was approved.

MOTION: Whitehouse
SECOND: Orr
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The approval of a 3% increase in compensation for current Classified, Confidential, and Classified Management employees was approved.

MOTION: Orr
SECOND: Whitehouse
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The approval of a 3% increase in compensation for the following the School Psychologist and the following current Certificated Management employees: Principals and Director of Special Education was approved.

MOTION: Orr
SECOND: Whitehouse
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

Robyne Ruterbusch addressed the Board to request support for the School Safety Resolution.

Resolution 17-18-06, School Safety Resolution was approved.

MOTION: Ross
SECOND: Clark
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

The retirement from employees 403-697 effective 6/22/18 and employee 302-422 effective 6/30/18 were accepted.

MOTION: Orr
SECOND: Ross
AYES: Clark, Orr, Randall, Ross, Whitehouse
NOES: 0
ABSENT: 0

There being no other regular business to come before the Board, the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

David Ross, Clerk

Jill Vinson, Superintendent

APRIL 2018 PO LISTING

PO	Date	Supplier	Fund	Resource	Goal	Function	Object	Site	Description	Amount
INSTRUCTIONAL SUPPLIES										
2091	4/18/18	TROXELL COMMUNICATIONS	0100	0000068	1110	1000	4300005	222	Instructional Supplies	204.99
2092	4/20/18	SYNCB/AMAZON	0100	0000000	1110	1000	4300000	222	Instructional Supplies	20.61
2075	4/20/18	SYNCB/AMAZON	0100	0000066	1110	1000	4300000	222	Instructional Supplies	62.17
2079	4/20/18	SYNCB/AMAZON	0100	0000066	1110	1000	4300000	222	Instructional Supplies	14.28
2082	4/20/18	SYNCB/AMAZON	0100	0000066	1110	1000	4300000	222	Instructional Supplies	16.08
2093	4/20/18	SYNCB/AMAZON	0100	0000068	1110	1000	4300005	222	Instructional Supplies	225.18
2072	4/20/18	SYNCB/AMAZON	0100	0000068	1110	1000	4300005	222	Instructional Supplies	373.25
2084	4/20/18	SYNCB/AMAZON	0100	0000068	1110	1000	4300005	111	Instructional Supplies	206.19
2080	4/24/18	CAROLINA BIOLOGICAL SUPPLY	0100	0000066	1110	1000	4300000	222	Instructional Supplies	128.57
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	1110	1000	4300006	222	Instructional Supplies	32.27
2101	4/25/18	KELLY PAPER	0100	0000000	1110	1000	4300000	111	Instructional Supplies	1107.67
2095	4/25/18	FREE FORM CLAY & SUPPLY	0100	6300000	1110	1000	4300012	000	Instructional Supplies	24.06
2081	4/26/18	INSECT LORE	0100	0000066	1110	1000	4300000	222	Instructional Supplies	98.01
	4/30/18	DYNAMIC MEASUREMENT GROUP, INC	0100	0000000	0000	3160	4300000	000	Instructional Supplies - Testing	714.00
										\$ 3,227.33

NON-INSTRUCTIONAL SUPPLIES										
2083	3/30/18	RANCHO SANTA FE	0100	0000000	0000	2700	4300000	111	Services for Spring Break	196.35
2083	3/30/18	RANCHO SANTA FE	0100	0000000	0000	2700	4300000	222	Services for Spring Break	196.35
1672	4/4/18	HOME DEPOT CREDIT SERVICES	0100	8150000	0000	8110	4300000	000	Maintenance Supplies	268.47
	4/4/18	SHELL	0100	8150000	0000	8110	4300000	000	Automotive Supplies	181.16
2089	4/6/18	EBCO INC	0100	0000000	0000	8200	4300000	000	Maintenance Supplies	162.50
2087	4/13/18	RASIX COMPUTER CENTER, INC.	0100	0000000	0000	2420	4300005	111	Technology Supplies	1569.66
	4/20/18	SAN DIEGO COUNTY OFFICE OF ED	0100	0000000	0000	7200	4300000	000	Office Supplies	26.31
	4/20/18	SYNCB/AMAZON	0100	0000000	0000	3140	4300000	111	Health Supplies	10.35
2073	4/20/18	SYNCB/AMAZON	0100	0000000	0000	7200	4300000	000	Office Supplies	67.03
2086	4/20/18	SYNCB/AMAZON	0100	0000000	0000	2420	4300005	111	Technology Supplies	167.96
2061	4/20/18	SYNCB/AMAZON	0100	0000000	0000	2420	4300008	222	Library Supplies	25.17
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	0000	8200	4300000	000	Maintenance Supplies	227.46
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	0000	7200	4300000	000	Office Supplies	98.15
	4/25/18	VAUGHN IRRIGATION SERVICES INC	0100	8150000	0000	8110	4300000	000	Maintenance Services	2406.76
	4/25/18	VAUGHN IRRIGATION SERVICES INC	0100	8150000	0000	8110	4300000	000	Maintenance Services	1551.02
2102	4/26/18	MAINTEX, INC.	0100	0000000	0000	8200	4300000	000	Maintenance Supplies	564.93
										\$ 7,719.63

4000 (SUPPLIES) TOTALS: BALANCE: 240,602 ACCUMULATED BALANCE: 215,407 REMAINING BALANCE: 25,195

UTILITIES										
1825	4/13/18	SAN DIEGO GAS & ELECTRIC	0100	0000000	0000	8200	5500001	222	Services for March	215.57
1825	4/13/18	SAN DIEGO GAS & ELECTRIC	0100	0000000	0000	8200	5500001	222	Services for March	3482.84
1825	4/13/18	SAN DIEGO GAS & ELECTRIC	0100	0000000	0000	8200	5500001	111	Services for March	5461.25
1825	4/18/18	SAN DIEGO GAS & ELECTRIC	0100	0000000	0000	8200	5500001	222	Services for March	178.82
1825	4/18/18	SAN DIEGO GAS & ELECTRIC	0100	0000000	0000	8200	5500001	222	Services for March	45.83
1797	4/3/18	EDCO WASTE & RECYCLING SERVICE	0100	0000000	0000	8200	5500002	222	Services for March	482.13
1797	4/3/18	EDCO WASTE & RECYCLING SERVICE	0100	0000000	0000	8200	5500002	111	Services for March	482.13
1796	4/3/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	111	Services for March	899.70
1796	4/11/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	222	Services for March	68.29
1796	4/11/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	222	Services for March	4225.98
1796	4/11/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	222	Services for March	574.51
1796	4/11/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	222	Services for March	45.84
1796	4/18/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	111	Services for March	776.32
1796	4/18/18	SAN DIEGUITO WATER DISTRICT	0100	0000000	0000	8200	5500003	111	Services for March	870.46
	4/11/18	AT&T	0100	0000000	0000	7200	5900001	000	Services for March	391.03
	4/11/18	AT&T	0100	0000000	0000	7200	5900001	000	Services for March	37.89
	4/11/18	AT&T	0100	0000000	0000	7200	5900001	000	Services for March	2014.28
	4/18/18	AT&T	0100	0000000	0000	7200	5900001	000	Services for March	18.17
										\$ 20,271.04

SERVICES										
1689	4/3/18	CARE-A-VAN TRANSPORT	0100	0000000	5001	3600	5100000	000	Transportation	6868.24
1689	4/20/18	CARE-A-VAN TRANSPORT	0100	0000000	5001	3600	5100000	000	Transportation	1718.64
1689	4/30/18	CARE-A-VAN TRANSPORT	0100	0000000	5001	3600	5100000	000	Transportation	5619.20
	4/3/18	CASEY PAYTE	0100	0000000	1110	1000	5200000	000	Conference - CUE	137.34
	4/3/18	CASEY PAYTE	0100	0000000	1110	1000	5200000	000	Conference - CUE	413.42
	4/3/18	DEBORAH HEYER	0100	0000000	1110	1000	5200000	000	Conference - CUE	441.42
	4/3/18	DEBORAH HEYER	0100	0000000	1110	1000	5200000	000	Conference - CUE	137.34
	4/6/18	TIFFANY GLASS EVERETT	0100	0000000	1110	1000	5200000	000	Conference - CUE	26.35
	4/20/18	JULIE PARKER	0100	0000000	0000	2700	5200000	111	Conference - ASU @ GSV	40.00
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	1110	1000	5200000	000	Conference - CUE	903.02
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	0000	7100	5200000	000	Conference - SFSF	166.01
1809	4/10/18	READY REFRESH BY NESTLE	0100	0000000	0000	8200	5500003	222	Services for March	86.16
1809	4/10/18	READY REFRESH BY NESTLE	0100	0000000	0000	8200	5500003	111	Services for March	35.55
1809	4/10/18	READY REFRESH BY NESTLE	0100	0000000	0000	8200	5500003	000	Services for March	35.55
1779	4/26/18	AMERICAN PEST CONTROL	0100	0000000	0000	8200	5500004	222	Maintenance Services	96.00
1779	4/26/18	AMERICAN PEST CONTROL	0100	0000000	0000	8200	5500004	111	Maintenance Services	60.00
1791	3/30/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	111	Services for March	40.64
1791	3/30/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	000	Services for March	40.00
1791	3/30/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	222	Services for March	71.48
1705	4/3/18	TOSHIBA FINANCIAL SERVICES	0100	0000000	1110	1000	5600000	111	Lease Payment - April	187.00
1705	4/3/18	TOSHIBA FINANCIAL SERVICES	0100	0000000	1110	1000	5600000	222	Lease Payment - April	215.99
1706	4/11/18	TOSHIBA FINANCIAL SERVICES	0100	0000000	0000	7200	5600000	000	Lease Payment - April	201.50
1791	4/27/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	111	Services for April	53.16
1791	4/27/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	222	Services for April	66.49
1791	4/27/18	MISSION LINEN & UNIFORM	0100	0000000	0000	8200	5600000	000	Services for April	40.00
	3/30/18	ATEL COMMUNICATIONS INC.	0100	0000000	0000	7200	5800000	000	Maintenance Services	148.00

	4/2/18	RENEE MULLEN	0100	0000000	0000	7100	5800000	000	Professional Services	800.00
1880	4/3/18	AUTISM OUTREACH SOUTHERN CALIFORNIA	0100	6500000	5770	3120	5800000	000	Services for February	6204.18
	4/3/18	EVAN WALSH	0100	0000085	1110	1000	5800000	111	Music Boosters	260.00
	4/3/18	IAN BUSS	0100	0000085	1110	1000	5800000	111	Music Boosters	372.80
1879	4/5/18	SAN DIEGO OCCUPATIONAL THERAPY	0100	6500000	5770	1190	5800000	000	Services for March	1400.00
	4/6/18	NAOKO HIRAI	0100	0000085	1110	1000	5800000	111	Music Boosters	360.00
1810	4/10/18	DEPENDABLE NURSING, LLC	0100	6500000	5770	1190	5800000	000	Services for March	5281.75
	4/11/18	HARRIS SCHOOL SOLUTIONS	0100	0000000	0000	7200	5800000	000	Merchant Fees for March	163.75
	4/11/18	STATE OF CALIFORNIA	0100	0000000	0000	7200	5800000	000	Fingerprinting Services	32.00
	4/13/18	DEBRA O'NEILL	0100	0000085	1110	1000	5800000	111	Music Boosters	888.00
	4/13/18	DEBRA O'NEILL	0100	0000085	1110	1000	5800000	111	Music Boosters	1008.00
1808	4/13/18	SHRED-IT USA	0100	0000000	0000	7200	5800000	000	Services for March	153.72
1880	4/18/18	AUTISM OUTREACH SOUTHERN CALIFORNIA	0100	6500000	5770	3120	5800000	000	Services for February	6658.35
	4/20/18	CITY TREASURER	0100	0000000	0000	2700	5800000	222	Maintenance Services - AED	50.00
2060	4/20/18	J.M.D.LANDSCAPE INC.	0100	0000000	0000	8200	5800000	000	Maintenance Services	4440.18
2060	4/20/18	J.M.D.LANDSCAPE INC.	0100	0000000	0000	8200	5800000	000	Maintenance Services	346.64
1826	4/20/18	J.M.D.LANDSCAPE INC.	0100	0000000	0000	8200	5800000	000	Maintenance Services	3889.62
	4/20/18	LYNN FLESCHTZ	0100	0000000	0000	7100	5800000	000	Professional Services	150.00
	4/20/18	SOUTHCOAST HEATING & A/C	0100	8150000	0000	8110	5800000	000	Maintenance Services	332.03
1899	4/23/18	LEAPS-N-BOUNDS	0100	6500000	5770	1190	5800000	000	Services for March	6305.00
	4/24/18	HARRIS SCHOOL SOLUTIONS	0100	0000000	0000	7200	5800000	000	Merchant Fees for February	131.25
	4/25/18	TOSHIBA BUSINESS SOLUTIONS	0100	0000000	0000	7200	5800000	000	Maintenance Services	2548.11
	4/26/18	IAN BUSS	0100	0000085	1110	1000	5800000	111	Music Boosters	226.40
	4/26/18	SAN DIEGO REFRIGERATION	0100	8150000	0000	8110	5800000	000	Maintenance Services	160.78
	4/27/18	EVAN WALSH	0100	0000085	1110	1000	5800000	111	Music Boosters	200.00
	4/20/18	ARTIANO SHINOFF	0100	0000000	0000	7100	5800005	000	Professional Services	286.37
	4/26/18	FAGEN FRIEDMAN & FULFROST, LLP	0100	0000000	0000	7100	5800005	000	Services for March	1838.50
	4/24/18	VERIZON WIRELESS	0100	0000000	0000	7200	5900001	000	April Statement	50.56
	4/24/18	MISSION FEDERAL CREDIT UNION	0100	0000000	0000	7200	5900002	000	Postage	15.00
										\$ 62,401.49

5000 (SERVICES) TOTALS: BALANCE: 818,866 ACCUMULATED BALANCE: 800,744 REMAINING BALANCE: 18,122.00

BOND EXPENSES										
1866	4/10/18	RANDAL L. PETERSON	2109	9010000	0000	8500	6200000	000	Professional Services	11333.00
	4/11/18	MCCARTHY BUILDING COMPANIES	2109	9010000	0000	8500	6200000	000	General Contractor	18000.00
	4/12/18	STUDIO E ARCHITECTS	2109	9010000	0000	8500	6200000	000	Professional Services	56200.00
1891	4/23/18	PLACEWORKS	2109	9010000	0000	8500	6200000	000	Professional Services	7275.01
1963	4/26/18	SCHOOL FACILITY CONSULTANTS	2109	9010000	0000	8500	6200000	000	Professional Services	391.25

CARDIFF SCHOOL DISTRICT

Enrollment Form
May 4, 2018

**CARDIFF
BOYS GIRLS**

K Bjorstad	<u>10</u>	<u>12</u>	22
K Glass	<u>10</u>	<u>12</u>	22
K McNamara	<u>9</u>	<u>12</u>	21
K Paccione	<u>10</u>	<u>11</u>	21
K Stone	<u>9</u>	<u>13</u>	22
			TOT K <u>108</u>

1 Easson	<u>9</u>	<u>9</u>	18
1 Kulb/Stuart	<u>9</u>	<u>8</u>	17
1 Miller	<u>11</u>	<u>8</u>	19
1 Rector	<u>10</u>	<u>9</u>	19
1 Sallans	<u>9</u>	<u>9</u>	18
			TOT 1 <u>91</u>

2 Boyesen	<u>11</u>	<u>11</u>	22
2 Kavan	<u>9</u>	<u>11</u>	20
2 Payte	<u>10</u>	<u>12</u>	22
2 Redding	<u>12</u>	<u>10</u>	22
2 Pacetti/Paz	<u>10</u>	<u>10</u>	20
			TOT 2 <u>106</u>

3 Hamilton	<u>12</u>	<u>8</u>	20
3 Douillard	<u>13</u>	<u>9</u>	22
			TOT 3 <u>42</u>

Wilson	<u>0</u>	<u>0</u>	TOT <u>0</u>
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Subtotal	<u>173</u>	<u>174</u>	
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SCHOOL TOTAL	<u>347</u>		
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DISTRICT TOTAL	<u>706</u>		
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**ADA HARRIS
BOYS GIRLS**

3 Herrman	<u>10</u>	<u>11</u>	21
3 Switzler	<u>13</u>	<u>10</u>	23
			TOT 3 <u>44</u>

4 Green	<u>11</u>	<u>13</u>	24
4 Mihaly	<u>8</u>	<u>15</u>	23
4 Price	<u>11</u>	<u>12</u>	23
4 Trees	<u>8</u>	<u>10</u>	18
			TOT 4 <u>88</u>

5 Cataldo	<u>13</u>	<u>11</u>	24
5 d'Entremont	<u>10</u>	<u>11</u>	21
5 Ensberg	<u>12</u>	<u>12</u>	24
5 Murray	<u>12</u>	<u>12</u>	24
5 Yant	<u>12</u>	<u>9</u>	21
			TOT 5 <u>114</u>

6 Brice	<u>9</u>	<u>10</u>	19
6 Jewell	<u>9</u>	<u>10</u>	19
6 Nguyen	<u>12</u>	<u>10</u>	22
6 Therriault	<u>12</u>	<u>10</u>	22
6 Tiersma	<u>11</u>	<u>10</u>	21
			TOT 6 <u>103</u>

Clune	<u>5</u>	<u>5</u>	TOT <u>10</u>
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Subtotal	<u>178</u>	<u>181</u>	
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SCHOOL TOTAL	<u>359</u>		
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Cardiff School District
Cardiff-by-the-Sea, California 92007

May 10, 2018

ITEM: **APPROVAL OF CARDIFF SCHOOL DISTRICT'S UNIFORM COMPLAINT
QUARTERLY REPORT FOR JANUARY 1, 2018 – MARCH 31, 2018**

BACKGROUND

Governing boards of school districts in California are 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 2017/2018 3rd quarterly report, prepared for the period of January 1, 2018 – March 31, 2018. No complaints have been received for this period.

CURRENT CONSIDERATION

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 Cardiff School District has completed the reporting process for the quarter specified above.

FINANCIAL IMPLICATION

There are no current financial implications at this time.

RECOMMENDATION

It is respectfully recommended that the Board approve the Uniform Complaint Quarterly Report for January 1, 2018 – March 31, 2018.

SDCOE Uniform Complaint Quarterly Reports Database

Williams and Valenzuela Settlements

Quarterly Complaint Summary ADD a new summary record

[Back to Home Menu](#)User ID: 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	0	0	0
Facilities	0	0	0
Teacher Vacancy Management	0	0	0

Submitted By: Title: [Main Menu](#)

CARDIFF SCHOOL DISTRICT
Cardiff-By-the-Sea, California 92007

May 10, 2018

ITEM: **ADOPT RESOLUTION NUMBERS 17-18-10 THROUGH 17-1814 FOR
ROUTINE PAYROLL, ACCOUNTING AND FINANCIAL REPORT
SIGNATURE AUTHORIZATIONS TO THE SAN DIEGO COUNTY
OFFICE OF EDUCATION**

BACKGROUND

Pursuant to various sections of the Education Code, it is necessary that the governing board adopt a series of resolutions prior to the beginning of each fiscal year in order to maintain a current register of persons authorized to act on behalf of the school district.

CURRENT CONSIDERATIONS

Attached are five resolutions:

17-18-10 authorizes Ruth Monahan-Smith and Courtney Jasper to receive district mail from SDCOE and Courtney Jasper or Ruth Monahan-Smith to pick up warrants from SDCOE; also allows San Dieguito Union High School District to pick up payroll warrants;

17-18-11 authorizes Ruth Monahan-Smith or Courtney Jasper to sign the Payroll Payment Order;

17-18-12 authorizes SDCOE to release credential held warrants to employees;

17-18-13 authorizes Courtney Jasper or Jill Vinson to sign Commercial Warrants;

17-18-14 authorizes Courtney Jasper or Jill Vinson to authorize reissue of new payroll and commercial warrants.

FINANCIAL IMPLICATIONS

There are no fiscal implications to the budget.

RECOMMENDATION

It is respectfully recommended that the Board adopt resolutions 17-18-10 through 17-18-14.

Exhibit E

RESOLUTION # 17-18-10
**RESOLUTION DESIGNATING AUTHORIZED AGENT TO RECEIVE MAIL
AND PICK UP WARRANTS AT THE COUNTY OFFICE OF EDUCATION**

Cardiff School District, San Diego County ON MOTION

OF member _____, seconded by member _____

effective July 1, 2018 through June 30, 2019.

IT IS RESOLVED AND ORDERED that:

1. The authorized agent (**one person only**) to receive mail from the Accounting/Payroll Sections is Courtney Jasper.
2. The authorized person(s) or district(s) to pick up warrants from the County Office (other than the mail addressee) are:

Courtney Jasper or Ruth Monahan-Smith or designated employee from San Dieguito Union

High School District who is authorized to pick up payroll for Cardiff School District.

- | | mail | hold | consortium | |
|---------------------------------------|--------------------------|--------------------------|--------------------------|---|
| 3. Check one ☐ | ☐ | ☐ | ☐ | Monthly payroll warrants each and every month. |
| Check one ☐ | ☐ | ☐ | ☐ | Daily/Hourly payroll warrants each and every month. |

IT IS FURTHER RESOLVED that, this motion shall stand and that all additions and deletions shall be submitted in writing to the San Diego County Office of Education.

PASSED AND ADOPTED by said Governing Board on May 10, 2018 by the following vote:
(date)

AYES: _____ MEMBERS

NOES: _____ MEMBERS

ABSENT: _____ MEMBERS

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Secretary/Clerk of the Governing Board

Manual signature(s) of authorized person(s):

Facsimile signature(s), if applicable:
(Rubber Stamp)



RESOLUTION # 17-18-11
PAYMENT ORDER RESOLUTION

Cardiff _____ School District, San Diego County ON MOTION
OF member _____, seconded by member _____
effective July 1, 2018 through June 30, 2019.

IT IS RESOLVED AND ORDERED that, in accordance with the provisions of Section 3100 et seq., Chapter 8, Division 4, Title I of the Government Code (**all districts**), the following person(s) be and is hereby designated to ascertain and certify that each employee of said district has taken the oath of allegiance.

Ruth Monahan-Smith _____ or Courtney Jasper _____

IT IS FURTHER RESOLVED AND ORDERED that, in accordance with the payroll procedure provided in Education Code Section 45310 (**merit system districts only**), no warrant shall be drawn by or on behalf of the governing board of this district for the payment of any salary or wage to any employee in the classified service unless the assignment bears the certification of the following person:

_____, Personnel Director

IT IS FURTHER RESOLVED that this motion shall stand and that all additions and deletions shall be submitted in writing to the San Diego County Office of Education.

PASSED AND ADOPTED by said Governing Board on _____ by the following vote:
(date)

AYES: _____ MEMBERS

NOES: _____ MEMBERS

ABSENT: _____ MEMBERS

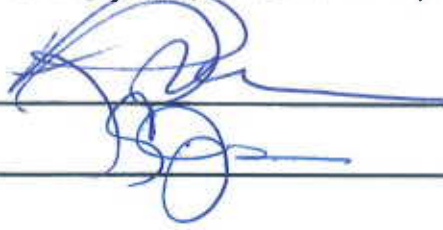
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Secretary/Clerk of the Governing Board

Manual signature(s) of authorized person(s):

Facsimile signature(s), if applicable:
(Rubber Stamp) Gov Code Sec. 5501



RESOLUTION # 17-18-12
RESOLUTION AUTHORIZING THE COUNTY OFFICE OF EDUCATION CREDENTIALS
DEPARTMENT TO RELEASE CREDENTIAL HELD WARRANTS TO EMPLOYEES

Cardiff _____ School District, San Diego County ON MOTION
OF member _____, seconded by member _____
effective July 1, 2018 _____ through June 30, 2019 _____.

IT IS RESOLVED AND ORDERED that, The County Office of Education Credentials Department is authorized to release credentials held warrants to employees who have provided the required credential paper work.

PASSED AND ADOPTED by said Governing Board on May 10, 2018 _____ by the following vote:
(date)

AYES: _____ MEMBERS

NOES: _____ MEMBERS

ABSENT: _____ MEMBERS

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Secretary/Clerk of the Governing Board

RESOLUTION # 17-18-13
RESOLUTION DESIGNATING AUTHORIZED AGENT TO SIGN SCHOOL ORDERS
(COMMERCIAL WARRANTS)

Cardiff School District, San Diego County ON MOTION

OF member _____, seconded by member _____
effective July 1, 2018 through June 30, 2019.

IT IS RESOLVED AND ORDERED that, pursuant to the provisions of Education Code Section 42632 or 85232, Courtney Jasper or Jill Vinson be and is hereby authorized to sign any and all orders in the name of said District, drawn on the funds of said District.

IT IS FURTHER RESOLVED that this motion shall stand and that all additions and deletions shall be submitted in writing to the San Diego County Office of Education.

PASSED AND ADOPTED by said Governing Board on May 10, 2018 by the following vote: _____
(date)

AYES: _____ MEMBERS

NOES: _____ MEMBERS

ABSENT: _____ MEMBERS

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

I, _____, Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Secretary/Clerk of the Governing Board

Manual signature(s) of authorized person(s):

Facsimile signature(s), if applicable:
(Rubber Stamp)

17-18-14

Cardiff **SCHOOL DISTRICT**
RESOLUTION AUTHORIZING THE REPLACEMENT OF WARRANTS

On a motion of Member _____, seconded by Member _____ the following Resolution is adopted:

WHEREAS, during the course of business, this School District issues payroll and commercial warrants for the payments of goods and services received by the District; and
WHEREAS, payroll and commercial warrants are lost, stolen, mutilated, or expire upon occasion; and
WHEREAS, a petition for issuance of a new warrant may be presented by the payee pursuant to Government Code section 29802.

NOW, THEREFORE BE IT RESOLVED by the governing Board of the

Cardiff

School District of San Diego County, California, that the following persons shall be authorized to reissue new payroll and commercial warrants upon presentation of a properly completed petition for issuance of a new warrant if such new warrant does not exceed the amount of the original warrant.

	Manual Signature	Facsimile Signature
Superintendent		_____
Assistant Superintendent, Business Services	_____	_____
Assistant Superintendent, Employer/Employee Relations	_____	_____
Assistant Superintendent, Educational Services	_____	_____
Director of Accounting		_____

PASSED AND ADOPTED by said Governing Board on _____

AYES:

NOES:

ABSENT:

I, _____ Clerk of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Governing Board at a regularly called and conducted meeting held on said date.

Clerk of the Governing Board



Single Plan for Student Achievement

2017 - 2018 Update

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Summary of California English Language Development Test (CELDT)

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4. Action Plan and Recommended Expenditures

6. Equal Access/School Climate

7. Governance

8. Program/Budgets

9. Assurances and Signatures

10. School Site Council Members

11.

A. INTRODUCTION

1. DISTRICT DESCRIPTION:

Although the Cardiff community is part of the City of Encinitas, Cardiff School District is maintained as a separate, self-directed entity. It is one of the smallest districts in the county of San Diego. Together, the two district schools, Cardiff Elementary School and Ada Harris Elementary School, have an enrollment of approximately 705 students. The intimate size of the district fosters unique learning opportunities for our students' educational growth. Parent and community support and involvement are vital factors in shaping a positive atmosphere of collaboration.

Recognizing that young elementary school students and older elementary school students have different social, academic and physical needs, the district has separated the schools by grade level. Cardiff Elementary School has students in grades Kindergarten through third. Ada Harris Elementary School has students in third through sixth grade.

The success of the educational approach in the Cardiff School District is evidenced by our students' outstanding performance on the standardized testing required by the State of California.

2. VISION STATEMENT

Our envisioned future articulates our organizational aspirations in the hearts and minds of our students, parents, staff, and community. We actively promote this vision to engage our stakeholders and maintain our focus on what is essential. We envision:

Lifelong Learners Contributing Citizens Educational Excellence

3. STRATEGIC PLAN SUMMARY

Guiding Principles

Our *Vision* is supported by *Guiding Principles* that help inform our decisions and actions.

In Cardiff Schools...

- We are a community of learners modeling a culture of reflection and continuous improvement
- Students are recognized as individuals, each contributing to the learning community
- Teachers facilitate engagement and passion for lifelong learning, which fosters an environment where all students learn and grow
- Evidence-based performance and evaluation reflect high quality teaching and learning
- We wisely manage financial and physical resources
- The schools, at the heart of the community, cultivate mutually beneficial relationships with all stakeholders
- All stakeholders take pride in the success of our schools and students

Strategic Pillars

Our *Guiding Principles* are supported by *Four Strategic Pillars* that interdependently help actualize our vision.

Pillar 1: Excellence in Student Learning

Pillar 2: Energized Learning Environment

Pillar 3: Active Parent and Community Engagement

Pillar 4: Efficient and Effective Resource Management

Strategic Pillar #1- Excellence in Student Learning

- Promote initiative, engagement and resilience
- Occurs across all areas of campus and across all subject areas
- Is a continuous, cyclical process involving reflection and feedback
- Require high standards for citizenship locally (Cardiff Way) and globally

Strategic Pillar #2- Energized Learning Environment

- Recruitment, training and support of highly qualified employees
- Cohesive, common core-aligned curriculum focused on 21st century skills
- A blended educational environment in which learning is personalized through computer-adaptive technology and inquiry-based projects
- Focus on the whole child, recognizing and celebrating individual skills, talents and differences
- High quality, innovative instruction informed by meaningful and balanced assessment
- Leveled intervention and enrichment strategies support students to fully realize their potential
-

Strategic Pillar #3- Active Parent and Community Engagement

- Strong schools equal a strong community in a symbiotic relationship
- Establish and support collaborative partnerships
- Involved, active and supportive parent participation
- Open, regular communication between home and school
- Positive messaging to the community

Strategic Pillar #4- Efficient and Effective Resource Management

- Fiscal Stability
 - Smart spending
 - Maximize funding opportunities
 - Conservative and strategic fiscal planning
- Physical Resources
 - Balance with community use
 - Maintain safe and modern infrastructures that are conducive to learning
 - Flexible towards future needs and individual needs
 - Think long term
 - Efficient use of resources
 - Identification of waste and potential improvements
 - Recognize the importance of the safe and efficient multimodal transport to school

- Human Resources
 - Continuous and relevant staff development
 - Conditions and benefits that promote a highly motivated and qualified staff

B. DISTRICT DEMOGRAPHICS

Enrollment (as of 1st Weds of October)	Cardiff				Ada Harris			
Year	14-15	15-16	16-17	17-18	14-15	15-16	16-17	17-18
Total Enrollment	361	376	337	346	370	354	367	357
English Language Learners	31	26	26	26	32	30	35	25
Economically Disadvantaged	40	36	37	56	44	47	45	72

	Year	Asian	Hispanic	Black	Filipino & Pacific Islander	American Indian	White	Two or More	Other	Intentionally Left Blank
Cardiff School	13-14	6	77	0	1	0	250	27	0	0
	14-15	2	70	1	0	0	268	35	0	0
	15-16	2	64	1	0	0	240	25	0	5
	17-18	2	55	2	1	0	245	28	0	13
Ada Harris	13-14	7	62	0	2	0	282	17	0	0
	14-15	3	66	0	0	0	264	21	0	0
	15-16	5	68	0	0	0	273	21	0	0
	17-18	5	75	0	0	0	255	20	0	2

Ethnicity (as of 1st Weds of October of that school year)

C. STANDARDS AND ASSESSMENTS

1. SUMMARY OF ASSESSMENTS:

On-going assessment is a critical piece of the instructional program in the Cardiff School District. Assessment results are used to determine student achievement and progress toward mastery of district standards. Assessments are continually reviewed and updated as appropriate and necessary. Assessment results are shared with parents on student report cards and at parent conferences. CAASSP and CELDT results are provided directly to parents. Students who are not meeting district standards are offered additional academic assistance in their area of need. The following are descriptions of some of the formal assessments administered at Cardiff and/or Ada Harris School:

District Writing Sample: A teacher-directed writing sample with a specified prompt for each grade level. It is given twice annually in the Fall and Spring. A copy of the writing sample is kept in the student's cum folder.

Performance-Based Reading Assessment: Also known as a "Running Record," students read a grade-level appropriate book and retell details to demonstrate comprehension. Accuracy Level is scored by a percentage of correctly decoded words; Reading Fluency Level and Comprehension Level are scored on a scale from 1 to 3. This assessment is used in the primary grades.

Standards-Based Math Assessments: Tests that determine student progress relative to District Math Standards given at each trimester.

Standards-Based Reading Assessments: Tests that determine student progress relative to District Language Arts Standards given at each trimester.

California English Language Development Test (CELDT): A standardized test given annually to English Language learners to determine their English language proficiency level. Students are scored at one of five proficiency levels, from Beginning to Advanced. ELD instruction is based on a student's CELDT level. This test has been replaced with the ELPAC, so no CELDT scores will be reported this year.

California Assessment of Student Performance and Progress (CAASPP): A California standards-based test given to all students in grades 3-12 in the areas of English Language Arts and Mathematics

California Standards Test (CST): A state-mandated test in Science given to students in grade 5. Students are scored at one of five proficiency levels, from Far Below Basic to Advanced. This statewide assessment is given annually in May.

PE Assessment: A state-mandated performance-based test given to all fifth graders.

DIBELS: A nationally normed test that measures reading proficiency given to all students three times a year. Students that score below benchmarks are progress monitored with the DIBELS test monthly.

DIBELS Math: A nationally normed test that measures math proficiency given to all students three times a year. Students that score below benchmarks are progress monitored with the DIBELS test monthly.

2. SUMMARY OF CALIFORNIA ASSESSMENT RESULTS:

CAASPP (California Assessment of Student Performance and Progress)

TOTAL STUDENT POPULATION

ENGLISH LANGUAGE ARTS	Spring 2016				Spring 2017			
	3rd	3rd	3rd	3rd	3rd	4th	5th	6th
Number of Students	108	108	110	78	80	110	109	106
Standard Exceeded	34%	45%	50%	37%	41%	50%	41%	43%
Standard Met	22%	26%	28%	40%	30%	14%	36%	34%
Standard Nearly Met	29%	18%	11%	19%	18%	26%	16%	17%
Standard Not Met	11%	11%	11%	4%	11%	15%	7%	6%

TOTAL STUDENT POPULATION

MATH	Spring 2016				Spring 2017			
	3rd	3rd	3rd	3rd	3rd	4th	5th	6th
Number of Students	109	108	110	78	80	110	109	106
Standard Exceeded	40%	32%	52%	36%	48%	35%	47%	56%
Standard Met	36%	34%	23%	31%	35%	37%	26%	15%
Standard Nearly Met	17%	28%	15%	21%	10%	25%	21%	20%
Standard Not Met	7%	6%	10%	13%	8%	8%	6%	9%

HISPANIC OR LATINO STUDENTS

ENGLISH LANGUAGE ARTS	Spring 2016				Spring 2017			
	3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students	24	18	17	14	17	24	20	15
Standard Exceeded	29%	28%	18%	14%	24%	33%	25%	20%
Standard Met	25%	17%	6%	36%	24%	8%	30%	53%
Standard Nearly Met	25%	28%	29%	43%	18%	33%	25%	0%
Standard Not Met	21%	28%	47%	7%	35%	25%	20%	27%

HISPANIC OR LATINO STUDENTS

MATH	Spring 2016				Spring 2017			
	3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students	24	18	17	14	17	24	20	15
Standard Exceeded	33%	22%	18%	14%	24%	25%	25%	20%
Standard Met	29%	22%	12%	21%	29%	21%	20%	7%
Standard Nearly Met	25%	33%	24%	21%	24%	38%	30%	33%
Standard Not Met	13%	22%	47%	43%	24%	17%	25%	40%

WHITE STUDENTS

ENGLISH LANGUAGE ARTS	Spring 2016				Spring 2017			
	3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students	76	84	94	55	58	76	83	87
Standard Exceeded	38%	50%	55%	40%	48%	54%	46%	46%
Standard Met	19%	25%	33%	45%	33%	12%	37%	41%
Standard Nearly Met	31%	17%	8%	11%	14%	21%	12%	11%
Standard Not Met	13%	8%	4%	4%	5%	13%	5%	1%

		WHITE STUDENTS							
		Spring 2016				Spring 2017			
MATH		3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students		76	84	94	55	58	76	83	87
Standard Exceeded		42%	36%	57%	40%	53%	29%	51%	61%
Standard Met		37%	35%	26%	33%	38%	42%	28%	17%
Standard Nearly Met		15%	27%	13%	20%	5%	22%	19%	17%
Standard Not Met		5%	2%	3%	7%	3%	7%	2%	5%

ENGLISH LANGUAGE LEARNERS*

ENGLISH LANGUAGE ARTS	Spring 2016	Spring 2017
	Grades 3-6	Grades 3-6
Number of Students	30	25
Standard Exceeded	3%	0%
Standard Met	17%	12%
Standard Nearly Met	43%	35%
Standard Not Met	37%	56%

ENGLISH LANGUAGE LEARNERS*

MATH	Spring 2016	Spring 2017
	Grades 3-6	Grades 3-6
Number of Students	30	25
Standard Exceeded	3%	4%
Standard Met	17%	4%
Standard Nearly Met	40%	40%
Standard Not Met	40%	52%

ECONOMICALLY DISADVANTAGED STUDENTS

ENGLISH LANGUAGE ARTS	Spring 2016				Spring 2017			
	3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students	16	18	16	11	11	17	19	*
Standard Exceeded	19%	33%	13%	9%	9%	18%	16%	*
Standard Met	25%	6%	25%	45%	18%	6%	32%	*
Standard Nearly Met	25%	39%	25%	45%	9%	47%	16%	*
Standard Not Met	31%	22%	38%	0%	63%	29%	26%	*

ECONOMICALLY DISADVANTAGED STUDENTS

MATH	Spring 2016				Spring 2017			
	3rd	4th	5th	6th	3rd	4th	5th	6th
Number of Students	16	18	16	11	11	17	9	*
Standard Exceeded	19%	11%	6%	9%	9%	12%	16%	*
Standard Met	31%	28%	13%	36%	18%	12%	21%	*
Standard Nearly Met	31%	39%	38%	18%	36%	53%	37%	*
Standard Not Met	19%	22%	44%	36%	36%	24%	26%	*

D. IMPROVEMENT PRIORITIES

1. GOALS FOR IMPROVING STUDENT PERFORMANCE

Planned Improvements in Student Performance

The school site council has analyzed the academic performance of all student groups and has considered the effectiveness of key elements of instructional support programs. As a result, it has adopted the following goals, related actions, and expenditures to raise the academic performance of student groups not meeting state standards:

DISTRICT GOAL #1: Any increase in student scores on the California Assessment of Student Performance and Progress (CAASPP) in English Language Arts for All Students and increase by 10% for English Learners.				
Student groups and grade levels to participate in this goal: All students grades 3-6		Anticipated annual performance growth for each group: Any increase for All Students and 10% for English Learners		
Means of evaluating progress toward this goal: Student achievement data in instructional support programs (DIBELS, Benchmark Assessments, Interim Assessments)		Group data to be collected to measure academic gains: CAASSP testing data for the 2017-18 school year		
Actions to be Taken to Reach This Goal	Start Date Completion Date	Proposed Expenditures	Estimated Cost	Funding Sources
- Implementation of the following instructional support programs (see appendix for program descriptors): - Learning Lab, RAD - Reading Lab - Classroom Instructional Aides	September-May	Salaries and benefits for instructors	\$349,922	General Fund

DISTRICT GOAL #2: Any increase in student scores on the California Assessment of Student Performance and Progress (CAASPP) in Math for All Students and increase by 10% for English Learners.				
Student groups and grade levels to participate in this goal: All students grades 3-6		Anticipated annual performance growth for each group: Any increase for All Students and 10% for English Learners		
Means of evaluating progress toward this goal: Student achievement data in instructional support programs		Group data to be collected to measure academic gains: CAASSP testing data for the 2017-18 school year		
Actions to be Taken to Reach This Goal	Start Date Completion Date	Proposed Expenditures	Estimated Cost	Funding Sources
- Implementation of the following instructional support programs (see appendix for program descriptors): - Learning Lab - Math Intervention - Classroom Instructional Aides	November-May	Salaries and benefits for instructors	\$349,922	General Fund

2. ACTION PLAN AND RECOMMENDED EXPENDITURES

Support for Planned Improvements in Student Performance

The school site council has analyzed the planned program improvements and supports the following academic programs and related expenditures to raise the academic performance of all student groups:

INSTRUCTIONAL SUPPORT PROGRAMS

RAD PROGRAM: (All students grades 1-3) Small-group, guided process reading instruction at each student's ability level. Instruction takes place within the classroom three days a week for 30 minutes by three trained paraprofessionals and the classroom teacher.

LEARNING LAB: (At-risk students grade K-3 at Cardiff School) Small group reading and math intervention. Instruction is delivered as a pull-out on a regular schedule by a certificated teacher and paraprofessionals under the direction of the certificated teacher.

READING LAB: (At-risk students grades 3-6) Small group intensive reading intervention at the students' instructional reading level. The program consists of daily pull-out for 45 minutes as well as some push-in support. Instruction is delivered by a certificated teacher and by paraprofessionals under the direction of the certificated teacher.

ELD PROGRAM: (English Learner students grade K-6) Small group English language support delivered under the supervision of a credentialed teacher on a pull-out or push-in basis.

INSTRUCTIONAL AIDES: (All Students K-6) Instructional aides provide instructional support to students within the classroom an average of at least 90% of their funded time. They utilize small group participation and individual teaching in the core curriculum areas at the direction of the classroom teacher. Each classroom is currently allocated four hours per week.

E. EQUAL ACCESS / SCHOOL CLIMATE

All students have equitable access to, and the opportunity to participate in and benefit from, high-quality curricular activities. Students and employees are not, on the basis of gender, excluded from participation in, denied the benefits of, or subjected to harassment or other forms of discrimination in any program or activity.

F. GOVERNANCE

The School Site Council will review the Single Plan for Student Achievement and establish new goals annually and, if necessary, make other modifications in the plan to reflect changing needs and priorities. The Single Plan for Student Achievement will be recommended by the Site Council and approved the Board of Trustees.

G. PROGRAMS/BUDGET

Programs Included in this Plan

Check the box for each state and federal categorical program in which the school participates and, if applicable, enter amounts allocated.

State Programs	Allocation
Economic Impact Aid/ English Learner Program <u>Purpose:</u> Develop fluency in English and academic proficiency of English learners	0

Federal Programs under No Child Left Behind (NCLB)	Allocation
Title I, Part A: Targeted Assistance Program <u>Purpose:</u> Help educationally disadvantaged students in eligible schools achieve grade level proficiency	0
X Title II, Part A: Teacher and Principal Training and Recruiting <u>Purpose:</u> Improve and increase the number of highly qualified teachers and principals	\$13,669
Title III, Part A: Language Instruction for Limited-English-Proficient (LEP) Students <u>Purpose:</u> Supplement language instruction to help limited-English-proficient (LEP) students attain English proficiency and meet academic performance standards	0
Title III, Part B: Immigrant <u>Purpose:</u> Support learning environments that promote academic achievement for English-learners.	0

H. ASSURANCES AND SIGNATURES

Recommendations and Assurances

The school site council recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

1. The school site council is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The school site council reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the school plan requiring board approval.
3. The school site council sought and considered all recommendations from the following groups or committees before adopting this plan:

 X English Learner Advisory Committee

4. The school site council reviewed the content requirements for school programs included in this *Single Plan for Student Achievement* and believes all such content requirements have been met.
5. This school plan is based on analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This school plan was adopted by the school site council at a public meeting on:
Attested:

Printed name of school principal

Signature of school principal

Date

Printed name of SSC chairperson

Signature of SSC chairperson

Date

I. SCHOOL SITE COUNCIL MEMBERS

Members of the School Site Council 2017 - 2018

<u>SCHOOL STAFF</u>	<u>PARENTS</u>
<i>Principals:</i> Julie Parker Janelle Scheftner	Kirsten Hansen David Painter Noelle Smiley
<i>Teachers:</i> Susie Murray Christa Stone	
<i>Support Staff:</i> Anne Neal	

Measure GG Independent Citizens Oversight Committee

2017 Annual Report

April 19, 2018

Cardiff School District

1888 Montgomery Ave.
Cardiff by the Sea, CA 92007

760-632-5890

www.cardiffschools.com



Dear Community Members,

The Independent Citizens Oversight Committee (ICOC) of the Cardiff School District is pleased to present our first annual report. The 2017 Annual report covers activity for the period ending December 31, 2017.

The ICOC was formed for the purpose of actively reviewing and reporting on the expenditure of Measure GG bond proceeds.

Building on the commitment from the voters in 2016, the District has issued \$14 million in general obligation bonds and has expended \$230,554.25 on projects through December 31, 2017.

The ICOC wishes to thank the District staff and project management team for their support, their detailed updates, and transparency of information, not only to the Committee, but also to the public.

We welcome your questions and comments. You will find ICOC members' e-mail addresses within this report.

For more information about Measure GG and the ICOC, please visit the www.cardiffschools.com/MeasureGG web page.

Sincerely,

Rhea A. Stewart

President,

Cardiff School District Independent Citizens Oversight Committee

April 19, 2018

INTRODUCTION

Measure GG is a \$22 million bond initiative approved by 65.94% of District voters in November, 2016. The abbreviated form of the Measure GG Bond Measure stated that Measure GG is to "To improve the quality of education with local funding that cannot be taken by the State; modernize/construct classrooms, restrooms and school facilities; repair/replace roofs; renovate deteriorating plumbing and sewer systems; upgrade inadequate electrical systems; make health, safety, and energy efficiency improvements; and replace portables with permanent classrooms." See "Full Text of Measure" in **Exhibit A**.

Measure GG was passed under the rules of California Proposition 39 (passed in November 2000). California Assembly Bill 1908 (executed July 2000) required school districts that passed Proposition 39 bonds appoint an Independent Citizens Oversight Committee (ICOC) "to assure that funds are spent only on school and classroom improvements and for no other purposes." The purpose of the ICOC is "to inform the public concerning the expenditure of bond revenues."

For additional information about the ICOC and Measure GG projects, visit the www.cardiffschools.com/ICOC web page and the www.cardiffschools.com/MeasureGG web page.

The projects mentioned in this annual report, including the Performance Audit, Project Status, Master Plans, and ICOC actions can be found at the www.cardiffschools.com/ICOC web page.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE (ICOC)

Members of the ICOC listed below were appointed by the District's Board of Trustees on February 6, 2017 for terms that end in February 2019. ICOC members are appointed for a term of two years, and may be appointment serve two additional terms. ICOC officers were elected at the March 20, 2017 meeting.

Name	Affiliation	Email Address
Christine Bruington	Active Member of Senior Citizens Organization	chris.bruington@cardiffschools.com
Joyce Crosthwaite	Community at Large	joyce.crosthwaite@cardiffschools.com
Chris Fowler	Active Member of a Business Organization	chris.fowler@cardiffschools.com
Bill Moser	Community at Large	bill.moser@cardiffschools.com
Chuck Nichols	Active Member of Senior Citizens Organization	chuck.nichols@cardiffschools.com
Jenny Pieratt	Active Member of a Parent-Teacher Organization	jenny.pieratt@cardiffschools.com
Dave Smiley	Parent of District Student	dave.smiley@cardiffschools.com
Rhea Stewart	Community at Large	rhea.stewart@cardiffschools.com
Adam Sweet	Active Member of a Parent Teacher Organization	adam.sweet@cardiffschools.com
Kenneth Williams	San Diego Taxpayers Association	ken.williams@cardiffschools.com

TIMELINE FOR MEASURE GG

The following dates and actions are significant to Measure GG and the ICOC.

Spring 2016: A series of Facilities Focus Group meetings were conducted on May 3, May 9, and May 23, 2016. Community members, staff, business leaders, parents, and other community stakeholders met to discuss ideas about District facilities needs. The District also approved a formal telephone poll to registered Cardiff voters, to gauge support for the issue from the greater Cardiff community, and initiated an online survey to solicit input from the families of currently registered students.

May-June 2016: Phone polling was conducted to understand Cardiff voters' opinions of the proposed measure language. The results of the polling were presented to the Governing Board.

July 7, 2016: The Cardiff Elementary School District approved revised resolution 15-16-18, authorizing Measure GG.

September 8, 2016: San Diego Taxpayers Association endorses Measure GG.

November 8, 2016: Cardiff voters approve Measure GG by a 65.94% vote.

February 6, 2017: The Board votes to appoint 10 members to the Independent Citizens' Oversight Committee.

February 13, 2017: Governing Board members approve a contract for bond program management with Randy Peterson, FAIA, of Peterson Consulting.

March 9, 2017: The Cardiff School District sells Series A bonds, in the amount of \$14,000,000, at a rate of 3.8%.

March 24, 2017: The District's Bond Implementation Team (BIT) holds its first meeting.

June 8, 2017: The Board approves the selection of Studio E Architects as the firm to design new school buildings.

Summer 2017: Community workshops were held on June 13, 2017 and August 30, 2017, to gather input on the Cardiff School design and receive updates on progress of the program.

September 14, 2017: The Board approves the selection of McCarthy Building Companies as the general contractor for the program, and selects the lease-

lease back delivery method.

November 16, 2017: A Board workshop was held to gather input on the Cardiff School design and receive updates on progress of the program.

At the ICOC meeting on March 15, 2018, the Committee received and reviewed the 2016-17 Measure GG Annual Audit report, and asked questions of the Independent Auditor's representative. On the basis of this review, the ICOC concurred with the Independent Auditor's conclusion of no findings of noncompliance and that the District complied with the requirements of Article 13A, Section 1(b)(3) of the California Constitution as it pertains to Measure GG.

ICOC AUDIT REVIEW

California Senate Bill 581 (SB 581), signed August 12, 2013, requires that independent performance and financial audits for the preceding year be conducted and submitted to the citizens oversight committee no later than March 31 of each year for its review. SB 581 also requires that the District provide the ICOC with responses, within three months, to any finding, recommendation, or concern addressed in the annual independent performance and financial audits.

The ICOC held a meeting on March 15, 2018, to receive and review the 2016-17 Measure GG Annual Audit report and ask questions of the Independent Auditor's representative. On the basis of this review the ICOC concurred with the Independent Auditor's conclusion of no findings of noncompliance and that the District complied with the requirements of Article 13A, Section 1(b)(3) of the California Constitution as it pertains to Measure GG.

MEASURE GG DELIVERY METHOD

The school district chose the **lease-leaseback** method of delivery on September 14, 2017. The following describes this method.

The District engages an architect and a construction manager (General Contractor) through a competitive proposal process. The architect drafts plans and specifications in cooperation with the District and the construction manager. The District then leases the construction site to the construction manager who then leases the site back to the district for a guaranteed maximum price that represents the cost of construction.

MEASURE GG 2017 EXPENDITURES

The following shows Measure GG expenses from January-December, 2017.

MEASURE GG EXPENSES Jan - Dec 2017		
3/27/17	Randy Peterson: Bond Program Manager Services	\$11,333.00
4/6/17	Architect RFP: Daily Journal	\$3.87
4/21/17	B B & K: Attorney Fees	\$914.40
4/21/17	Randy Peterson: Bond Program Manager Services	\$11,333.00
5/8/17	B B & K: Attorney Fees	\$431.80
6/8/17	B B & K: Attorney Fees	\$3,200.40
6/19/17	Randy Peterson: Bond Program Manager Services	\$22,666.00
6/21/17	Randy Peterson: Bond Program Manager Services	\$11,544.28
6/30/17	Measure GG Ballot Fees	\$9,643.00
7/12/17	General Contractor RFP: Daily Journal	\$ 4.65
8/2/17	B B & K: Attorney Fees	\$ 1,778.00
8/14/17	School Facilites Consultants	\$ 3,478.75
8/26/17	B B & K: Attorney Fees	\$ 310.80
9/7/17	Studio E Architect	\$ 20,734.72
9/11/17	Randy Peterson: Bond Program Manager Services	\$ 11,333.00
9/11/17	Randy Peterson: Bond Program Manager Services	\$ 11,333.00
9/25/17	Placeworks	\$ 5,527.61
9/25/17	Studio E Architect	\$ 20,218.02
9/26/17	First American Title	\$ 750.00
9/26/17	First American Title	\$ 750.00
10/3/17	School Facilites Consultants	\$ 67.50
10/9/17	B B & K: Attorney Fees	\$ 2,460.50
10/12/17	B B & K: Attorney Fees	\$ 2,823.10
10/23/17	Placeworks	\$ 8,736.25
10/25/17	Land Survey, Inc.	\$ 8,880.00
10/25/17	Randy Peterson: Bond Program Manager Services	\$ 22,848.00
10/26/17	School Facilites Consultants	\$ 303.75
11/16/17	B B & K: Attorney Fees	\$ 958.30
12/5/17	Placeworks	\$ 5,956.25
12/7/17	Land Survey, Inc.	\$ 12,120.00
12/11/17	B B & K: Attorney Fees	\$ 1,346.80
12/12/17	Randy Peterson: Bond Program Manager Services	\$ 11,333.00
12/19/17	Placeworks	\$ 5,432.50
		\$230,554.25

ICOC ACTIVITIES IN 2017

For meeting agendas and minutes, please visit the www.cardiffschools.com/ICOC web page.

The first meeting of the ICOC was held on **March 30, 2017**, at the Cardiff School Auditorium. The ICOC elected the following officers: Rhea Stewart, President; Bill Moser, Secretary; and David Smiley as Board Representative. The Committee reviewed proposed bylaws, and sent adjustments to the Board for approval. The ICOC established meeting dates for 2017 and heard presentations from Superintendent Jill Vinson and Bond Program Manager Randy Peterson.

The ICOC met on **June 23, 2017** at the Cardiff School Auditorium. The Committee received Board-revised Independent Citizens Oversight Committee bylaws, as well as dates for 2017 Board meetings and community meetings. Presentations were given by Superintendent Jill Vinson and Bond Program Manager Randy Peterson. Information channels were discussed among the Committee.

At the **September 21, 2017** meeting, held at the Cardiff School Auditorium, Courtney Jasper, Director of Fiscal Services, reviewed quarterly expenses and answered questions. Bond Program Manager Randy Peterson reported on Board action and announced the lease-lease back contract signing with McCarthy Building Companies. In her presentation, Superintendent Jill Vinson announced that the Cardiff School District received a perfect score on the San Diego Taxpayers Educational Foundation Bond Transparency Report.

At the **December 7, 2017** meeting, held at the Cardiff School Auditorium, the Committee heard public comment, received an update on the program from Bond Program Manager Randy Peterson, and reviewed a quarterly expense report provided by Director of Fiscal Services Courtney Jasper. The Committee appointed a subcommittee to draft the 2017 annual report. Meeting dates for 2018 were discussed and approved. The ICOC was scheduled to have a presentation on the audit report on March 15, 2018.

Exhibit A

MEASURE GG BALLOT MEASURE

The Cardiff School District Measure GG Ballot Measure follows. The Measure GG ballot measure can also be found at www.cardiffschools.com/MeasureGG.

EXHIBIT A

BALLOT MEASURE FULL TEXT OF MEASURE

This proposition may be known and referred to as the Cardiff School District General Obligation Bond of 2016, or Measure GG.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Cardiff School District (the "District") shall be authorized to issue and sell bonds of up to \$22 million in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the District's voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the power to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Trustees enters the election results on its minutes.

Annual Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual

financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent or the Chief Business Official of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31 of the year in which bonds are first issued, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the County of San Diego, or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Trustees shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

BOND PROJECT LIST

The Bond Project List below describes the specific projects the Cardiff School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at each school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Trustees cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some

projects may be subject to further government approvals or appropriation by State officials and boards, to local environmental review, and to input from the public.

Projects for Cardiff School include:

- Replace outdated roofs.
- Renovate or replace existing deteriorating plumbing, drainage, and sewer systems.
- Upgrade inadequate electrical systems including power and low voltage to meet current electrical and accessibility codes, increase capacity, and relieve overloaded systems.
- Improve energy efficiency by replacing old and energy inefficient heating, ventilation, and air conditioning (HVAC) systems, windows, and lighting systems; also, install cost-effective systems including “green” building projects and sustainable building practices to promote energy-efficiency (e.g., Energy Management Systems (EMS), solar, electrical, etc.).
- Replace aging temporary portable classrooms with new classrooms.
- Replace outdated classrooms that are now between 55-65 years old with new classrooms
- Construct new restrooms.
- Construct a new multipurpose room and warming kitchen to replace the current 55 year old building.
- Make health, safety, and security improvements, such as improve student drop-off and pick-up areas, upgrade campus fencing, and renovate/retrofit the “brick building”.
- Replace or upgrade fire alarm systems, fire safety equipment, and emergency exit lighting improvements.
- Replace campus wide intercom and telecommunication systems, clocks, and upgrade wireless systems and internet/network connections.
- Improve handicapped accessibility by making Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades and as mandated by the Division of the State Architect (DSA) including site access, parking, restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment, etc.
- Upgrade, renovate and improve library/computer lab, art/science lab, and school office building to be integrated with the newly constructed school facilities.
- Upgrade and improve playgrounds and playfields for school and community use; preserve existing mature trees and other landscaping where possible.
- Resurface, repair, and/or replace paved surfaces, play court areas, turf, and other grounds to eliminate safety hazards and improve outside instructional areas.

Projects for Ada Harris School include:

- Improve energy efficiency by replacing old and energy inefficient heating, ventilation, and air conditioning (HVAC) systems and lighting systems; also, install cost-effective systems including “green” building projects and sustainable building practices to promote energy-efficiency (e.g., Energy Management Systems (EMS), solar, electrical, etc.).
- Replace aging temporary portable classrooms.
- Replace or upgrade fire alarm systems, fire safety equipment, and emergency exit lighting improvements.
- Replace campus wide intercom and telecommunication systems, clocks, and upgrade wireless systems and internet/network connections.

Miscellaneous District-wide Projects

- Abate and remove hazardous materials identified prior or during construction.
- Address unforeseen conditions revealed by construction/modernization (such as water, sewage or gas line breaks, dry rot, seismic, structural, etc.).
- Other site improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act.
- Necessary preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, preserving, or installing irrigation, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under leases for any of these authorized facilities.
- All work necessary and incidental to specific projects described above, including demolition of existing structures.

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the list

also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the list; installation of signage and fencing; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Proceeds of the bonds may be used to pay or reimburse the District for the costs of issuing the bonds. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

BALLOT MEASURE
(ABBREVIATED FORM)

“To improve the quality of education with local funding that cannot be taken by the State; modernize/construct classrooms, restrooms and school facilities; repair/replace roofs; renovate deteriorating plumbing and sewer systems; upgrade inadequate electrical systems; make health, safety, and energy efficiency improvements; and replace portables with permanent classrooms; shall Cardiff Elementary School District issue \$22 million of bonds at legal interest rates, have an independent citizens’ oversight committee, and have NO money used for administrative or teacher salaries?”

Exhibit B

2016-17 AUDIT REPORT

The Cardiff School District Measure GG Building Fund General Obligation Bonds Audit Report, dated June 30, 2017, follows. It can also be found on the www.cardiffschools.com/MeasureGG web page.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG
BUILDING FUND (21)
GENERAL OBLIGATION BONDS
FINANCIAL STATEMENTS AND
SUPPLEMENTAL INFORMATION
YEAR ENDED JUNE 30, 2017

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS
Financial Statements and Supplemental Information
Year Ended June 30, 2017

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Introduction

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS

Introduction and Citizens' Oversight Committee Member Listing

On November 8, 2016 the Cardiff School District was successful in obtaining authorization from District voters to issue up to \$22,000,000 in General Obligations Bonds pursuant to a 55% vote. The General Obligation Bonds are considered Proposition 39 bonds. The passage of Proposition 39 in November 2000 amended the California Constitution to include accountability measures. Specifically, the District must conduct an annual, independent performance audit to ensure that funds have been expended only on the specific projects listed as well as an annual independent financial audit of the proceeds from the sale of the bonds until all of the proceeds have been expended.

Upon passage of Proposition 39, an accompanying piece of legislation, AB 1908 was also enacted, which amended the Education Code to establish additional procedures which must be followed if a District seeks approval of a bond measure pursuant to the 55% majority authorized in Proposition 39 including formation, composition and purpose of the Citizens' Bond Oversight Committee, and authorization for injunctive relief against improper expenditure of bond revenues.

The Bonds may be issued under the provisions of the California Education Code (starting at Section 15100), under the provisions of the California Government Code (starting at Section 53506), or under any other provision of law authorizing the issuance of general obligation bonds by school districts. The Bonds may be issued in series by the District from time to time, and each series of Bonds shall mature within the legal limitations set forth in the applicable law under which the Bonds are issued.

The Cardiff School District Measure GG Citizens' Oversight Committee as of June 30, 2017 was comprised of the following members:

Name	Position
Christine Bruington	Active Member of Senior Citizens Organization
Joyce Crosthwaite	Community at Large
Chris Fowler	Active Member of a Business Organization
Bill Moser	Community at Large
Chuck Nichols	Active Member of Senior Citizens Organization
Jenny Pieratt	Active Member of a Parent Teacher Organization
Dave Smiley	Parent of District Student
Rhea Stewart	Community at Large
Adam Sweet	Active Member of Parent Teacher Organization
Kenneth Williams	San Diego Taxpayers Association

Independent Auditor's Report

**Governing Board Members and
Citizens' Oversight Committee
Cardiff School District
Cardiff-By-The-Sea, California**

Report on the Financial Statements

We have audited the accompanying financial statements of Proposition 39 Measure GG building Fund (21) of Cardiff School District, which comprise the balance sheet as of June 30, 2017, and the related statement of revenues, expenditures, and changes in fund balance for the year then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Emphasis of Matter

Scope of Opinion

As discussed in Note B, the financial statements present only the Building Fund (21) which is specific to Proposition 39 Measure GG and is not intended to present fairly the financial position and results of operations of Cardiff School District in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Proposition 39 Measure GG Building Fund (21) of Cardiff School District as of June 30, 2017, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Other Information

The Management's Discussion and Analysis has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying supplementary information, as required by the *2016-17 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, prescribed in Title 5, *California Code of Regulations*, section 19810 is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated March 1, 2018, on our consideration of Cardiff School District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Cardiff School District's internal control over financial reporting and compliance.

Report on Other Legal and Regulatory Requirements

In accordance with the requirements of Proposition 39, as incorporated in California Constitution Article 13A, we have also issued our performance audit report dated March 1, 2018 on our consideration of the District's compliance with the requirements of Proposition 39 with regards to the Proposition 39 Measure GG Building Fund (21). That report is an integral part of our audit of the District's Proposition 39 Measure GG Building Fund (21) for the fiscal year ended June 30, 2017 and should be considered in assessing the results of our financial audit.

Wilkinson Hadley King & Co. LLP

El Cajon, California

March 1, 2018

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS
Management's Discussion and Analysis
For the Fiscal Year Ended June 30, 2017
(Unaudited)

This section of Cardiff School District's Proposition 39 Measure GG Building Fund (21) annual financial and performance report presents our discussion and analysis of the Measure GG bond program during the fiscal year that ended on June 30, 2017. Please read it in conjunction with the District's Measure GG bond financial statements and performance audit, which immediately follow this section.

FINANCIAL HIGHLIGHTS

- The fund balance for the Measure GG Building Fund (21) amounted to \$13,810,475 as of June 30, 2017.
- Revenues were \$51,545 and other financing sources were \$14,201,615 during the year ended June 30, 2017.
- Expenditures were \$442,685.

OVERVIEW OF THE FINANCIAL STATEMENTS

This annual report consists of three parts – management discussion and analysis (this section), the Measure GG Bond Building Fund financial statements, and the performance audit required by state law.

The District accounts for Measure GG bond activity in the District's Building Fund. The Building Fund is a governmental fund type accounted for on a modified accrual basis of accounting that does not include fixed assets nor long-term liabilities.

FINANCIAL ANALYSIS OF THE MEASURE GG BOND BUILDING FUND

Balance Sheet: The District's Measure GG Bond Building Fund balance as of June 30, 2017 was \$13,810,475 (see Table A-1). The \$13,778,925 in cash and cash equivalents represent cash held in an investment pool for purposes associated only with the bond authorization approved by the voters. It has been determined that Measure GG funds cannot be used for Routine Restricted Maintenance expenditures in the General Fund.

Table A-1

	2017
Cash and cash equivalents	\$ 13,778,925
Accounts receivable	41,193
Total Assets	<u>13,820,118</u>
Due to other funds	<u>9,643</u>
Total Liabilities	<u>9,643</u>
Total Fund Balance*	<u><u>\$ 13,810,475</u></u>

*Fund balance is restricted for capital projects.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS
Management's Discussion and Analysis (Continued)
For the Fiscal Year Ended June 30, 2017
(Unaudited)

Fund Balance (or Changes in Fund Balance): The interest income reported represents funds earned on the cash held by the county treasurer. The total expenditures of \$442,685 represents only Measure GG authorized expenditures.

	<u>2017</u>
Revenues	
Interest income	\$ 51,545
Total Revenues	<u>51,545</u>
Expenditures	
Professional and consulting services	61,423
Bond issuance costs	371,615
Miscellaneous fees	9,647
Total Expenditures	<u>442,685</u>
Excess deficiency of revenue over (under) expenditures	<u>(391,140)</u>
Other Financing Sources (Uses)	
Proceeds from sale of bonds	14,000,000
Other sources	201,615
Total Other Financing Sources (Uses)	<u>14,201,615</u>
Net Change in Fund Balance	13,810,475
Fund Balance, Beginning of Year	<u>-</u>
Fund Balance, End of Year	<u>\$ 13,810,475</u>

Long-Term Debt Comparison: At the end of the year, Cardiff School District had \$14,435,053 in long-term debt outstanding related to General Obligation Bonds.

	<u>2017</u>
General Obligation Bonds Payable	
Due within one year	\$ -
Due in more than one year	14,435,053
Total General Obligation Bonds Payable	<u>\$ 14,435,053</u>

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS
Management's Discussion and Analysis (Continued)
For the Fiscal Year Ended June 30, 2017
(Unaudited)

MEASURE GG BOND BUILDING FUND BUDGETARY HIGHLIGHTS

Proposition 39 Measure GG is accounted for in the Building Fund of the District. The District's initial budget is adopted by July 1. Over the course of the year, the District's budget is revised several times to reflect changes in funding and expenditures.

FACTORS BEARING ON THE DISTRICT'S FUTURE

At the time these financial statements were prepared and audited, the District was aware of the existing circumstances that could affect its financial health in the future:

- Possible increases in building costs during construction

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, and investors and creditors with a general overview of the District's Measure GG bond finances and to demonstrate the District's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact Courtney Jasper, Director of Fiscal Services, Cardiff School District, 1888 Montgomery Avenue, Cardiff, CA 92007. Or you may email to Courtney.Jasper@cardiffschools.com

Financial Statements

**CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS**

Balance Sheet
June 30, 2017

ASSETS

Current Assets

Cash and cash equivalents	\$ 13,778,925
Accounts receivable	<u>41,193</u>
Total Current Assets	<u><u>13,820,118</u></u>

TOTAL ASSETS	<u><u>\$ 13,820,118</u></u>
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LIABILITIES AND FUND BALANCE

Current Liabilities

Due to other funds	\$ 9,643
Total Current Liabilities	<u><u>9,643</u></u>

Fund Balance

Restricted for capital projects	<u>13,810,475</u>
Total Fund Balance	<u><u>13,810,475</u></u>

TOTAL LIABILITIES AND FUND BALANCE	<u><u>\$ 13,820,118</u></u>
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The accompanying notes are an integral part of this statement.

**CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
GENERAL OBLIGATION BONDS**

Statement of Revenues, Expenditures, and Changes in Fund Balance
Year Ended June 30, 2017

REVENUES

Interest income	\$ 51,545
TOTAL REVENUES	<u>51,545</u>

EXPENDITURES

Professional and consulting services	61,423
Bond issuance costs	371,615
Miscellaenous fees	<u>9,647</u>
TOTAL EXPENDITURES	<u>442,685</u>

**EXCESS (DEFICIENCY) OF REVENUES
OVER (UNDER) EXPENDITURES**

(391,140)

OTHER FINANCING SOURCES (USES):

Proceeds from sale of bonds	14,000,000
Other sources	<u>201,615</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>14,201,615</u>

NET CHANGE IN FUND BALANCE

13,810,475

FUND BALANCE, BEGINNING OF YEAR

-

FUND BALANCE, END OF YEAR

\$ 13,810,475

The accompanying notes are an integral part of this statement.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements
Year Ended June 30, 2017

A. Definition of the Fund

In November 2016, Building Fund (21) was formed to account for property acquisition and renovation of current schools for the Cardiff School District (District), through expenditures of general obligation bonds issued under the General Obligation Bonds Election of 2016. Fund (21) is the Building Fund of the District.

B. Summary of Significant Policies

Basis of Presentation

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America, as prescribed by the Governmental Accounting Standards Board (GASB) and *Audits of State and Local Governmental Units* issued by the American Institute of Certified Public Accountants.

Fund Structure

The accompanying financial statements are used to account for the transactions of the Building Fund specific to Proposition 39 Measure GG Building Fund (21) as defined in Note A and are not intended to present fairly the financial position and results of operations of Cardiff School District in conformity with accounting principles generally accepted in the United States of America.

Basis of Accounting

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied.

The Building Funds are maintained on the modified accrual basis of accounting. Revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the accounting period in which the liability is incurred (when goods are received or services rendered). With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. The statement of revenues, expenditures, and changes in fund balance reports on the sources (revenues and other financing sources) and uses (expenditures and other financing uses) of current financial resources.

Budgets and Budgetary Accounting

The Board of Trustees adopts an operating budget no later than July 1 in accordance with state law. This budget is revised by the Board of Trustees during the year to give consideration to unanticipated revenue and expenditures primarily resulting from events unknown at the time of budget adoption. The District employs budget control by minor object and by individual appropriation accounts. Expenditures cannot legally exceed appropriations by major object account.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

Encumbrances

The District utilizes an encumbrance accounting system under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation. Encumbrances are liquidated at June 30 since they do not constitute expenditures or liabilities.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

Cash in County Treasury

In accordance with Education Code §41001, the District maintains a substantial amount of its cash in the San Diego County Treasury. The County pools these funds with those of other districts in the County and invests the cash. These pooled funds are carried at cost, which approximates fair value, in accordance with the requirements of GASB Statement No. 31.

Interest earned is deposited quarterly into participating funds. Any investment losses are proportionately shared by all funds in the pool.

The county is authorized to deposit cash and invest excess funds by California Government Code §53648 et.seq. The funds maintained by the county are either secured by federal depository insurance or are collateralized.

Information regarding the amount of dollars invested in derivatives with San Diego County Treasury was not available.

Fund Balances – Governmental Funds

Fund balances of the governmental funds are classified as follows:

Nonspendable Fund Balance – represents amounts that cannot be spent because they are either not in spendable form (such as inventory or prepaid insurance) or legally required to remain intact (such as notes receivable or principal of a permanent fund).

Restricted Fund Balance – represents amounts that are constrained by external parties, constitutional provisions or enabling legislation.

Committed Fund Balance – represents amounts that can only be used for a specific purpose because of a formal action by the District's governing board. Committed amounts cannot be used for any other purpose unless the governing board removes those constraints by taking the same type of formal action. Committed fund balance amounts may be used for other purposes with appropriate due process by the governing board. Commitments are typically done through adoption and amendment of the budget. Committed fund balance amounts differ from restricted balances in that the constraints on their use do not come from outside parties, constitutional provisions, or enabling legislation.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

Assigned Fund Balance – represents amounts which the District intends to use for a specific purpose, but that do not meet the criteria to be classified as restricted or committed. Intent may be stipulated by the governing board or by an official or body to which the governing board delegates the authority. Specific amounts that are not restricted or committed in a special revenue, capital projects, debt service or permanent fund are assigned for purposes in accordance with the nature of their fund type or the fund's primary purpose. Assignments within the general fund conveys that the intended use of those amounts is for a specific purpose that is narrower than the general purposes of the District itself.

Unassigned Fund Balance – represents amounts which are unconstrained in that they may be spent for any purpose. Only the general fund reports a positive unassigned fund balance. Other governmental funds might report a negative balance in this classification because of overspending for specific purposes for which amounts had been restricted, committed or assigned.

When an expenditure is incurred for a purpose for which both restricted and unrestricted fund balance is available, the District considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the District considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds.

Deferred Inflows and Deferred Outflows of Resources

Deferred outflows of resources is a consumption of net position that is applicable to a future reporting period. Deferred inflows of resources is an acquisition of net position that is applicable to a future reporting period. Deferred outflows of resources and deferred inflow of resources are recorded in accordance with GASB Statement numbers 63 and 65. At June 30, 2017 the District's Proposition 39 Measure GG Building Fund (21) did not have any Deferred Inflows or Deferred Outflows of Resources.

Fair Value Measurements

The District categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles as defined by Governmental Accounting Standards Board (GASB) Statement No. 72. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. The hierarchy is detailed as follows:

Level 1 Inputs: Quoted prices (unadjusted) in active markets for identical assets or liabilities that a government can access at the measurement date.

Level 2 Inputs: Inputs other than quoted prices included within Level 1 that are observable for an asset or liability, either directly or indirectly.

Level 3 Inputs: Unobservable inputs for an asset or liability.

For the current fiscal year the District did not have any recurring or nonrecurring fair value measurements.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

Changes in Accounting Policies

The District has adopted accounting policies compliant with new pronouncements issued by the Government Accounting Standards Board (GASB) that are effective for the fiscal year ended June 30, 2017. Those newly implemented pronouncements are as follows:

GASB Statement No. 74 - Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans

The objective of this Statement is to improve the usefulness of information about postemployment benefits other than pensions (other postemployment benefits or OPEB) included in the general purpose external financial reports of state and local governmental OPEB plans for making decisions and assessing accountability.

This Statement replaces Statements No. 43, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans, as amended, and No. 57, OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans. It also includes requirements for defined contribution OPEB plans that replace the requirements for those OPEB plans in Statement No. 25, Financial Reporting for Defined Benefit Pension Plans and Note Disclosures for Defined Contribution Plans, as amended, Statement 43, and Statement No. 50 Pension Disclosures.

The scope of this Statement includes OPEB plans—defined benefit and defined contribution – administered through trusts that meet the following criteria:

1. Contributions from employers and nonemployer contributing entities to the OPEB plan and earnings on those contributions are irrevocable.
2. OPEB plan assets are dedicated to providing OPEB to plan members in accordance with the benefit terms.
3. OPEB plan assets are legally protected from the creditors of employers, nonemployer contributing entities, and the OPEB plan administrator. If the plan is a defined benefit OPEB plan, plan assets also are legally protected from creditors of the plan members.

This Statement also includes requirements to address financial reporting for assets accumulated for purposes of providing defined benefit OPEB through OPEB plans that are not administered through trusts that meet the specified criteria.

The District does not administer their OPEB plan through a trust that meets the criteria noted above. As a result, the adoption of GASB Statement No. 74 did not result in a change to the financial statements or note disclosures.

GASB Statement No. 77 - Tax Abatement Disclosures

The objective of this Statement is to improve usefulness of information about tax abatement agreements entered into by governmental agencies. Disclosure of information about the nature and magnitude of tax abatements will make these transactions more transparent to financial statement users. As a result, users will be better equipped to understand (1) how tax abatements affect a government's future ability to raise resources and meet its financial obligations and (2) the impact those abatements have on a government's financial position and economic condition.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

This Statement requires governments that enter into tax abatement agreements to disclose the following information about the agreements:

1. Brief descriptive information, such as the tax being abated, the authority under which tax abatements are provided, eligibility criteria, the mechanism by which taxes are abated, provisions for recapturing abated taxes, and the types of commitments made by tax abatement recipients.
2. The gross dollar amount of taxes abated during the period.
3. Commitments made by a government, other than to abate taxes, as part of a tax abatement agreement.

The District has not entered into any tax abatement agreements. As a result, the adoption of GASB Statement No. 77 did not result in a change to the financial statements or note disclosures.

GASB Statement No. 80 - Blending Requirements for Certain Component Units

The objective of this Statement is to improve financial reporting by clarifying the financial statement presentation requirements for certain component units. This Statement amends the blending requirements established in paragraph 53 of Statement No. 14, The Financial Reporting Entity, as amended.

This Statement amends the blending requirements for the financial statement presentation of component units of all state and local governments. The additional criterion requires blending of a component unit incorporated as a not-for-profit corporation in which the primary government is the sole corporate member. The additional criterion does not apply to component units included in the financial reporting entity pursuant to the provisions of Statement No. 39, Determining Whether Certain Organizations Are Component Units.

The District did not have any component units which met the definition noted above. As a result, the adoption of GASB Statement No. 80 did not result in a change to the financial statements or note disclosures.

GASB Statement No. 82 - Pension Issues - An Amendment of GASB No. 67, No. 68 and No. 73

The objective of this Statement is to address certain issues that have been raised with respect to Statements No. 67, Financial Reporting for Pension Plans, No. 68, Accounting and Financial Reporting for Pensions, and No. 73, Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68. Specifically, this Statement addresses issues regarding (1) the presentation of payroll-related measures in required supplementary information, (2) the selection of assumptions and the treatment of deviations from the guidance in an Actuarial Standard of Practice for financial reporting purposes, and (3) the classification of payments made by employers to satisfy employee (plan member) contribution requirements.

Prior to the issuance of this Statement, Statements 67 and 68 required presentation of covered employee payroll, which is the payroll of employees that are provided with pensions through the pension plan, and ratios that use that measure, in schedules of required supplementary information. This Statement amends Statements 67 and 68 to instead require the presentation of covered payroll, defined as the payroll on which contributions to a pension plan are based, and ratios that use that measure.

This Statement clarifies that a deviation, as the term is used in Actuarial Standards of Practice issued by the Actuarial Standards Board, from the guidance in an Actuarial Standard of Practice is not considered to be in conformity with the requirements of Statement 67, Statement 68, or Statement 73 for the selection of assumptions used in determining the total pension liability and related measures.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

This Statement clarifies that payments that are made by an employer to satisfy contribution requirements that are identified by the pension plan terms as plan member contribution requirements should be classified as plan member contributions for purposes of Statement 67 and as employee contributions for purposes of Statement 68. It also requires that an employer's expense and expenditures for those amounts be recognized in the period for which the contribution is assessed and classified in the same manner as the employer classifies similar compensation other than pensions (for example, as salaries and wages or as fringe benefits).

The Building Fund (21) did not have any salaries and as a result, the adoption of GASB Statement No. 82 did not result in a change to the financial statements or note disclosures.

C. Cash and Investments

Cash in County Treasury

The District maintains significantly all of its cash in the San Diego County Treasury as part of the common investment pool. As of June 30, 2017, the portion of cash in the San Diego County Treasury attributed to Building Fund (21) was \$13,778,925. The fair value of Building Fund (21)'s portion of this pool as of that date, as provided by the pool sponsor, was \$13,778,925. Assumptions made in determining the fair value of the pooled investment portfolios are available from the County Treasurer.

The District is considered to be an involuntary participant in an external investment pool as the District is required to deposit all receipts and collections of monies with their County Treasurer (Education Code Section 41001). The fair value of the District's investments in the pool is reported in the accounting financial statements as amounts based upon the District's pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of the portfolio). The balance available for withdrawal is based on the accounting records maintained by the County Treasurer, which is recorded on the amortized cost basis.

The San Diego County Treasury is not registered with the Securities and Exchange Commission (SEC) as an investment company; however, the County Treasury acts in accordance with investment policies monitored by a Treasury Oversight Committee consisting of members appointed by participants in the investment pool and up to five members of the public having expertise, or an academic background in, public finance. In addition, the County Treasury is audited annually by an independent auditor.

Analysis of Specific Deposit and Investment Risks

GASB Statement No. 40 requires a determination as to whether the District was exposed to the following specific investment risks at year end and if so, the reporting of certain related disclosures:

a. Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The county is restricted by Government Code Section 53635 pursuant to Section 53601 to invest only in time deposits, U.S. government securities, state registered warrants, notes or bonds, State Treasurer's investment pool, bankers' acceptances, commercial paper, negotiable certificates of deposit, and repurchase or reverse repurchase agreements. The ratings of securities by nationally recognized rating agencies are designed to give an indication of credit risk. At year end the District was not exposed to credit risk.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

b. Custodial Credit Risk

Deposits are exposed to custodial credit risk if they are not covered by depository insurance and the deposits are uncollateralized, collateralized with securities held by the pledging financial institution, or collateralized with securities held by the pledging financial institution's trust department or agent but not in the District's name. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits. Investment securities are exposed to custodial credit risk if the securities are uninsured, are not registered in the name of the government, and are held by either the counterparty or the counterparty's trust department or agent but not in the District's name. At year end, the District was not exposed to custodial credit risk.

c. Concentration of Credit Risk

This risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The investment policy of the District contains no limitations on the amount that can be invested in any one issuer beyond the amount stipulated by the California Government Code. Investments in any one issuer that represent five percent or more of the total investments are either an external investment pool and are therefore exempt. As such, the District was not exposed to concentration of credit risk.

d. Interest Rate Risk

This is the risk that changes in interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The District manages its exposure to interest rate risk by investing in the county pool.

e. Foreign Currency Risk

This is the risk that exchange rates will adversely affect the fair value of an investment. At year end, the District was not exposed to foreign currency risk.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

D. Accounts Receivable

As of June 30, 2017 accounts receivable consisted of:

	Accounts Receivable
Local Sources:	
Interest	\$ 41,193
Total Accounts Receivable	<u>\$ 41,193</u>

All receivables are expected to be collected within one year and as such no allowance for doubtful accounts has been established.

E. Due To and From Other Funds

Balances due to and due from other funds at June 30, 2017, consisted of the following:

Due To Fund	Due From Fund	Amount	Purpose
General Fund (1)	Building Fund (21)	\$ 9,643	Reimbursement of expenses

All amounts due are scheduled to be repaid within one year.

F. General Obligation Bonds

On February 23, 2017, the District issued \$14,000,000, 2016 Series A General Obligation Bonds in order to finance the improvement of school facilities and equipment. The issue consisted of \$8,985,000 in current interest bonds with an interest rate of 2.00% to 5.00% with annual maturities from August 2018 through August 2043, \$420,000 in term bonds with an interest rate of 5.00% with maturity August 2030. \$4,595,000 in term bonds with an interest rate of 3.625% with which matures August 1, 2046. Principal payments on the bonds are due August 1 of each year beginning August 1, 2018 while interest is payable semi-annually on February 1 and August 1 of each year through maturity beginning February 1, 2018.

The outstanding bonded debt of Proposition 39 Measure GG Building Fund (21) is as follows:

Description	Date of Issuance	Interest Rate	Maturity Date	Beginning Balance	Increases	Decreases	Ending Balance	Due Within One Year
Election 2016 Series A	2/23/2017	2.00-5.00%	8/1/2046	\$ -	\$ 14,000,000	\$ -	\$ 14,000,000	\$ -
2016 A Premium	2/23/2017		8/1/2046	-	435,053	-	435,053	-
Total 2016 Series A				<u>\$ -</u>	<u>\$ 14,435,053</u>	<u>\$ -</u>	<u>\$ 14,435,053</u>	<u>\$ -</u>
TOTAL				<u>\$ -</u>	<u>\$ 14,435,053</u>	<u>\$ -</u>	<u>\$ 14,435,053</u>	<u>\$ -</u>

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

The annual requirements to amortize the general obligation bonds payable outstanding as of June 30, 2017 is as follows:

Year Ended June 30	Principal	Interest	Total
2018	\$ -	\$ 384,758	\$ 384,758
2019	80,000	659,879	739,879
2020	150,000	548,744	698,744
2021	-	547,244	547,244
2022	-	547,244	547,244
2023-2027	25,000	2,735,969	2,760,969
2028-2032	635,000	2,675,344	3,310,344
2033-2037	2,010,000	2,358,219	4,368,219
2038-2042	4,115,000	1,666,631	5,781,631
2043-2047	6,985,000	679,071	7,664,071
Total	<u>\$ 14,000,000</u>	<u>\$ 12,803,103</u>	<u>\$ 26,803,103</u>

G. Bond Premium

Bond premium arises when the market rate of interest is lower than the stated interest rate on the bond. Generally Accepted Accounting Principles (GAAP) require that the premium increase the face value of the bond and then amortize the premium over the life of the bond.

The District has issued bonds at a premium. The premiums are being amortized over the life of the debt using the effective interest method.

Premiums issued on the debt resulted in an effective interest rate as follows:

	2016 Series A Bonds
Total Interest Payments on Bonds	\$ 12,803,103
Less Bond Premium	(435,053)
Net Interest Payments	<u>\$ 12,368,050</u>
Par Amount of Bonds	\$ 14,000,000
Periods	30
Effective Interest Rate	2.940%

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

H. Construction Commitments

As of June 30, 2017 the Building Fund (21) had no construction commitments.

I. Subsequent Events

Implementation of New Accounting Guidance

The District has adopted accounting policies compliant with new pronouncements issued by the Government Accounting Standards Board (GASB) that are effective for the fiscal year ended June 30, 2018. Those newly implemented pronouncements are as follows:

GASB Statement No. 75 - Accounting and Financial Reporting for Postemployment Benefits Other than Pensions

The primary objective of this Statement is to improve accounting and financial reporting by state and local governments for postemployment benefits other than pensions (other postemployment benefits or OPEB). It also improves information provided by state and local governmental employers about financial support for OPEB that is provided by other entities.

This Statement replaces the requirements of Statements No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions, as amended, and No. 57, OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans, for OPEB. Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans, establishes new accounting and financial reporting requirements OPEB plans.

The scope of this Statement addresses accounting and financial reporting for OPEB that is provided to employees of state and local governmental employers. This Statement establishes standards for recognizing and measuring liabilities, deferred outflows of resources, deferred inflows of resources, and expense/expenditures. For defined benefit OPEB, this Statement identifies the methods and assumptions that are required to be used to project benefit payments, discount projected benefit payments to their actuarial present value, and attribute that present value to periods of employee service. Note disclosure and required supplementary information requirements about defined benefit OPEB also are addressed.

In addition, this Statement details the recognition and disclosure requirements for employers with payables to defined benefit OPEB plans that are administered through trusts that meet the specified criteria and for employers whose employees are provided with defined contribution OPEB. This Statement also addresses certain circumstances in which a nonemployer entity provides financial support for OPEB of employees of another entity.

Financial impact of implementing GASB Statement No. 75 has not yet been determined; however, it is expected that the Net OPEB Obligation will significantly increase. The District is currently in contact with an actuary to determine the complete fiscal impact.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

GASB Statement No. 81 - Irrevocable Split-Interest Agreements

The objective of this Statement is to improve accounting and financial reporting for irrevocable split-interest agreements by providing recognition and measurement guidance for situations in which a government is a beneficiary of the agreement.

Split-interest agreements are a type of giving agreement used by donors to provide resources to two or more beneficiaries, including governments. Split-interest agreements can be created through trusts --- or other legally enforceable agreements with characteristics that are equivalent to split-interest agreements --- in which a donor transfers resources to an intermediary to hold and administer for the benefit of a government and at least one other beneficiary. Examples of these types of agreements include charitable lead trusts, charitable remainder trusts, and life-interests in real estate.

This Statement requires that a government that receives resources pursuant to an irrevocable split-interest agreement recognize assets, liabilities, and deferred inflows of resources at the inception of the agreement. Furthermore, this Statement requires that a government recognize assets representing its beneficial interests in irrevocable split-interest agreements that are administered by a third party, if the government controls the present service capacity of the beneficial interests. This Statement requires that a government recognize revenue when the resources become applicable to the reporting period.

As of the date this audit report is issued, the District does not have any split-interest agreements. Consequently, implementation of GASB No 81 is not expected to have a financial or reporting impact on the District.

GASB Statement No. 85 - Omnibus 2017

The objective of this Statement is to address practice issues that have been identified during implementation and application of certain GASB Statements. This Statement addresses a variety of topics including issues related to blending component units, goodwill, fair value measurement and application, and postemployment benefits (pensions and OPEB). Specifically, this Statement addresses the following topics:

1. Blending a component unit in circumstances in which the primary government is a business-type activity that reports in a single column for financial statement presentation.
2. Reporting amounts previously reported as goodwill and “negative” goodwill.
3. Classifying real estate held by insurance entities.
4. Measuring certain money market investments and participating interest-earning investment contracts at amortized cost.
5. Timing of the measurement of pension or OPEB liabilities and expenditures recognized in financial statements prepared using the current financial resources measurement focus.
6. Recognizing on-behalf payments for pensions or OPEB in employer financial statements.
7. Presenting payroll-related measures in required supplementary information for purposes of reporting by OPEB plans and employers that provide OPEB.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Notes to the Financial Statements (Continued)
Year Ended June 30, 2017

8. Classifying employer-paid member contributions for OPEB.
9. Simplifying certain aspects of the alternative measurement method for OPEB.
10. Accounting and financial reporting for OPEB provided through certain multiple-employer defined benefit OPEB plans.

Financial impact of implementing GASB Statement No. 85 has not yet been determined.

GASB Statement No. 86 - Certain Debt Extinguishment Issues

The primary objective of this Statement is to improve consistency in accounting and financial reporting for in-substance defeasance of debt by providing guidance for transactions in which cash and other monetary assets acquired with only existing resources other than the proceeds of refunding debt--- are placed in an irrevocable trust for the sole purpose of extinguishing debt. This Statement also improves accounting and financial reporting for prepaid insurance on debt that is extinguished and notes financial statements for debt that is defeased in substance.

Statement No. 7, Advance Refundings Resulting in Defeasance of Debt, requires that debt be considered defeased in substance when the debtor irrevocably places cash or other monetary assets acquired with refunding debt proceeds in a trust to be used solely for satisfying scheduled payments of both principal and interest of the defeased debt. The trust also is required to meet certain conditions for the transaction to qualify as an in-substance defeasance. This Statement establishes essentially the same requirements for when a government places cash and other monetary assets acquired with only existing resources in an irrevocable trust to extinguish the debt. However, in financial statements using the economic resources measurement focus, governments should recognize any difference between the reacquisition price (the amount required to be placed in the trust) and the net carrying amount of the debt defeased in substance using only existing resources as a separately identified in the period of the defeasance.

Governments that defease debt using only existing resources should provide a general description of the transaction in the notes to financial statements in the period of the defeasance. In all periods following an in-substance defeasance of debt using only existing resources, the amount of that debt that remains outstanding at period-end should be disclosed.

For governments that extinguish debt, whether through a legal extinguishment or through an in-substance defeasance, this Statement requires that any remaining prepaid insurance related to the extinguished debt be included in the net carrying amount of that debt for the purpose of calculating the difference between the reacquisition price and the net carrying amount of the debt.

One of the criteria for determining an in-substance defeasance is that the trust hold only monetary assets that are essentially risk-free. If the substitution of essentially risk-free monetary assets with monetary assets that are not essentially risk-free is not prohibited, governments should disclose that fact in the period in which the debt is defeased in substance. In subsequent periods, governments should disclose the amount of debt defeased in substance that remains outstanding for which that risk of substitution exists.

As of the date this audit report was issued, the District did not have any defeasance of debt. Consequently, the implementation of GASB Statement No. 86 is not expected to have a fiscal impact on the District.

Supplementary Information

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

General Obligation Bonds Project List
Year Ended June 30, 2017

Bond proceeds will be expended to modernize, replace, renovate, construct, acquire, equip, furnish and otherwise improve the facilities of the District located at the following locations:

Cardiff School	Ada Harris School
Cardiff School District Office	

Projects for Cardiff School include:

- Replace outdated roofs.
- Renovate or replace existing deteriorating plumbing, drainage, and sewer systems.
- Upgrade inadequate electrical systems including power and low voltage to meet current electrical and accessibility codes, increase capacity, and relieve overloaded systems.
- Improve energy efficiency by replacing old and energy inefficient heating, ventilation, and air conditioning (HVAC) systems, windows, and lighting systems; also, install cost-effective systems including “green” building projects and sustainable building practices to promote energy-efficiency (e.g., Energy Management Systems (EMS), solar, electrical, etc.).
- Replace aging temporary portable classrooms with new classrooms.
- Replace outdated classrooms that are now between 55-65 years old with new classrooms.
- Construct new restrooms.
- Construct a new multipurpose room and warming kitchen to replace the current 55 year old building.
- Make health, safety, and security improvements, such as improve student drop-off and pick-up areas, upgrade campus fencing, and renovate/retrofit the “brick building”.
- Replace or upgrade fire alarm systems, fire safety equipment, and emergency exit lighting improvements.
- Replace campus wide intercom and telecommunication systems, clocks, and upgrade wireless systems and internet/network connections.
- Improve handicapped accessibility by making Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades and as mandated by the Division of the State Architect (DSA) including site access, parking, restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment, etc.
- Upgrade, renovate and improve library/computer lab, art/science lab, and school office building to be integrated with the newly constructed school facilities.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)
General Obligation Bonds Project List (Continued)
Year Ended June 30, 2017

- Upgrade and improve playgrounds and playfields for school and community use; preserve existing mature trees and other landscaping where possible.
- Resurface, repair, and/or replace paved surfaces, play court areas, turf, and other grounds to eliminate safety hazards and improve outside instructional areas.

Projects for ADA Harris School include:

- Improve energy efficiency by replacing old and energy inefficient heating, ventilation, and air conditioning (HVAC) systems and lighting systems; also, install cost-effective systems including “green” building projects and sustainable building practices to promote energy-efficiency (e.g., Energy Management Systems (EMS), solar, electrical, etc.).
- Replace aging temporary portable classrooms.
- Replace or upgrade fire alarm systems, fire safety equipment, and emergency exit lighting improvements.
- Replace campus wide intercom and telecommunication systems, clocks, and upgrade wireless systems and internet/network connections.

Miscellaneous district-wide projects include:

- Abate and remove hazardous materials identified prior or during construction.
- Address unforeseen conditions revealed by construction/modernization (such as water, sewage or gas line breaks, dry rot, seismic, structural, etc.).
- Other site improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act.
- Necessary preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, preserving, or installing irrigation, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under leases for any of these authorized facilities.
- All work necessary and incidental to specific projects described above, including demolition of existing structures.

Other Independent Auditors' Reports

Independent Auditor's Report on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements Performed in
Accordance with *Government Auditing Standards*

**Governing Board Members and
Citizens' Oversight Committee
Cardiff School District
Cardiff-By-The-Sea, California**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Proposition 39 Measure GG Building Fund (21) of Cardiff School District, which comprise the balance sheet as of June 30, 2017, and the related statement of revenues, expenditures, and changes in fund balance for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated March 1, 2018.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Cardiff School District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Cardiff School District's internal control. Accordingly, we do not express an opinion on the effectiveness of Cardiff School District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Cardiff School District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Wilkinson Hadley King & Co. LLP

El Cajon, California

March 1, 2018

Independent Auditor's Report on Performance

Governing Board Members and Citizens' Oversight Committee Cardiff School District Cardiff-By-The-Sea, California

We were engaged to conduct a performance audit of the Cardiff School District Proposition 39 Measure GG Building Fund (21) for the year ended June 30, 2017.

Management's Responsibility for Performance Compliance

Our audit was limited to the objectives listed with the report which includes the District's compliance with the performance requirements as referred to in Proposition 39 and outlined in Article XIII A, Section 1(b)(3)(C) of the California Constitution. Management is responsible for the District's compliance with those requirements.

Auditor's Responsibility

We conducted this performance audit in accordance with the standards applicable to performance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions based on our audit objectives.

In planning and performing our performance audit, we obtained an understanding of the Fund's internal control in order to determine if the internal controls were adequate to help ensure the Fund's compliance with the requirements of Proposition 39 and outlined in Article XIII A, Section 1(b)(3)(C) of the California Constitution, but not for the purpose of expressing an opinion on the effectiveness of the Measure GG Building Fund (21) Cardiff School District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

In connection with our performance audit, we performed an audit for compliance as required in the performance requirements for the Proposition 39 Measure GG General Obligation Bond for the fiscal year ended June 30, 2017. The objective of the audit of compliance applicable to Cardiff School District is to determine with reasonable assurance that:

- The proceeds from the sale of the Proposition 39 Measure GG Bonds were only used for the purposes set forth in the ballot measure and not for any other purpose, such as teacher and administrative salaries.
- The Governing Board of the District, in establishing the approved projects set forth in the ballot Measure GG to modernize, replace, renovate, construct, acquire, equip, furnish, and otherwise improve facilities of the District as noted in the bond project list.

In performing our audit of compliance, we performed procedures including but not limited to those listed as follows:

Internal Control Evaluation

Procedure Performed

Inquiries were made of management regarding internal controls to:

- Prevent fraud, waste, or abuse regarding Measure GG resources.
- Prevent material misstatement in the Proposition 39 Measure GG Building Fund (21) financial statements.
- Ensure all expenditures are properly allocated.
- Ensure adequate separation of duties exists in the accounting of Measure GG funds. All purchase requisitions are reviewed for proper supporting documentation. The Project Manager or appropriate District employee submits back up information to the business office to initiate a purchase requisition. The Project Manager, Superintendent, and Business Manager verifies that the requested purchase is an allowable project cost in accordance with the Measure GG ballots initiative approved by local voters, as well as the Board approved budget, and that all expenditures are properly recorded by project and expense category.

Once the purchase requisition has gone through the approval process, Account Payable creates a purchase order, which is provided to the vendor who proceeds to provide the requested service or item. When the invoice is received, Accounts Payable verifies that the charges are consistent with the amounts on the approved contract/purchase order. The Project Manager verifies that the services were satisfactorily performed, and/or the items were received and installed. Once the invoice has been signed and approved by the Project Manager and the Business Manager, Accounts Payable processes the invoice through the accounts payable system of the District for payment. The payment request and supporting documentation is provided to the San Diego County Office of Education for audit review and compliance purposes.

Results of Procedures Performed

The results of our audit determined the internal control procedures as implemented are sufficient to meet the financial and compliance objectives required by generally accepted accounting principles and applicable laws and regulations.

Tests of Expenditures

Procedures Performed

We tested expenditures to determine whether Measure GG funds were spent solely on voter and Board approved school facilities projects as set forth in the Bond Project Lists and language of the Measure GG ballot measures. Our testing included a sample of vendors totaling approximately \$442,685 or approximately 100% of total expenditures for the year.

Results of Procedures Performed

We found no instances where expenditures tested were not in compliance with the terms of the Measure GG ballot measure and applicable state laws and regulations.

Tests of Contracts and Bid Procedures

Procedures Performed

We reviewed the District's board minutes for approval of construction contracts and change orders, if any, to determine compliance with the District's policy and Public Contract Code provisions related to biddings and contracting.

Results of Procedures Performed

We noted no instances where the District was out of compliance with respect to contracts and bidding procedures.

Facilities Site Review

Procedures Performed

We reviewed the Independent Citizens' Oversight Committee minutes and agenda and other pertinent information on Measure GG designated projects and determined the Measure GG funds expended for the year ended June 30, 2017 were for valid facilities acquisition and construction purposes as stated in the Bond Project List. Auditors performed walk through of significant bond projects.

Results of Procedures Performed:

Based on our review of the minutes and agenda of the Independent Citizens' Oversight Committee, the documentation and pertinent information of the Measure GG designated projects. The District is still in the planning stage for projects stated in the Bond Project List. Construction should begin in the 2017-18 fiscal year allowing auditors to perform a walk through of construction.

Citizens' Oversight Committee

Procedures Performed

We have reviewed the minutes of the Citizens' Oversight Committee meetings to verify compliance with Education Code sections 15278 through 15282.

Results of Procedures Performed

We have determined the Cardiff School District's Proposition 39 Measure GG Building Fund (21) Citizens' Oversight Committee and its involvement is in compliance with Education Code sections 15278 through 15282.

Our audit of compliance made for the purposes set forth in the second and third paragraphs of this report above would not necessarily disclose all instances of noncompliance.

Opinion on Performance

In our opinion, the District complied, in all material respects, with the compliance requirements of Proposition 39 outlined in Article XIII A, Section 1(b)(3)(c) of the California Constitution, and with Measure GG approved by the voters in the Cardiff School District on November 8, 2016.

Purpose of the Report

This report is intended solely for the information and use of the District's Governing Board, the Proposition 39 Measure GG Citizens' Oversight Committee, management, others within the entity, and the taxpayers of Cardiff School District and is not intended to be and should not be used by anyone other than these specified parties.

Wilkinson Hadley King & Co. LLP

El Cajon, California
March 1, 2018

Auditor's Results, Findings & Recommendations

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Schedule of Findings and Responses
Year Ended June 30, 2017

There were no findings to report.

CARDIFF SCHOOL DISTRICT
PROPOSITION 39 MEASURE GG BUILDING FUND (21)

Summary Schedule of Prior Audit Findings
Year Ended June 30, 2017

The fiscal year ended June 30, 2017 was the first year of implementation of the bond.

POLICY GUIDE SHEET

May 2018

Page 1 of 3

BP/AR 1312.3 - Uniform Complaint Procedures

(BP/AR revised)

Policy updated to list all state and federal programs subject to the uniform complaint procedures (UCP) as specified in the Federal Program Monitoring instrument, reflect **NEW LAW (AB 699)** which includes immigration status as a prohibited basis for discrimination, and reflect **NEW LAW (AB 365)** which authorizes the use of UCP for alleged noncompliance with certain educational rights of children of military families. Policy also revised to clarify that, although complaints of employment discrimination are not subject to UCP, the district has an obligation to investigate such complaints using other district procedures. Regulation updated to reflect a requirement in AB 365 that the annual UCP notice include the educational rights of children of military families. Regulation also clarifies that any individual, public agency, or organization may file a complaint alleging violation of law regarding applicable state or federal programs, and deletes references to Office of Civil Rights resources on sexual violence which have been withdrawn.

AR 3230 - Federal Grant Funds

(AR revised)

Regulation updated to clarify that any federal formula or discretionary grant funds awarded to the district, including a federally funded child nutrition program according to **NEW LAW (SB 544)**, must comply with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Regulation also reflects **NEW FEDERAL REGULATION** (82 Fed. Reg. 22609) which delays, until July 1, 2018, the date by which districts must comply with the procurement standards in the Uniform Guidance.

AR 3514.2 - Integrated Pest Management

(AR revised)

Regulation updated to clarify the applicability of integrated pest management requirements to child care facilities, delete an outdated date by which the annual training requirement became effective, and add requirement for pesticide-specific training. Regulation also reflects **NEW STATE REGULATION** (Register 2017, No. 45) which prohibits growers from making certain agricultural pesticide applications within one-quarter mile of a school site between 6:00 a.m. and 6:00 p.m. on weekdays and requires such growers to annually notify the principal regarding pesticides it expects to use during the year.

BP/AR 3551 - Food Service Operations/Cafeteria Fund

(BP/AR revised)

Policy updated to reflect **NEW LAW (SB 250)** which requires districts to make their meal charge policy public and ensure that students with unpaid meal fees are not shamed or treated differently than other students. Section on "Procurement of Foods, Equipment, and Supplies" reflects **NEW LAW (SB 730)** which requires the California Department of Education (CDE) to provide information about the Buy American provision, **NEW LAW (AB 822)** which requires a preference for California-grown agricultural products with specified exceptions, and **NEW LAW (SB 544)** which clarifies that procurements in federally funded nutrition programs are subject to the procurement standards of the federal Uniform Guidance. Regulation updated to reflect provisions of SB 250 which require districts to notify parents/guardians within 10 days of a negative balance in their child's school meal account and to exhaust all options to enroll the student in the free and reduced-price meal program if he/she is eligible. Regulation also adds new section reflecting **NEW LAW (SB 557)** which authorizes donation of unused, unopened foods to a food bank or other nonprofit charitable organization.

POLICY GUIDE SHEET

May 2018

Page 2 of 3

BP/AR 3553 - Free and Reduced Price Meals

(BP/AR revised)

Policy updated to reflect **NEW LAW (SB 138)** which requires districts to apply by September 1, 2018, for a federal universal meal service for "very high poverty schools," as defined, for the purpose of providing breakfast and/or lunch free of charge to all students enrolled at the school. An exception exists for districts whose board adopts a resolution stating the district is unable to comply due to fiscal hardship. Regulation updated to reflect a provision of SB 138 which requires direct certification of students' eligibility for free or reduced-price meals based on their Medi-Cal participation. In both BP and AR, section related to confidentiality and allowable purposes for sharing students' free and reduced-price meal eligibility information revised to reflect the elimination of Title I program improvement.

BP 4111/4211/4311 - Recruitment and Selection

(BP revised)

Policy updated to expand discussion of possible recruitment incentives, including subsidized housing programs for teachers and other employees and **NEW LAW (AB 99)** which establishes the California Educator Development grant program to assist districts with attracting and supporting the preparation and continued learning of teachers, principals, and other school leaders. Policy also reflects **NEW LAW (AB 168)** which prohibits districts from seeking salary history information about an applicant and from relying on salary history information as a factor in determining whether to offer employment or the salary to offer an applicant, unless the salary information is disclosable under state or federal law or the applicant voluntarily discloses the information without prompting.

BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment

(BP/AR revised)

Policy updated to provide a strong statement of the board's commitment to provide a safe work environment that is free of sexual harassment and intimidation and to align the process for filing complaints of sexual harassment with AR 4030 - Nondiscrimination in Employment. Regulation updated to reflect **NEW LAW (SB 396)** which requires districts to post a Department of Fair Employment and Housing poster on transgender rights and, if the district has 50 or more employees, to provide training to supervisors regarding harassment based on gender identity, gender expression, and sexual orientation.

AR 4161.1/4361.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to reflect **NEW LAW (SB 63)** which extends the requirement to grant parental leave to an eligible employee for the purpose of bonding with a child after the birth, adoption, or foster care placement of the child to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed. Regulation also updated to reflect **NEW LAW (SB 731)** which entitles an employee who is a military veteran or current member of the California National Guard or federal reserve component to 10 days of additional sick leave for the purpose of undergoing medical treatment for a qualifying military service-connected disability, effective on either the date the U.S. Department of Veterans Affairs rates the employee's disability or on the first day the employee begins or returns to employment after active duty, whichever is later.

AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1556)** which deletes gender-specific references with regard to pregnancy disability leave and clarifies that all employees are protected against pregnancy discrimination regardless of their gender identity. Regulation also reflects **NEW LAW (SB 63)** which extends the requirement to grant parental leave to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed.

POLICY GUIDE SHEET

May 2018

Page 3 of 3

AR 4261.1 - Personal Illness/Injury Leave

(AR revised)

Regulation updated to reflect **NEW LAW (SB 63)** which extends the requirement to grant parental leave to any district that employs 20-49 employees within 75 miles of the worksite where the employee requesting the leave is employed. Regulation also updated to reflect **NEW LAW (SB 731)** which entitles an employee who is a military veteran or current member of the California National Guard or federal reserve component to 12 days of additional sick leave for the purpose of undergoing medical treatment for a qualifying military service-connected disability, effective on either the date the U.S. Department of Veterans Affairs rates the employee's disability or on the first day the employee begins or returns to employment after active duty, whichever is later.

BP/AR 5022 - Student and Family Privacy Rights

(BP/AR revised)

Policy updated to add options formerly in AR regarding the disclosure of students' personal information for marketing purposes. Policy also reflects state law which prohibits the collection of social security numbers or the last four digits of social security numbers for such purposes and **NEW LAW (AB 699)** which prohibits the collection of information regarding the citizenship or immigration status of students or their families. Regulation reflects **NEW LAW (AB 677)** which prohibits the removal of questions pertaining to sexual orientation and/or gender identity from a voluntary survey that already contains such questions.

BP/E 5145.6 - Parental Notifications

(BP/E revised)

Policy updated to reflect federal law applicable to districts participating in certain federal programs which requires that parental notifications be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand. Policy also revised to reflect state law requiring that parental notifications be written in the primary language, in addition to English, whenever 15 percent or more of the students enrolled in a school speak a single primary language other than English. Exhibit updated to reflect notices required by **NEW LAW**, including notices related to students' right to a free public education regardless of immigration status or religious beliefs (**AB 699**), the employee code of conduct related to employee interactions with students (**AB 500**), the district's meal payment policy (USDA Memorandum SP-23-2017), a student's identification as a long-term English learner (**AB 81**), a negative balance in a student's meal account (**SB 250**), educational rights of children of military families (**AB 365**), and any excessive level of lead found in drinking water (**AB 746**). Two legal cites renumbered pursuant to federal law and regulations.

BP 6162.5 - Student Assessment

(BP revised)

Policy updated to reflect **NEW LAW (AB 1035)** which addresses the use and purpose of interim and formative assessments that are part of the California Assessment of Student Performance and Progress, prohibits their use for high-stakes purposes as defined, and requires that teachers who administer the assessments have access to all pertinent functions and information.

BP 3515.1 – Unmanned Aircraft Systems/Drones

New policy.

BP 7215 – ICOC Bylaws

An update to the bylaws is necessary.

CSBA Sample

Board Policy

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, ~~after school~~ **Education and Safety programs, agricultural vocational education, American Indian education centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, special education programs, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs,** and any other district-implemented program which is listed in Education Code 64000(a) ~~(5 CCR 4610)~~

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5131.62 - Tobacco)

~~*(cf. 5141.4 - Child Abuse Prevention and Reporting)*~~

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

UNIFORM COMPLAINT PROCEDURES (continued)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, **immigration status**, ethnic group identification, age, religion, marital **status**, pregnancy, ~~or~~ parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

UNIFORM COMPLAINT PROCEDURES (continued)

7. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

8. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
9. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any

complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

UNIFORM COMPLAINT PROCEDURES (continued)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

- ~~3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.~~

- ~~4.~~ **3.** Any complaint alleging fraud shall be referred to the **Legal, Audits and Compliance Branch of the** California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

~~In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve a~~ Any complaint related to sufficiency of textbooks or instructional aterials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments **shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures.** (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

33380-33384 California Indian Education Centers

35186 Williams uniform complaint procedures

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, **and** former juvenile court school students, **and** **military-connected students**; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially:

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52462 Career technical education

52500-52616.24 Adult schools

54000-54029 Economic Impact Aid

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56865 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

HEALTH AND SAFETY CODE

104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6576 Title I basic programs

6801-7014 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2014

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

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

U.S. Department of Justice: <http://www.justice.gov>

CSBA Sample

Administrative Regulation

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal

civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee(s) to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Cardiff School Principal, Ada Harris School Principal, Superintendent

(title or position)

1888 Montgomery Avenue, Cardiff CA 92007

(address)

(760) 632-5892, (760) 632-5894, (760) 632-5894

(telephone number)

(email)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed

UNIFORM COMPLAINT PROCEDURES (continued)

with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP **including to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. The notification shall include information regarding the prohibition of discrimination, harassment, intimidation, and bullying;** unlawful student fees;; local control and accountability plan (LCAP) requirements;; and requirements related to the educational rights of foster youth, homeless students, and former juvenile court school students, **and children of military families** to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 48853, 48853.5, **49010-49013**, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

~~The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district supported social media, if available.~~

~~*(cf. 1113 - District and School Web Sites)*~~
~~*(cf. 1114 - District Sponsored Social Media)*~~

~~The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.~~

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.

UNIFORM COMPLAINT PROCEDURES (continued)

- b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
- c. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
- d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
- e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

- f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
- g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

UNIFORM COMPLAINT PROCEDURES (continued)

- i. A foster youth, homeless student, ~~or~~ former juvenile court school student, **or child of a military family** who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:
 - (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
 - (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
 - (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the district's decision to ~~the~~ CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with ~~the~~ CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.
- k. The appeal to ~~the~~ CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- l. Copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site.

(cf. 1113 - District and School Web Sites)

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

UNIFORM COMPLAINT PROCEDURES (continued)

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

All complainants shall be protected from retaliation.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

UNIFORM COMPLAINT PROCEDURES (continued)

1. A complaint alleging district violation of applicable state or federal law or regulations governing ~~adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs~~ **the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to the UCP")** may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

UNIFORM COMPLAINT PROCEDURES (continued)

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed **to upon** through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

UNIFORM COMPLAINT PROCEDURES (continued)

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation. A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

UNIFORM COMPLAINT PROCEDURES (continued)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

UNIFORM COMPLAINT PROCEDURES (continued)

- a. **How The manner in which** the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
 - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to **the** CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

UNIFORM COMPLAINT PROCEDURES (continued)

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with **the** CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

UNIFORM COMPLAINT PROCEDURES (continued)

9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

UNIFORM COMPLAINT PROCEDURES (continued)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision **of a complaint regarding any specified federal or state educational program subject to the UCP** may file an appeal in writing with **the** CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with **the** CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and **whether how** the facts **of the district's decision** are incorrect and/or the law has been misapplied. The appeal shall be **sent to CDE with** ~~accompanied by~~ a copy of the **original** locally filed complaint and a copy of the district's decision **in that complaint**. (5 CCR 4632)

Upon notification by **the** CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to **the** CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by **the** CDE

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3230(a)

FEDERAL GRANT FUNDS

To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

Allowable Costs

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure ~~of federal funds~~ in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the ~~federal grant~~ award. He/she shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 90 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.343)

Procurement

On or before July 1, 2017, or such later date as may be approved in the Uniform Guidance, the Superintendent or designee shall comply with the standards specified in 2 CFR 200.317-200.326 and Appendix II of Part 200 when procuring goods and services needed to carry out a federal grant as well as any more restrictive state laws and district policies concerning the procurement of goods and services. **When procuring goods and services with a federal grant, the Superintendent or designee shall comply with the standards contained in 2 CFR 200.317-200.326 and Appendix II of Part 200, or with any applicable state law or district policy that is more restrictive.**

FEDERAL GRANT FUNDS (continued)

As appropriate to encourage greater economy and efficiency, the Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold specified in 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)
3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AR 3311 - Bids, unless exempt from bidding under the law.

(cf. 3311 - Bids)

4. If a purchase is exempt from bidding and the district's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)

(cf. 3312 - Contracts)

5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available **exclusively** from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)

FEDERAL GRANT FUNDS (continued)

6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. *Time and materials type contract* means a contract **whose for which the** cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (200.328)

For any purchase of \$25,000 or more, the Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.213)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and,

when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.326)

Capital Expenditures

The Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

FEDERAL GRANT FUNDS (continued)

Conflict of Interest

No Governing Board member, district employee, or district representative shall participate in the selection, award, or administration of a contract supported by federal funds if he/she has a real or apparent conflict of interest, such as when he/she or a member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BB 9270 - Conflict of Interest.

(cf. 9270 - Conflict of Interest)

Cash Management

The Superintendent or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project. Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account. The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

FEDERAL GRANT FUNDS (continued)

Personnel

All district employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.333, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.333)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Audits

Whenever the district expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event that the audit identifies any deficiency, the Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3514.2(a)

INTEGRATED PEST MANAGEMENT

Definitions

Integrated pest management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. (Education Code 17609; Food and Agricultural Code 13181)

(cf. 3510 - Green School Operations)

School site means any facility used as a child day care facility or for kindergarten, elementary, or secondary school purposes and includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by students. (Education Code 17609)

Program Components

The Superintendent or designee shall designate an employee at the district office and/or school site to develop, implement, and coordinate an ~~integrated pest management (IPM) program~~ **strategy** that incorporates effective, least toxic pest management practices.

The IPM coordinator shall prepare and ~~regularly~~ **annually** update a districtwide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

The IPM plan shall include the name of the district and/or school IPM coordinator, the pesticides expected to be applied at the school site by district employees and/or pest control applicators, and a date that the plan shall be reviewed and, if necessary, updated. (Education Code 17611.5)

The district shall use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

The IPM plan and this administrative regulation shall not apply to reduced-risk pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (Education Code 17610.5; 3 CCR 6147)

INTEGRATED PEST MANAGEMENT (continued)

The district's program shall include, but not necessarily be limited to, the following components:

1. Identifying and monitoring pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.
2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazards that would indicate corrective action should be taken.
3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.
4. Considering a full range of possible alternative cost-effective treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for the use of chemical control agents.
5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazardous effects to people and the environment.

No pesticide that is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site, shall be used at a school site. (Education Code 17610.1)

6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and **product** label directions ~~registered with the EPA as well as any disposal requirements indicated on the product label.~~

(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)

7. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.
8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM **as described in the section "Training" below.**

INTEGRATED PEST MANAGEMENT (continued)

9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

Training

~~Beginning July 1, 2016, the~~ The IPM coordinator and any employee or contractor who ~~intends~~ **may be designated** to apply a pesticide at a school site shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children's health. (Education Code 17614; Food and Agricultural Code 13186.5)

(cf. 4231 - Staff Development)

Any district employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Notifications

Staff and parents/guardians of students enrolled at a school site shall be annually notified, in writing, regarding pesticide products expected to be applied at the school site in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it
2. The Internet address (<http://www.cdpr.ca.gov/schoolipm>) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184
3. If the school has posted its IPM plan, the Internet address where the plan may be found
4. The opportunity to view a copy of the IPM plan in the school office
5. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the school site
6. Other information deemed necessary by the IPM coordinator

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

INTEGRATED PEST MANAGEMENT (continued)

Whenever a person registers to receive notice of individual pesticide application pursuant to item #5 above, the IPM coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application. (Education Code 17612)

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)

If a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5, it shall post the school or district IPM plan on the school's web site or, if the school does not have a web site, then on the district web site. If neither the school nor district has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code 17612 as described above. ~~The plan shall include the name of the school designee or IPM coordinator, the pesticides applied at the school site by school or district employees and hired pest control applicators, and a date when the plan shall be reviewed and updated as necessary.~~ When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (Education Code 17611.5)

Whenever the IPM coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

Warning Signs

The IPM coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. The warning sign shall prominently display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

INTEGRATED PEST MANAGEMENT (continued)

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide **to protect the health and safety of students, staff, or other persons or the school site**, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

Records

At the end of each calendar year, the IPM coordinator shall submit to **the** DPR, on a form provided by **the** DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code 13186. The IPM coordinator may submit more frequent reports at his/her discretion. (Education Code 17611)

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. ~~Such records may be maintained~~ **A school may meet this requirement** by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Pesticide Use near School Site

Upon receiving notification pursuant to 3 CCR 6692 that a grower expects to use agricultural pesticides within one-quarter mile of a school site Monday through Friday from 6:00 a.m. to 6:00 p.m., the principal or designee shall notify the Superintendent or designee, IPM coordinator, staff at the school site, and parents/guardians of students enrolled at the school.

The principal or designee may communicate with any grower within one-quarter mile of the school to request that the grower not apply pesticides during evenings or weekends when school activities are scheduled.

Legal Reference: (see next page)

INTEGRATED PEST MANAGEMENT (continued)

Legal Reference:

BUSINESS AND PROFESSIONS CODE

8593.2 Licensed pest control operators; training requirements

EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-17614 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

BUSINESS AND PROFESSIONS CODE

8593.2 Licensed pest control operators; training requirements

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 3

6147 Pesticides exempted from registration requirements

6690-6692 Pesticide use near school sites

6724 Training of employees handling pesticides

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PUBLICATIONS

California School IPM Model Program Guidebook

Healthy Schools Act Requirements for Public K-12 Schools

School District Integrated Pest Management Plan Template

U.S. ENVIRONMENTAL PROTECTION AGENCY

Protecting Children in Schools from Pests and Pesticides, 2002

Pest Control in the School Environment: ~~Adopting~~ **Implementing** Integrated Pest Management

(IPM), 1993-May 2017

WEB SITES

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

California Department of Pesticide Regulation, School IPM: <http://www.cdpr.ca.gov/schoolipm>

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:

<http://www.epa.gov/pesticides/ipm> **<https://www.epa.gov/managing-pests-schools>**

CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3551(a)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all food service personnel possess the required qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program in accordance with law.

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, ~~and The Such procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures and related district policies to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public. The procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.~~

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees is not overtly identified, shamed, treated differently, or served a meal that differs from the meal served to other students. (Education Code 49557.5)

Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5145.3 - Nondiscrimination/Harassment)

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3460 - Financial Reports and Accountability)

Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. *Domestic commodity or product* means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the **use of the** exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Legal Reference:

EDUCATION CODE

38080-38086 Cafeteria, establishment and use
38090-38095 Cafeterias, funds and accounts
38100-38103 Cafeterias, allocation of charges
42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals
49554 Contract for services
49550-~~49562~~ 49564.5 Meals for needy students

49580-49581 Food recovery program

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58595 Preference for California-grown agricultural products

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE

2000-2002 Responsive bidders

20111 Contracts

CODE OF REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 Indirect costs, definition

200.318-200.326 Procurement standards

200.400-200.475 Cost principles

200 Appendix VII Indirect cost proposals

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

250.1-250.70 USDA foods

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

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Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, **NSD** Management Bulletin, SNP-03-2017, April 2017

Management Resources continued: (see next page)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Management Resources: (continued)

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Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013

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~~Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010~~

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin 00-111, July 2000

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FAQs About School Meals

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Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016
Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3551(a)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Payments for Meals

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

At the beginning of the school year, and whenever a student enrolls during the school year, parents/guardians shall be notified of the district's meal payment policies and be encouraged to prepay for meals whenever possible. The Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 - Parental Notifications)

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

Unpaid and Delinquent Meal Charges

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

No later than 10 days after a student's school meal account has reached a negative balance, the Superintendent or designee shall so notify the student's parent/guardian. Before sending this notification, the district shall exhaust all options and methods to directly certify the student for free or reduced-price meals. If the district is not able to directly certify the student, the notice to the parent/guardian shall include a paper copy of, or an electronic link to, an application for free or reduced-price meals and the Superintendent or designee shall contact the parent/guardian to encourage submission of the application. (Education Code 49557.5)

The district may attempt to collect unpaid school meal fees from a parent/guardian, but shall not use a debt collector. (Education Code 49557.5)

The Superintendent or designee may enter into ~~a repayment plan~~ **an agreement** with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

The district shall not direct any action toward a student to collect unpaid school meal fees. (Education Code 49557.5)

The district's efforts to collect debt shall be consistent with district policies and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The district shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

The Superintendent or designee shall maintain records of the efforts made to collect unpaid meal charges and, if applicable, financial documentation showing when the unpaid meal balance has become an operating loss.

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to **the** CDE using the online Child Nutrition Information and Payment System.

Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091)

(cf. 3300 - Expenditures and Purchases)

AR 3551(c)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR 220.14)

U.S. Department of Agriculture Foods

The Superintendent or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation
2. Safeguard foods against theft, spoilage, and other loss
3. Maintain foods at proper storage temperatures
4. Store foods off the floor in a manner to allow for adequate ventilation
5. Take other protective measures as may be necessary

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The district shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

(cf. 3312 - Contracts)

(cf. 3515.6 - Criminal Background Checks for Contractors)

(cf. 3600 - Consultants)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4212 - Appointments and Conditions of Employment)

(12/13 5/17) 3/18

Policy Reference UPDATE Service

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CSBA Sample

Board Policy

Business and Noninstructional Operations

BP 3553(a)

FREE AND REDUCED PRICE MEALS

The Governing Board recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer Learning Programs)

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meals program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)

Schools participating in the Special Milk Program pursuant to 42 USC 1772 shall provide milk at no charge to students who meet federal eligibility criteria for free or reduced-price meals.

The Board shall approve, and shall submit to the **California Department of Education CDE** for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

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

(cf. 3555 - Nutrition Program Compliance)

(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meals program shall be confidential and may not be released except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

FREE AND REDUCED PRICE MEALS (continued)

The Board authorizes designated employees to use individual records pertaining to student eligibility for the free and reduced-price meals program for the following purposes: (Education Code 49558)

1. Disaggregation of academic achievement data

(cf. 6162.51 - State Academic Achievement Tests)

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. He/she also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

(cf. 5141.6 - School Health Services)

FREE AND REDUCED PRICE MEALS (continued)

Legal Reference:

EDUCATION CODE

48980 Notice at beginning of term

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act of 1974

49547-49548.3 Comprehensive nutrition service

49550-~~49562~~ **49564.5** Meals for needy students

CODE OF REGULATIONS, TITLE 5

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 20

1232g Federal Educational Rights and Privacy Act

6301-6576 Elementary and Secondary Education Act

UNITED STATES CODE, TITLE 42

1751-1769j School lunch program

1771-1791 Child nutrition, especially:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.10-220.21 National School Breakfast Program

245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

WELFARE AND INSTITUTIONS CODE

~~14005.41~~ Basic health care

Management Resources:

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Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Direct Certification Implementation Checklist

Free and Reduced-Price Meals: Universal Meal Service, Nutrition Services Division Management

Bulletin SNP-01-2018, January 2018

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2015

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Food Policy Advocates: <https://cfpa.net>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

CSBA Sample

Administrative Regulation

Business and Noninstructional Operations

AR 3553(a)

FREE AND REDUCED PRICE MEALS

Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

(cf. 5145.6 - Parental Notifications)

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

FREE AND REDUCED PRICE MEALS (continued)

~~When authorized by law, participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall other federal or state programs may~~ be directly certified, ~~without further application,~~ for enrollment in the free and reduced-price meals program **without further application. Participants in other state or federal programs may be directly certified when authorized by law.** (Education Code 49561, **49562**; 42 USC 1758; **7 CFR 245.6**)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6175 - Migrant Education Program)

Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal

FREE AND REDUCED PRICE MEALS (continued)

3. The right to reapply at any time during the school year

Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to use individual records pertaining to student participation in the free and reduced-price meals program for the purpose of disaggregation of academic achievement data—and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.

School Principal
Intervention Teacher

In using the records for such purposes, the Superintendent or designee shall ensure that: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meals program are maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meals program is not publicly released.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program is destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

The district's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.

FREE AND REDUCED PRICE MEALS (continued)

3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

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

(cf. 3555 - Nutrition Program Compliance)

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

CSBA Sample

Board Policy

All Personnel

BP 4111(a)

4211

RECRUITMENT AND SELECTION

4311

The Governing Board is committed to employing suitable, qualified individuals to **effectively** carry out the district's **vision, mission, and goals.** ~~to provide high-quality education to its students and to ensure the efficiency of district operations.~~

(cf. 0000 - Vision)

~~(cf. 0100~~ **0200** ~~- Goals for the School District)~~

~~(cf. 4000 - Concepts and Roles)~~

~~(cf. 4100 - Certificated Personnel)~~

~~(cf. 4200 - Classified Personnel)~~

~~(cf. 4300 - Administrative and Supervisory Personnel)~~

The Superintendent or designee shall develop **equitable,** fair, **open,** and transparent recruitment and selection processes and procedures ~~which that~~ ensure ~~that~~ individuals are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

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

~~(cf. 4030 - Nondiscrimination in Employment)~~

~~(cf. 4032 - Reasonable Accommodation)~~

~~(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)~~

When a vacancy occurs, the Superintendent or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. He/she **also** shall **also** disseminate job announcements to ensure a wide range of candidates.

~~With Board approval, the Superintendent or designee may provide incentives to recruit teachers, administrators, or other employees to work in low-performing schools or in hard-to-fill positions.~~

~~(cf. 4113 - Assignment)~~

The district's selection procedures shall include screening processes, interviews, **observations,** **and** recommendations from previous employers, **and observations when appropriate,** as necessary to identify the best possible candidate for a position.

(cf. 4112.61/4212.61/4312.61 - Employment References)

The Superintendent or designee may establish an interview committee, **as appropriate,** to rank candidates and recommend finalists. **During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job.** All discussions and recommendations shall be confidential in accordance with law.

RECRUITMENT AND SELECTION (continued)

(cf. 2230 - Representative and Deliberative Groups)

~~During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job.~~ No inquiry shall be made with regard to any **category of discrimination information** prohibited by state or federal **nondiscrimination** laws.

The Superintendent or designee shall not inquire, orally or in writing, in regard to an applicant's salary history information, including compensation and benefits. He/she shall also not rely on salary history information as a factor in determining whether to offer employment to an applicant or the salary to offer. However, the Superintendent or designee may consider salary information that is disclosable under state or federal law or that the applicant discloses voluntarily and without prompting. Upon request, the Superintendent or designee shall provide the applicant the pay scale for the position to which he/she is applying. (Labor Code 432.3)

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

(cf. 4112 - Appointment and Conditions of Employment)

(cf. 4112.2 - Certification)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

(cf. 4212 - Appointment and Conditions of Employment)

(cf. 4312.1 - Contracts)

Incentives

With Board approval and in accordance with district needs, the district may provide incentives to recruit teachers, administrators, or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, and or additional compensation.

Legal Reference: (see next page)

RECRUITMENT AND SELECTION (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

35035 Responsibilities of superintendent

~~41530-41533 Professional Development Block Grant~~

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

~~44735 Teaching as a Priority block grant~~

~~44740-44741 Personnel management assistance teams~~

44750 Teacher recruitment resource center

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re: residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

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815.2 Liability of public entities and public employees

6250-6276.48 Public Records Act

12900-12996 Fair Employment and Housing Act, including:

12940-~~12956~~ **12957** Discrimination prohibited; unlawful practices

HEALTH AND SAFETY CODE

53570-53574 Teacher Housing Act of 2016

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432.3 Salary information

UNITED STATES CODE, TITLE 5

552 Freedom of Information Act

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1324a Unlawful employment of aliens

1324b Unfair immigration related **employment** practices

UNITED STATES CODE, TITLE 20

1681-1688 Title IX prohibition against discrimination

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

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

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

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C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1

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California County Superintendents Educational Services Association: <http://ccsesa.org/recruit>

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Education Job Opportunities Information Network: <http://www.edjoin.org>

Teach USA: ~~<http://www.calteach.org>~~ <https://culturalvistas.org/programs/us/teach-usa>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

CSBA Sample

Board Policy

All Personnel

BP 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

~~The Governing Board prohibits sexual harassment of district employees. The Board also prohibits~~ **The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and** retaliatory behavior or action against ~~district employees or other~~ **any** persons who complains, ~~testify~~ **testifies**, or otherwise participates in the complaint process established ~~pursuant to~~ **for the purpose of** this policy ~~and accompanying administrative regulation.~~

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and, ~~when applicable,~~ to **other persons on district property or with some employment relationship with the district, such as** interns, volunteers, **contractors,** and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to **staff employees and others to whom the policy may apply**

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

SEXUAL HARASSMENT (continued)

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed **in the performance of his/her district responsibilities** or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her **direct supervisor, another supervisor, the principal, district administrator, the district's coordinator for nondiscrimination, or the Superintendent, or, if available, a complaint hotline or an ombudsman**. A supervisor, **principal**, or **other district administrator** who receives a harassment complaint shall promptly notify the **coordinator, Superintendent or designee**.

Complaints of sexual harassment shall be filed **and investigated** in accordance with **the complaint procedure specified in** AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1681-1688 Title IX prohibition against discrimination

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

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

Legal Reference continued: (see next page)

SEXUAL HARASSMENT (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January 1999

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

CSBA Sample

Administrative Regulation

All Personnel

AR 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

SEXUAL HARASSMENT (continued)

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include **how to recognize prohibited or harassing conduct**, the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee. **The training shall also include information about processes for employees to informally share or obtain information about harassment without filing a complaint.**

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A *supervisory employee* is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability

SEXUAL HARASSMENT (continued)

2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
- 8. Practical examples of harassment based on gender identity, gender expression, and sexual orientation**

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted

SEXUAL HARASSMENT (continued)

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive **either** a copy of **an** information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or **a copy of district information sheets the district** that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment, **and the DFEH poster regarding transgender rights**. (Government Code 12950)

(12/16 3/16) 3/18

CSBA Sample

Administrative Regulation

Certificated Personnel

AR 4161.1(a)
4361.1

PERSONAL ILLNESS/INJURY LEAVE

Certificated employees employed five school days per week are entitled to 10 days' leave of absence with full pay for personal illness or injury (sick leave) per school year of service. Employees who work less than five school days per week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee who is entitled to less than three days of paid sick leave per year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 44978; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

Certificated employees may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment; quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties; or temporary inability to perform assigned duties because of illness, accident, or quarantine (Education Code 44964)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 44965, 44978)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity (Education Code 44981)

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accidents or illnesses when leave granted specifically for that purpose has been exhausted (Education Code 44984)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

PERSONAL ILLNESS/INJURY LEAVE (continued)

6. Need of the employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 44977.5; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)

6.7. Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

7. 8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and/or 230.1(a) for the health, safety, or welfare of the employee or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items #~~6-7~~ **7-8**, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take sick leave at any time during the school year, even if credit for sick leave has not yet been accrued. (Education Code 44978)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978)

At the beginning of each school year, employees shall be notified of the amount of sick leave they have accumulated.

The district shall not require new employees to waive leave accumulated in a previous district. (Education Code 44979, 44980)

The Superintendent or designee shall notify any certificated employee who leaves the district after at least one school year of employment that if the employee accepts a certificated position in another district, county office of education, or community college district within one year, he/she may request that the district transfer his/her accumulated sick leave to the new employer. (Education Code 44979, 44980)

Additional Leave for Disabled Military Veterans

PERSONAL ILLNESS/INJURY LEAVE (continued)

In addition to any other entitlement for sick leave with pay, a **newly-hired** certificated employee who is a **military-veteran-with former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component** ~~a military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs~~ shall be entitled to sick leave with pay of up to 10 days for the purpose of undergoing medical treatment, **including mental health treatment**, for **his/her** ~~a~~ **military service-connected disability rated at 30 percent or more by the U.S. Department of Veterans Affairs**. An eligible employee ~~employed who works~~ less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 44978.2)

The amount of leave shall be credited to the employee **either** on the **date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later**. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 10-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 44978.2)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall ~~remain~~ **be available for the following 12 months of employment following the first date that the leave was credited**. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 44978.2)

Notification of Absence

An employee shall notify the district of his/her need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

(cf. 4121 - Temporary/Substitute Personnel)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and, due to illness or accident, continues to be absent from his/her duties for an additional period of up to five school months, the employee shall receive his/her regular salary minus the actual cost of a substitute to fill the position. If the district has made every reasonable effort to secure the services of a substitute and has been unable to do so, the amount that would have been paid to a substitute shall be deducted from the employee's salary. (Education Code 44977)

An employee shall not be provided more than one five-month period per illness or accident. However, if the school year ends before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. (Education Code 44977)

Absence Beyond Five-Month Period/Reemployment List

If a certificated employee is not medically able to resume his/her duties after the five-month period provided pursuant to Education Code 44977, the employee shall be placed either in another position or on a reemployment list. Placement on the reemployment list shall be for 24 months for probationary employees or 39 months for permanent employees and shall begin at the expiration of the five-month period. If during this time the employee becomes medically able, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

(cf. 4116 - Probationary/Permanent Status)

Differential Pay for Parental Leave

During each school year, ~~any a~~ certificated employee ~~who has exhausted~~ **may use** all available sick leave, including accumulated sick leave, ~~and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay for~~ **the purpose of parental leave for a period** up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. **(Education Code 44977.5)**

~~Eligibility for parental leave pursuant to Education Code 44977.5~~ **such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 44977.5)**

PERSONAL ILLNESS/INJURY LEAVE (continued)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 44977.5)

Such ~~parental~~ parental leave **taken pursuant to Education Code 44977.5** shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 **or 12945.6**, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. **(Education Code 44977.5; Government Code 12945.2, 12945.6)**

Verification Requirements

After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny further leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to duty and stipulating any necessary restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Healthy Workplaces, Healthy Families Act Requirements

No employee shall be denied the right to use accrued sick days, and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick days
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request
3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference on next page

PERSONAL ILLNESS/INJURY LEAVE (continued)

EDUCATION CODE

- 44964 Power to grant leave of absence in case of illness, accident, or quarantine
- 44965 Granting of leaves of absence for pregnancy and childbirth
- 44976 Transfer of leave rights when school is transferred to another district
- 44977 Salary deduction during absence from duties up to five months after sick leave is exhausted
- 44977.5 Differential pay during parental leave up to 12 weeks after sick leave is exhausted
- 44978 Provisions for sick leave of certificated employees
- 44978.1 Inability to return to duty; placement in another position or on reemployment list
- 44978.2 Leave for military service connected disability
- 44979 Transfer of accumulated sick leave to another district
- 44980 Transfer of accumulated sick leave to a county office of education
- 44981 Leave of absence for personal necessity
- 44983 Exception to sick leave when district adopts specific rule
- 44984 Industrial accident or illness
- 44986 Leave of absence for disability allowance applicant

GOVERNMENT CODE

12945.1-12945.2 California Family Rights Act

12945.6 Parental leave

LABOR CODE

- 220 Sections inapplicable to public employees
- 230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
- 230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
- 233 Illness of child, parent, spouse or domestic partner
- 234 Absence control policy
- 245-249 Healthy Workplaces, Healthy Families Act of 2014
- CODE OF REGULATIONS, TITLE 5
- 5601 Transfer of accumulated sick leave
- UNITED STATES CODE, TITLE 29**
- 2601-2654 Family and Medical Leave Act of 1993, as amended**
- UNITED STATES CODE, TITLE 42
- 2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 Family and Medical Leave Act of 1993

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

Veguez v. Governing Board of Long Beach Unified School District, (2005) 127 Cal.App.4th 406

CSBA Sample

Administrative Regulation

All Personnel

AR 4161.8(a)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE

The district shall not deny any eligible employee ~~his/her the~~ right to family care, medical, or pregnancy disability leave (PDL) pursuant to the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA) ~~or nor~~ restrain or interfere with the employee's exercise of such right. In addition, the district shall not discharge an employee or discriminate or retaliate against him/her for taking such leave or for his/her opposition to or challenge of any unlawful district practice in relation to any of these laws or for his/her involvement in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child to whom the employee stands in *loco parentis*, as long as the child is under 18 years of age or an adult dependent child. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month period. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means ~~a woman who, in the opinion of her~~ **an employee whose** health care provider **states that the employee** is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of ~~her the~~ job or to perform any of them without undue risk to ~~herself the employee or other persons or to her the~~ pregnancy's successful completion, ~~or to other persons~~
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

FAMILY CARE AND MEDICAL LEAVE (continued)

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in *loco parentis* to the employee when the employee was a child. *Parent* does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or his/her child, parent, or spouse, including, but not limited to, treatment for substance abuse, that involves either of the following: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when a health care facility formally admits him/her to the facility with the expectation that he/she will remain overnight and occupy a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage, or a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

FAMILY CARE AND MEDICAL LEAVE (continued)

Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2, **12945.6**; 29 USC 2612; 29 CFR 825.112)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (**parental leave**)
2. To care for the employee's child, parent, or spouse with a serious health condition
3. The employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered servicemember with a serious injury or illness if the covered servicemember is the employee's spouse, child, parent, or next of kin, as defined

In addition, the district shall grant PDL to any **female** employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945.2; 29 USC 2612)

This 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

In addition, ~~for each pregnancy,~~ any **female** employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

AR 4161.8(d)
4261.8
4361.8

FAMILY CARE AND MEDICAL LEAVE (continued)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of **her a** child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 work weeks. This restriction shall apply regardless of the legal status of both parents' relationship. (Government Code 12945.2, **12945.6**; 2 CCR 11088; 29 USC 2612)

Use/Substitution of Paid Leave

An employee shall use his/her accrued vacation leave, other accrued time off, and any other paid time off negotiated with the district for any otherwise unpaid FMLA or CFRA leave not involving his/her own serious health condition. For PDL, CFRA, or FMLA leave due to an employee's own serious health condition, the employee shall use accrued sick leave and may use accrued vacation leave and other paid time off at his/her option. (Government Code 12945, 12945.2, **12945.6**; 2 CCR 11044; 29 USC 2612)

The district and employee may also negotiate for the employee's use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (2 CCR 11042, 11090; 29 USC 2612)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

FAMILY CARE AND MEDICAL LEAVE (continued)

The basic minimum duration of leave for the birth, **adoption**, or **foster care** placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position ~~if the employee is pregnant and provides medical certification from her health care provider of a medical need for intermittent leave or leave on a reduced work or leave schedule or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule is foreseeable based on his/her planned medical treatment or that of a family member.~~ **under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)**

- 1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.**
- 2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.**
- 3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.**

~~This~~ alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

~~(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light Duty Assignment)~~

Request for Leave

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

FAMILY CARE AND MEDICAL LEAVE (continued)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for **the** PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for his/her own or his/her child's, parent's, or spouse's serious health condition, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began

FAMILY CARE AND MEDICAL LEAVE (continued)

2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the child, parent, or spouse during a period of the treatment or supervision
 - b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse
4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

FAMILY CARE AND MEDICAL LEAVE (continued)

For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because **she the employee** is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011.

Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for his/her own serious health condition, the employee shall present certification from the health care provider that he/she is able to resume work. **The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.**

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Rights to Reinstatement

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

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4261.8
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FAMILY CARE AND MEDICAL LEAVE (continued)

However, the district may refuse to reinstate an employee returning from FMLA or CFRA leave to the same or a comparable position if all of the following apply: (Government Code 12945.2; 2 CCR 11089; 29 USC 2614)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

(cf. 4117.3 - Personnel Reduction)

(cf. 4217.3 - Layoff/Rehire)

The district may also refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the leave if he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

FAMILY CARE AND MEDICAL LEAVE (continued)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion **of** the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid FMLA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while his/her child, parent, or spouse who is a military member is on covered active duty or on call to covered active duty status. (29 USC 2612; 29 CFR 825.126)

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 days of leave per instance) with a military member who is on short-term, temporary, **R**est and **R**ecuperation leave during deployment

FAMILY CARE AND MEDICAL LEAVE (continued)

7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness

FAMILY CARE AND MEDICAL LEAVE (continued)

2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in *loco parentis*. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in *loco parentis* to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
 - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered him/her unable to perform the duties of his/her office, grade, rank, or rating
 - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

FAMILY CARE AND MEDICAL LEAVE (continued)

- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to his/her military service or that would do so but for treatment received by the veteran
- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. **General Notice:** Information explaining the provisions of the FEHA/PDL and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11050, 11091)

FAMILY CARE AND MEDICAL LEAVE (continued)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

2. **Eligibility Notice:** When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
3. **Rights and Responsibilities Notice:** Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
 - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
 - b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
 - c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
 - d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
 - e. The employee's status as a "key employee" if applicable, potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
 - f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
 - g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

FAMILY CARE AND MEDICAL LEAVE (continued)

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. **Designation Notice:** When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

Legal Reference on the next page

FAMILY CARE AND MEDICAL LEAVE (continued)

EDUCATION CODE

44965 *Granting of leaves of absence for pregnancy and childbirth*

FAMILY CODE

297-297.5 *Rights, protections, and benefits under law; registered domestic partners*

300 *Validity of marriage*

GOVERNMENT CODE

12926 *Fair employment and housing act, definitions*

12940 *Unlawful employment practices*

12945 *Pregnancy; childbirth or related medical condition; unlawful practice*

12945.1-12945.2 *California Family Rights Act*

12945.6 Parental leave

12946 *Fair Employment and Housing Act: discrimination prohibited*

CODE OF REGULATIONS, TITLE 2

11035-11051 *Sex discrimination: pregnancy, childbirth and related medical conditions*

11087-11098 *California Family Rights Act*

UNITED STATES CODE, TITLE 1

7 *Definition of marriage*

UNITED STATES CODE, TITLE 29

2601-2654 *Family and Medical Leave Act of 1993, as amended*

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 *Genetic Information Nondiscrimination Act of 2008*

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 *Family and Medical Leave Act of 1993*

COURT DECISIONS

United States v. Windsor, (2013) 699 F.3d 169

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:

FEDERAL REGISTER

The Family and Medical Leave Act; Final Rule; February 6, 2013. Vol. 78, No. 25, pages 8903-8947

U.S. DEPARTMENT OF LABOR PUBLICATIONS

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Labor, FMLA: <http://www.dol.gov/whd/fmla>

CSBA Sample

Administrative Regulation

Classified Personnel

AR 4261.1(a)

PERSONAL ILLNESS/INJURY LEAVE

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, any part-time employee whose work hours are so few as to entitle him/her to less than 24 hours of paid sick leave per fiscal year shall be granted sick leave pursuant to Labor Code 246, if he/she is eligible. (Education Code 45191; Labor Code 245-249)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact with other persons having a contagious disease during the employee's performance of his/her duties (Education Code 45199)

2. Pregnancy, childbirth, and recovery (Education Code 45193)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

3. Personal necessity as specified in Education Code 45207

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)

4. Medical or dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

6. **Need of an employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 45196.1; Government Code 12945.2, 12945.6; 29 USC 2612; 29 CFR 825.112)**

- 6. 7.** Need of the employee or his/her family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Labor Code 233, 246.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

7-8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in items ~~#6-7~~ **7-8**, an employee may use, in any calendar year, the amount of sick leave he/she would accrue during six months at his/her current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave until he/she has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of his/her termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is terminated after at least one calendar year for reasons other than for cause that, if he/she accepts employment in another district, county office of education, or community college district within one year of the termination of employment, he/she shall be entitled to request that the district transfer his/her accumulated sick leave to his/her new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a ~~newly hired~~ classified employee who is a ~~military veteran with~~ **former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component** ~~a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs~~ shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment, **including mental health treatment**, for ~~his/her~~ **a** military service-connected disability **rated at 30 percent or higher by the U.S. Department of Veterans Affairs**. An eligible employee ~~employed who works~~ less than five days per week shall be entitled to such leave in proportion to the time he/she works. (Education Code 45191.5)

PERSONAL ILLNESS/INJURY LEAVE (continued)

The amount of leave shall be credited to the employee **either** on the **first day of employment** ~~and shall remain available for the following 12 months of employment. Leave not used during the 12-month period shall not be carried over and shall be forfeited.~~ **date the employee receives confirmation of the submission of his/her disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives his/her disability rating decision, he/she shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 12-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance.** (Education Code 45191.5)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall ~~remain~~ **be available for the following 12 months of employment following the first date that the leave was credited.** Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of his/her need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which he/she intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or accident, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Differential Pay for Parental Leave

During each school year, any classified employee ~~who has exhausted~~ **may use** all available sick leave, including accumulated sick leave, ~~and continues to be absent on account of parental leave (baby bonding) pursuant to Government Code 12945.2 shall receive differential pay~~ for **the purpose of parental leave for a period** up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. **(Education Code 45196.1)**

Eligibility for ~~parental leave pursuant to Education Code 45196.1~~ **such leave** shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay for the remainder of the 12 work weeks. (Education Code 45196.1)

~~Such p~~**Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)**

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

(cf. 4216 - Probationary/Permanent Status)

If the employee is still unable to resume his/her duties after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes able to resume the duties of his/her position, he/she shall be offered reemployment in the first vacancy in the classification of his/her previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to his/her seniority. (Education Code 45195)

Verification Requirements

PERSONAL ILLNESS/INJURY LEAVE (continued)

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to his/her immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information.

Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from his/her physician stating that he/she is able to return to work and stipulating any recommended restrictions or limitations.

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, any short-term or substitute employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

PERSONAL ILLNESS/INJURY LEAVE (continued)

Any short-term or substitute employee may begin to use accrued paid sick days on the 90th day of his/her employment, after which he/she may use the sick days as they are accrued. (Labor Code 246)

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. His/her own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:
 - a. That an employee is entitled to accrue, request, and use paid sick day
 - b. The amount of sick days provided by Labor Code 245-249
 - c. The terms of use of paid sick days
 - d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against him/her
2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

PERSONAL ILLNESS/INJURY LEAVE (continued)

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

Legal Reference:

EDUCATION CODE

45103 Substitute employees

45190 Leaves of absence and vacations

45191 Leaves of absence for illness and injury

45191.5 Leave for military service connected disability

45193 Leave of absence for pregnancy (re use of sick leave under certain circumstances)

45195 Additional leave for nonindustrial accident or illness; reemployment preference

45196 Salary; deductions during sick leave

45196.1 Differential pay during parental leave up to 12 weeks after sick leave is exhausted

45202 Transfer of accumulated sick leave and other benefits

GOVERNMENT CODE

12945.1-12945.2 California Family Rights Act

12945.6 Parental leave

LABOR CODE

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner

245-249 Healthy Workplaces, Healthy Families Act of 2014

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act of 1993, as amended

UNITED STATES CODE, TITLE 42

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 Family and Medical Leave Act of 1993

1635.1-1635.12 Genetic Information Nondiscrimination Act of 2008

COURT DECISIONS

California School Employees Association v. Colton Joint Unified School District, (2009) 170 Cal.App.4th 957

California School Employees Association v. Tustin Unified School District, (2007) 148 Cal.App.4th 510

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 111 (1970)

CSBA Sample

Board Policy

Students

BP 5022(a)

STUDENT AND FAMILY PRIVACY RIGHTS

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. ~~The Superintendent or designee shall develop regulations to ensure compliance with law when the district requests, retains, discloses, or otherwise uses the personal information of its students and their families.~~

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5021 - Noncustodial Parents)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.8 - Research)

~~Requirements regarding the collection of personal information for marketing or sale shall not apply to the collection, disclosure, or use of personal information collected from students~~
The Superintendent or designee may collect, disclose, or use students' personal information for the **exclusive** purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)

5. The sale by students of products or services to raise funds for school-related or education-related activities

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

6. Student recognition programs

(cf. 5126 - Awards for Achievement)

STUDENT AND FAMILY PRIVACY RIGHTS (continued)

The Superintendent or designee is prohibited from collecting, disclosing, or using a student's individually identifiable information, including his/her name, parent/guardian's name, home or other physical address, telephone number, or social security number, for the purpose of marketing or selling that information or providing the information to others for that purpose.

The Superintendent or designee shall consult with parents/guardians regarding the development of regulations pertaining to other uses of personal information, which shall, at a minimum, address the following: (20 USC 1232h)

1. ~~Whether the district may collect personal information of students for marketing or sale.~~ **Arrangements for protecting student privacy when collecting, disclosing, or using students' individually identifiable information for any purpose**
2. ~~How the district will administer~~ **Arrangements to protect student privacy in the administration of** surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect **the following, and any applicable procedures for granting reasonable access to the following in a reasonable period of time:**
 - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
 - b. Instructional materials used as part of their children's educational curriculum
 - c. **Instruments used in the collection of personal information for the purpose of marketing or sale**
4. ~~Whether the district may administer any nonemergency invasive~~ **Any nonemergency physical examinations or screenings that the school may administer**
5. ~~Notifications that the district will provide to students and parents/guardians with respect to their privacy rights~~

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committee)

(cf. 1230 - School-Connected Organizations)

The Superintendent or designee shall notify parents/guardians of the adoption or continued use of the district's policy pertaining to the rights specified in items #1-4 above. (20 USC 1232h)

(cf. 5145.6 - Parental Notifications)

STUDENT AND FAMILY PRIVACY RIGHTS (continued)

~~The Superintendent or designee shall consult with parents/guardians regarding the development of the procedures. (20 USC 1232h)~~

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

49076.7 Privacy of student records; social security numbers

49450-49458 Physical examinations

49602 Confidentiality of personal information received during counseling

51101 Parents Rights Act of 2002

51513 Test, questionnaire, survey, or examination concerning personal beliefs

51514 Nonremoval of survey questions pertaining to sexual orientation or gender identity

51938 Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of pupil rights

Management Resources:

WEB SITES

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

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

U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco>

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Policy Reference UPDATE Service

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CSBA Sample

Administrative Regulation

Students

AR 5022(a)

STUDENT AND FAMILY PRIVACY RIGHTS

Collection of Personal Information for Marketing or Sale

[SECTION MOVED TO BP]

Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian, **or a student who is an adult or emancipated minor,** shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (Education Code 51513; 20 USC 1232h)

1. Political affiliations or beliefs of the student or his/her parent/guardian
2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of other individuals with whom the student has close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers
7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5148 - Child Care and Development)

If a student participates in **such** a survey requesting information about **personal** beliefs and practices ~~as identified above~~, school officials and staff members shall not request or disclose the student's identity.

(cf. 6162.8 - Research)

STUDENT AND FAMILY PRIVACY RIGHTS (continued)

Parent/Guardian Access to Surveys and Instructional Materials

The parent/guardian of any district student, upon his/her request, shall have the right to inspect: (Education Code 51938; 20 USC 1232h)

1. A survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices
2. Any instructional material to be used as part of his/her child's educational curriculum

(cf. 5020 - Parent Rights and Responsibilities)

Within a reasonable period of time after receiving a parent/guardian's request, the principal or designee shall permit the parent/guardian to view the survey or other document he/she requested. A parent/guardian may view the document any time during normal business hours.

(cf. 1340 - Access to District Records)

No student shall be subject to penalty for his/her parent/guardian's exercise of any of the rights stated above.

Health Examinations

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student shall be subjected to a nonemergency, invasive physical examination without prior written notice to his/her parent/guardian, **unless an applicable state law authorizes the student to provide consent without parent/guardian notification.** (20 USC 1232h)

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC 1232h)

(cf. 5131.61 - Drug Testing)

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

(cf. 5141.3 - Health Examinations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC 1232h)

STUDENT AND FAMILY PRIVACY RIGHTS (continued)

1. The district's policy regarding student privacy
2. The process to opt their children out of participation in any activity described in this ~~policy and~~ administrative regulation **and the accompanying Board policy**
3. The specific or approximate dates during the school year when the following activities are scheduled:
 - a. Survey requesting personal information
 - b. Physical examinations or screenings

Parents/guardians shall also be notified of any substantive change to this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC 1232h)

(cf. 5145.6 - Parental Notifications)

(3/04 3/11) 3/18

CSBA Sample

Board Policy

Students

BP 5145.6(a)

PARENTAL NOTIFICATIONS

The Governing Board ~~recognizes that notifications are essential to~~ **desires to promote** effective communication between the school and the home **and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians.** The Superintendent or designee shall send ~~students and parents/guardians~~ **and students** all notifications required by law, ~~including notifications about their legal rights,~~ and any other notifications he/she believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6020 - Parent Involvement)

~~The notice required pursuant to~~ **Notice of the rights and responsibilities of parents/guardians as specified in** Education Code 48980 shall be sent at the beginning of each academic year and may be provided ~~either~~ by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used ~~to communicate with parents/guardians in writing by the district for written communication with parents/guardians.~~ (Education Code 48981, ~~48982~~)

~~If any activity specified in Education Code 48980 will be undertaken by any school during the forthcoming school term, the notice shall state that fact and the approximate date on which any such activity will occur.~~ No ~~such~~ activity **specified in Education Code 48980** shall be undertaken with respect to any particular student unless his/her parent/guardian has been informed of such action through the annual notification or other separate special notification. **Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur.** (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls in a district school during the school year, his/her parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand.

PARENTAL NOTIFICATIONS (continued)

~~Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law.~~ **Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985; 20 USC 6311, 6312)**

Whenever an employee learns that a student's parent/guardian is ~~for any reason~~, unable to understand the district's printed notifications **for any reason, he/she shall inform** the principal or designee, **who** shall work with the parent/guardian to establish other appropriate means of communication.

Legal Reference: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference:

EDUCATION CODE

221.5 Prohibited sex discrimination

231.5 Sexual harassment policy

234.7 Student protections relating to immigration and citizenship status

262.3 Appeals for discrimination complaints; information regarding availability of civil remedies

310 Language acquisition programs

313 Reclassification of English learners, parental consultation

313.2 Long-term English learner, notification

440 English language proficiency assessment; instruction in English language development

8483 Before/after school program; enrollment priorities

17288 Building standards for university campuses

17611.5-17612 Notification of pesticide use

32221.5 Insurance for athletic team members

32255-32255.6 Right to refuse harmful or destructive use of animals

32390 Fingerprint program; contracts; funding; consent of parent/guardian

33479.3 The Eric Paredes Sudden Cardiac Arrest Prevention Act

35160.5 Extracurricular and cocurricular activities

35178.4 Notice of accreditation status

35182.5 Advertising in the classroom

35183 School dress codes; uniforms

35186 Complaints concerning deficiencies in instructional materials and facilities

35211 Driver training; district insurance, parent/guardian liability

35256 School Accountability Report Card

35258 School Accountability Report Card

35291 Rules for student discipline

37616 Consultation regarding year-round schedule

39831.5 School bus rider rules and information

~~48412 Certificate of proficiency~~

44050 Employee codes of conduct, employee interactions with students

44808.5 Permission to leave school grounds

46010.1 Notice regarding excuse to obtain confidential medical services

46014 Regulations regarding absences for religious purposes

46600-46611 Interdistrict attendance agreements

48000 Minimum age of admission

48070.5 Promotion or retention of students

48204 Residency requirements

48205 Absence for personal reasons

48206.3 Students with temporary disabilities; individual instruction; definitions

48207-48208 Students with temporary disabilities in hospitals

48213 Prior notice of exclusion from attendance

48216 Immunization

48260.5 Notice regarding truancy

48262 Need for parent conference regarding truancy

48263 Referral to school attendance review board or probation department

48301 Interdistrict transfers

48350-48361 Open Enrollment Act

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

- 48354 Option to transfer from school identified under Open Enrollment Act*
- 48357 Status of application for transfer from school identified under Open Enrollment Act*
- 48412 Certificate of proficiency*
- 48432.3 Voluntary enrollment in continuation education*
- 48432.5 Involuntary transfers of students*
- 48850-48859 Education of foster youth and homeless students*
- 48853.5 Placement of foster youth*
- 48900.1 Parental attendance required after suspension*
- 48904 Liability of parent/guardian for willful student misconduct*
- 48904.3 Withholding grades, diplomas, or transcripts*
- 48906 Notification of release of student to peace officer*
- 48911 Notification in case of suspension*
- 48911.1 Assignment to supervised suspension classroom*
- 48912 Closed sessions; consideration of suspension*
- 48915.1 Expelled students; enrollment in another district*
- 48916 Readmission procedures*
- 48918 Rules governing expulsion procedures*
- 48929 Transfer of student convicted of violent felony or misdemeanor*
- 48980 Required notification at beginning of term*
- 48980.3 Notification of pesticide use*
- 48981 Time and means of notification*
- 48982 Parent signature acknowledging receipt of notice*
- 48983 Contents of notice*
- 48984 Activities prohibited unless notice given*
- 48985 Notices to parents in language other than English*
- 48987 Child abuse information*
- 49013 Use of uniform complaint procedures for complaints regarding student fees*
- 49063 Notification of parental rights*
- 49067 Student evaluation; student in danger of failing course*
- 49068 Transfer of permanent enrollment and scholarship record*
- 49069 Absolute right to access*
- 49070 Challenging content of student record*
- 49073 Release of directory information*
- 49073.6 Student records, social media*
- 49076 Access to student records*
- 49077 Access to information concerning a student in compliance with court order*
- 49403 Cooperation in control of communicable disease and immunization*
- 49423 Administration of prescribed medication for student*
- 49451 Physical examinations: parent's refusal to consent*
- 49452.5 Screening for scoliosis*
- 49452.7 Information on type 2 diabetes*
- 49452.8 Oral health assessment*
- 49456 Results of vision or hearing test*
- 49471-49472 Insurance*

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

49475 Student athletes; concussions and head injuries

49480 Continuing medication regimen for nonepisodic conditions

49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970

49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account

51225.1 Exemption from district graduation requirements

51225.2 Course credits; foster youth, homeless youth, **and** former juvenile court school students **and military-connected students**

51225.3 Graduation requirements; courses that satisfy college entrance criteria

51229 Course of study for grades 7-12

51513 Personal beliefs; privacy

51938 HIV/AIDS and sexual health instruction

52164 Language census

52164.1 Census-taking methods; determination of primary language; assessment of language skills

52164.3 Reassessment of English learners; notification of results

54444.2 Migrant education programs; parent involvement

56301 Child-find system; policies regarding written notification rights

56321 Special education: proposed assessment plan

56321.5-56321.6 Notice of parent rights pertaining to special education

56329 Written notice of right to findings; independent assessment

56341.1 Development of individualized education program; right to audio record meeting

56341.5 Individualized education program team meetings

56343.5 Individualized education program meetings

56521.1 Behavioral intervention

58501 Alternative schools; notice required prior to establishment

60615 Exemption from state assessment

60641 California Assessment of Student Performance and Progress

60850-60859 High school exit examination

69432.9 Submission of grade point average to Cal Grant program

CIVIL CODE

1798.29 District records, breach of security

HEALTH AND SAFETY CODE

1596.857 Right to enter child care facility

104420 Tobacco use prevention

104855 Availability of topical fluoride treatment

116277 Lead testing of school drinking water

120365-120375 Immunizations

120440 Sharing immunization information

124100-124105 Health screening and immunizations

PENAL CODE

626.81 Notice of permission granted to sex offender to volunteer on campus

627.5 Hearing request following denial or revocation of registration

CODE OF REGULATIONS, TITLE 5

852 Exemptions from state assessments

863 Reports of state assessment results

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5 (continued)

3052 Behavioral intervention

~~4917 Notification of sexual harassment policy~~

4622 Notification of uniform complaint procedures

4631 Uniform complaint procedures; notification of decision and right to appeal

4702 Student transfer from school identified under Open Enrollment Act

~~4917 Notification of sexual harassment policy~~

11303 Reclassification of English learners

11511.5 English language proficiency assessment; test results

11523 Notice of proficiency examinations

18066 Child care policies regarding excused and unexcused absences

18094-18095 Notice of Action; child care services

18114 Notice of delinquent fees; child care services

18118-18119 Notice of Action; child care services

CODE OF REGULATIONS, TITLE 17

2951 Hearing tests

6040 Time period to obtain needed immunizations

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1232h Privacy rights

1415 Procedural safeguards

~~6311 State plan~~

6312 Local educational agency plans

~~6316~~ **6318** Parent and family engagement

7908 Armed forces recruiter access to students

UNITED STATES CODE, TITLE 42

1758 Child nutrition programs

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 7

245.5 Eligibility criteria for free and reduced-price meals

245.6a Verification of eligibility for free and reduced-price meals

CODE OF FEDERAL REGULATIONS, TITLE 34

99.7 Student records, annual notification

99.30 Disclosure of personally identifiable information

99.34 Student records, disclosure to other educational agencies

99.37 Disclosure of directory information

104.32 District responsibility to provide free appropriate public education

104.36 Procedural safeguards

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

200.~~6148~~ Teacher qualifications

300.300 Parent consent for special education evaluation

300.322 Parent participation in IEP team meetings

300.502 Independent educational evaluation of student with disability

300.503 Prior written notice regarding identification, evaluation, or placement of student with disability

Legal Reference continued: (see next page)

PARENTAL NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34 (continued)

300.504 *Procedural safeguards notice for students with disabilities*

300.508 *Due process complaint*

300.530 *Discipline procedures*

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 *Asbestos inspections, response actions and post-response actions*

763.93 *Asbestos management plans*

Management Resources:

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

WEB SITES

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

CSBA Sample

Exhibit

Students

E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 ~~relieves~~ **releases** districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of ~~2016 (SB 826, Ch. 23, Statutes of 2016)~~ **2017 (AB 97, Ch. 14, Statutes of 2017)** extends the suspension of these requirements through the ~~2016-17~~ **2017-18** fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 234.7	BP 0410	Right to a free public education regardless of immigration status or religious beliefs
Beginning of each school year	Education Code 310	BP ~~6174~~ 6142.2 AR ~~6142.2~~ 6174	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules
Beginning of each school year	Education Code 44050	BP 4119.21 4219.21 4319.21	Code of conduct addressing employee interactions with students

PARENTAL NOTIFICATIONS (continued)

Beginning of each school year	Education Code 46010.1	AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	AR 5113 BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication

PARENTAL NOTIFICATIONS (continued)

Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Eligibility and application process for free and reduced-price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools

PARENTAL NOTIFICATIONS (continued)

Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR ~~200.61~~ 200.48	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
Beginning of each school year	USDA SP-23-2017	AR 3551	District policy on meal payments

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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II. At Specific Times During the Student's Academic Career

Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP ~~6174~~ 6142.2 AR ~~6142.2~~ 6174	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

PARENTAL NOTIFICATIONS (continued)

Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria
Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education, right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination

PARENTAL NOTIFICATIONS (continued)

To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 313.2, 440; 20 USC 6312	AR 6174	Reason for classification, level of English proficiency, identification as long-term English learner , description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program
When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options
Annually to parents/guardians of student athletes before participation in competition	Education Code 33479.3	AR 6145.2	Information on sudden cardiac arrest

PARENTAL NOTIFICATIONS (continued)

If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as being at risk of retention	Education Code 48070.5	AR 5123	Student at risk of retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education

PARENTAL NOTIFICATIONS (continued)

Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation
When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures
At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing

PARENTAL NOTIFICATIONS (continued)

When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity, and annually thereafter	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections, destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening

PARENTAL NOTIFICATIONS (continued)

When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Within 10 days of negative balance in meal account	Education Code 49557.5	AR 3551	Negative balance in meal account; encouragement to apply for free or reduced-price meals
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries
~~To person holding educational rights, within 30 days of foster youth, homeless youth, or former juvenile court school student, or child of military family~~ being transferred between high schools	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs
At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When testing by community water system finds presence of lead exceeding specified level	Health and Safety Code 116277	AR 3514	Elevated lead level at school

PARENTAL NOTIFICATIONS (continued)

When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave school premises	Penal Code 627.5	AR 3515.2	Notice of hearing
When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program

PARENTAL NOTIFICATIONS (continued)

For schools receiving Title I funds, upon development of parent involvement policy	20 USC ~~6316~~ 6318	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures
IV. Special Education Notices			
Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention

PARENTAL NOTIFICATIONS (continued)

Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

V. Classroom Notices

In each classroom in each school	Education Code 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities
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CSBA Sample

Board Policy

Instruction

BP 6162.5(a)

STUDENT ASSESSMENT

The Governing Board recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments.

(cf. 6162.51 - State Academic Achievement Tests)

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

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

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

~~*(cf. 6162.52 - High School Exit Examination)*~~

(cf. 6190 - Evaluation of the Instructional Program)

In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and the test publisher's directions, and that test administration procedures are fair and equitable for all students.

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

(cf. 6162.54 - Test Integrity/Test Preparation)

~~To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments.~~ As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

~~*(cf. 3553 - Free and Reduced Price Meals)*~~

STUDENT ASSESSMENT (continued)

~~In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.~~

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

(cf. 0510 - School Accountability Report Card)

Interim and Formative Assessments

State interim and formative assessments may be used in combination with other sources of information to gain timely feedback about student progress in an effort to continually adjust instruction to improve learning. Results from interim and formative assessments shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, student grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs. (Education Code 60642.6, 60642.7)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6152 - Class Assignment)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

The Superintendent or designee shall ensure that teachers who administer interim and formative assessments have access to all functions and information designed for teacher use related to such assessments and student performance on the assessments. (Education Code 60642.6)

STUDENT ASSESSMENT (continued)

Legal Reference:

EDUCATION CODE

313 *Assessment of English language development*
10600-10610 *California Education Information System*
44660-44665 *Evaluation and assessment of performance of certificated employees (Stull Act)*
49558 *Free and reduced-price meals; use of individual applications and records*
51041 *Evaluation of educational program*
51450-51455 *Golden State Seal Merit Diploma*
52052 **Accountability Academic Performance Index**; numerically significant student subgroups
52060-52077 *Local control and accountability plan*
60600-60649 *Assessment of academic achievement, especially:*
60640-60649 *California Assessment of Student Performance and Progress*
60800 *Physical fitness testing*
60810-60812 *Assessment of English language development*
~~60850-60859 *High school exit examination*~~
60900 *California Longitudinal Pupil Achievement Data System*
CODE OF REGULATIONS, TITLE 5
850-864 *California Assessment of Student Performance and Progress*
~~1200-1225 *High School Exit Examination*~~
UNITED STATES CODE, TITLE 20
9622 *National Assessment of Educational Progress*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Key Elements of Testing, May 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Teachers' Use of Student Data Systems to Improve Instruction, 2007

WEB SITES

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

California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>

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

Board Policy

Business and Noninstructional Operations

BP 3515.1(a)

UNMANNED AIRCRAFT SYSTEMS/DRONES

The Governing Board recognizes its responsibility to monitor the use of Unmanned Aircraft Systems (UAS) or drones on district property and during sponsored events.

According to the Federal Aviation Administration (FAA), an Unmanned Aircraft System ("UAS") or "drone" is "the unmanned aircraft (UA) and all of the associated support equipment, control station, data links, telemetry, communications, and navigation equipment, etc., necessary to operate the unmanned aircraft. The UA is the flying portion of the system, flown by a pilot via a ground control system, or autonomously through use of an-board computer, communication links, and any additional equipment that is necessary for the UA to operate safely."

The FAA has many restrictions and requirements that must be met before anyone is able to legally operate a UAS. Before using a UAS on district property or during district sponsored events, the person wishing to operate the UA must obtain written approval from the Superintendent or designee. The Superintendent shall carefully consider any conditions or restrictions with the District's vision, philosophy, and operations. If the proposed use not conflict with the district's vision, philosophy, and operations, the Superintendent must be assured that all federal and state laws and regulations will be followed.

Individuals who are given access to a drone or model aircraft are required to know and abide by district policy and procedures, as well as city, state and federal guidelines and regulations.

Individuals must abide by the FAA's guidelines for model aircraft operations, which states that operation must:

Fly below 400 feet and remain clear of surrounding obstacles.

Keep the aircraft within the visual line of sight at all times.

Remain clear of aircraft and do not interfere with manned aircraft operations.

Not fly within five miles of an airport.

Not fly near people or stadiums.

Ensure the aircraft is limited to not more that 55 pounds.

UNMANNED AIRCRAFT SYSTEMS/DRONES continued

In addition, the following district guidelines must be followed:

District funds may not be used to purchase a UAS without permission of the Superintendent or designee.

A UAS can only be used as described when provided approval for use by the Superintendent or designee.

The operator must never use a UAS without supervision, permission, or in poor weather conditions.

Use of a UAS without permission or supervision may result in disciplinary action.

Use of a UAS without following district guidelines, as well as federal and state laws and regulations, may result in disciplinary action.

A UAS cannot be used for commercial purposes.

Use of a UAS is limited to instructional and educational purposes only.

Any UAS with camera, video, or voice recording capability shall not be used in any manner which infringes on the privacy rights of any other person(s).

No flights into or over private property.

Legal Reference:

Federal Aviation Administration: www.faa.gov

Policy Approved:

CARDIFF SCHOOL DISTRICT
Cardiff-By-The-Sea, California

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS

Measure GG was approved by at least 55% of the voters of the Cardiff School District pursuant to the provisions of the Strict Accountability in Local School Construction Bonds Act of 2000, codified as Section 15264 and following of the Education Code. The Act requires the Board of Trustees (the “Board”) to appoint a Citizens Oversight Committee (the “Committee”) after the successful bond election.

Legal authority for formation and duties of the Committee is found in Section 15264 and 15278 to 15282 of the Education Code. The purpose of this Board Policy is to direct the formation and actions of the Committee by reference to the statutory requirements. Where the statutory direction is insufficiently specific, the Board has furnished its interpretation and guidance. In addition, the Board sets forth below its expectations, suggestions, and desires for the operations of the Committee.

ESTABLISHMENT

The Board is required to appoint members to an Independent Citizens Oversight Committee as a result of the passage of Measure GG at the election conducted on November 8, 2016.

PURPOSE**STATUTORY PURPOSES**

The Committee is charged by statute with the following purposes:

1. To promptly alert the public to any waste or improper expenditure of school construction bond money, through reports to the Board following review of annual, independent financial and performance audits.
2. To inform the public concerning the expenditure of bond revenues.
3. Ensuring that bond revenues are expended only for the purposes described in the Constitution; that is, for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.
4. Ensuring that no funds are used for any teacher or administrative salaries or other school operating expenses.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

ROLE OF COMMITTEE VIS-À-VIS BOARD

1. As the legally-elected representative of the voters, the Board, on the advice of the Superintendent, must make all decisions relating to how bond funds are spent, how bond projects are configured, the cost, priority and timeline for completion of the various bond projects, and all other matters necessary in connection with the District's building program. The Board values the Committee's input on these matters as an advisory body.
2. The Committee will need to refer to the text of Measure GG and the Bond Project List contained therein, but the Committee's interpretations of Measure GG are not binding on the Board.

LIMITATIONS ON ACTIVITIES

To ensure that the Committee is independent from the very decisions and activities upon which it will be monitoring and reporting, the Board hereby sets forth the following limitations on the actions and activities of the Oversight Committee (although the Oversight Committee may review documents relating to such activities):

1. The Committee has no authority to participate in the District's Bond issuance process or Bond sale, or to make decisions regarding the terms, timing or structure of the Bond issuance;
2. The Committee does not have the authority, once the Bonds are issued and sold, to determine how the Bond funds shall be expended;
3. The Committee members do not have the authority to solicit, select or participate in the negotiation or bid process for contractors or consultants for Bond financed projects (however, Oversight Committee members may be invited to witness bid openings, Board approval of contracts or similar actions for Bond financed projects);
4. The Committee members do not have the authority to control, comment upon and have no power of approval over or upon design, architectural or engineering considerations or matters relating to facilities funded or constructed with bond proceeds;
5. The Committee, and its members, may enter upon, tour, and inspect, District job sites, project boundaries and construction projects only with the express permission of the District's Superintendent (for reasons which include, but are not limited to, campus security, public safety, interference with contractors and liability matters) (the foregoing limitation does not prevent or preclude Oversight Committee members from viewing District construction works or projects from an off-campus or public access location); and

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

6. The Oversight Committee, and its members, may not contact District consultants or contractors without the prior permission of the Superintendent.

MEMBERS

MINIMUM SIZE

The Committee shall always be comprised of at least 7 members.

REQUIRED MEMBERS

Pursuant to statute, the Board shall appoint to the Committee the following members:

1. One member active in a business organization representing the business community located with the District.
2. One member active in a senior citizens organization.
3. One member active in a bona fide taxpayers organization.
4. One member who is the parent or guardian of a child enrolled in the District.
5. One member who is the parent or guardian of a child enrolled in the District and who is active in a parent-teacher organization, such as the Cardiff SEA or school site council.
6. Two other members, selected from the public at large.

BOARD PROCEDURES FOR APPOINTMENT OF COMMITTEE

1. Appointment
 - a. Persons interested in serving as members of the Committee shall submit a written application to the Superintendent, specifying such information as the Superintendent shall reasonably require. Such information shall include, at a minimum:
 - i. the specific position or positions listed in Section III.B, above, for which the applicant qualifies
 - ii. such information as may be necessary to verify that the applicant meets that qualification requirement.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

- b. The Board shall determine from among the qualifying applications the persons to appoint to the committee, specifying how the requirements of Section III.B are met, or as many of those requirements as possible given the applications submitted.
- c. Applicants shall be approved or rejected by a majority vote of the Board. If rejected, the Board shall direct the Superintendent to seek additional qualified applicants, including a new application procedure if appropriate.

2. Failure to Appoint

- a. The Board will make a good faith effort to appoint the Committee and fill vacancies to ensure that the Committee is fully constituted and functioning. No vacancy, at initial appointment or otherwise, will prevent the Committee from meeting and conducting its business.
- b. In the event that the Superintendent does not receive acceptable applications from the public to fill all of the positions specified above, or if at any time there is a vacant position on the Committee, the Superintendent shall cause a notice of the vacancy to be posted in a conspicuous public place (e.g., where regular public notices of the Board are posted), specifying the eligibility requirement for the vacant position and that a written application must be submitted to the Superintendent, and that such notice shall remain posted until the vacancy is filled. The Superintendent, in his/her discretion, may advertise the vacant position in a newspaper reasonably expected to be circulated among interested persons, and may contact organizations to request nomination of interested persons to fill the positions that required active membership in such organization.

- 3. The Board may determine to appoint members of the Committee from time to time, in addition to the seven positions specified above, and without regard to the membership requirements so specified.

ADDITIONAL ELIGIBILITY RESTRICTIONS

The following persons are not eligible to serve on the Committee:

- 1. Any employee of the District.
- 2. Any official of the District.
For purposes of this limitation, the Board finds that any elected or appointed member of the Board is an “official of the district” within the meaning of Section 15282(b). The Board finds that no member of any other citizen committee of the District appointed by the Board to serve without pay is an “official of the district” within the meaning of Section 15282(b).

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

3. Any vendor, contractor or consultant of the District.
The Board finds that no person is a vendor, contractor or consultant of the District prohibited from serving on the Committee within the meaning of Section 15282(b) unless such person, or any company of which such person is an owner or part owner, agrees or has agreed to perform services or furnish goods or supplies to the District under any agreement or contract that has been fully performed. Prior contractual relationships with the District do not disqualify a person from serving on the Committee.

TERM

1. Each of the members specified by statute is appointed for a term of two years.
2. No member shall be appointed to more than three consecutive two-year terms.
3. Any additional members appointed pursuant to the Board's reserved prerogative under the Board Procedures for Appointment of Committee section, above, may be appointed to a term of less than two years, as the Board shall specify, but shall not be appointed to a term any longer than two years.
4. Any additional members appointed pursuant to the Board's reserved prerogative under the Board Procedures for Appointment of Committee section, shall serve no more than three consecutive terms.
5. Any member appointed to meet any of the criteria of categories 1 – 5 described in Required Members section, above, shall serve only so long as such member continues to fulfill the requirement of the position which appointed.
6. Notwithstanding the two-year term required by statute, the term of any member shall terminate upon:
 - a. death of the member
 - b. written resignation of the member
 - c. disability or illness of the member, upon a finding by the Board that the member is unable to effectively continue to serve on the Committee
 - d. the sale or provision of any goods or services to the District, or entry into any contract with the District for such sale or provision, whether or not related to the bond program, such that the member becomes a "vendor, contractor, or consultant" within the meaning of the Additional Eligibility Restrictions section, above

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

- e. the employment, appointment or election of such member to a position with the District, such that the member becomes an “employee of the District” or an “official of the District” within the meaning of the Additional Eligibility Restrictions section 1 and 2, respectively
 - f. failure of the member to participate in two consecutive meetings without a valid excuse of the Committee, upon a finding by the Board that the member is unable or unlikely to effectively continue to serve on the Committee.
- 7. The Board requests that Committee members keep the informed regarding the status of other members, so that the Board can take appropriate action to replace or reappoint Committee members in a timely manner.
 - 8. The term of any member appointed to succeed a member whose term has been terminated pursuant to the Term section, shall be two years, or such lesser time as remains in the term of the departing member, as the Board shall determine.
 - 9. In order to provide for consistency and continuity in the Committee’s operations and deliberations, and to establish a Committee whose entire membership does not turn over every two years, the Board may request the resignation of one or more, but fewer than all, members after one year, in order to reappoint such member, or any other person meeting the requirements for the seat that has been vacated by such resignation, to a two-year term.

COMPENSATION

Members serve without compensation.

AUTHORIZED ACTIVITIES

In furtherance of its purposes, the Committee is authorized by statute to engage in the following activities:

- 1. Receiving and reviewing copies of the annual, independent performance audit required by the Constitution, which shall be submitted to the Committee by March 31 of each year.
- 2. Receiving and reviewing copies of the annual, independent financial audit required by the Constitution, which shall be submitted to the Committee by March 31 of each year.
- 3. Inspection school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 Article XIII A of the California Constitution.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

4. Receiving and reviewing copies of any major maintenance proposals or plans developed by the District, including any reports required to be given to the Legislature by Section 17584.1 regarding mandatory annual maintenance set aside.
5. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
 - a. Mechanisms designated to reduce the costs of professional fees.
 - b. Mechanisms designed to reduce to costs of site preparation.
 - c. Recommendations regarding the joint use of core facilities.
 - d. Mechanisms designed to reduce costs by incorporating efficiencies in school site design.
 - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

MEETINGS

INITIAL ORGANIZATION/OFFICERS

In order that the Committee serve effectively and fulfill the purposes for which it is established, the Board recommends to the Committee that the Committee shall organize and conduct meetings as follows:

1. Initial Meeting. At the initial meeting of the Committee, the Superintendent or a person designated by the Superintendent should open the meeting and facilitate the selection by the Committee members of a presiding officer. Thereafter, selection of a presiding officer and any other officers of the Committee should be by whatever means the Committee determines.
2. President. The Committee should designate a member as presiding officer or president to preside over meetings of the Committee. The President shall serve as the spokesperson to the media.
3. Representative. The Committee should designate a member or members to represent the Committee at public meetings of the Board and make reports thereto on a regular basis as the Committee shall determine or as the Board may request.
4. Secretary. The Committee should designate a member as secretary to keep accurate minutes of the Committee's meetings and actions, in order to fulfill the legal requirement that such minutes and documents and reports be entered into the public record.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

REPORTS/MEETINGS

1. Reports. The Committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year.
2. Annual Meeting of the Committee. The Committee is required to conduct at least one annual meeting, the purpose of which is to receive the reports and documents required to be provided to the Committee by the Board, and to approve a report of the Committee.
3. Other Meetings of the Committee. The Board recommends that the Committee meet as often as necessary, at least quarterly, in order to effectively perform its duties.
4. The Board will reserve a place on the regular Board agenda to address by a representative of the Committee. The Committee is not expected or required to make a report at each regular Board meeting.

NOTICE OF MEETINGS/MINUTES

1. The Committee's minutes are governed by the Ralph M. Brown Act, commencing at Section 54950 of the Government Code.
 - a. All Committee proceedings shall be open to the public.
 - b. Notice to the public of any meeting of the Committee shall be provided in the same manner as the proceedings of the Board.
2. Minutes of the proceedings of the Committee and all documents received and reports issued by the Committee are a matter of public record.
3. The District shall maintain and make available to the Committee and Internet website for publication of proceedings of the Committee.
4. All documents received and reports issued by the Committee shall be made available to the public on the website.
 - a. In order to publicize and make available the Committee's proceedings, the Committee Secretary shall provide to the Superintendent any documents received by, and reports issued by, the Committee, in whatever form received or issued, and minutes of the meetings of the Committee or any subcommittees created by the Committee.

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

- b. District staff are directed by the Board to assist the Committee in publicizing its meetings, in complying with the requirements of the Brown Act, and in posting documents and reports on the website maintained by the District for the Committee. District staff will assist the Committee in these and the other activities of the Committee as provided in the Technical Assistance section, below.

TECHNICAL ASSISTANCE

1. The Board is required to provide the Committee with any necessary technical assistance and shall provide administrative assistance to the Committee in furtherance of its purpose.
2. The Board is required to provide sufficient resources to publicize the conclusions of the Committee.
3. No bond funds shall be expended on any activities or technical assistance provided to the Committee.
 - a. The Board will not treat this prohibition against expending bond funds to provide technical assistance to the Committee to include the preparation and photocopying for the members of the Committee copies of the annual independent performance audit and the annual independent financial audit of the bond program required by the Constitution.
4. In order to allow the Committee its independence, the Board does not expect to send a staff representative to each meeting of the Committee. At the Committee's request, the Board will endeavor to provide the materials, meeting space, and staff consultation as the Committee shall require, specifically taking into account whether the request involves a reasonable expenditure of District general funds. The Board does not expect to purchase specialized software or hardware, commit additional staff time, or engage consultants to develop information for, prepare reports for, or attend meetings of, the Committee beyond what is required by statute and what is prepared for the Board.

LEGAL REFERENCE

EDUCATION CODE

15264 Local School Construction Bonds Act of 2000, General Provisions
15278 – 15282 Citizens Oversight Committee

GOVERNMENT CODE

54950 Meetings, Ralph M. Brown Act

INDEPENDENT CITIZENS OVERSIGHT COMMITTEE BYLAWS (continued)

CALIFORNIA CONSTITUTION

Article XIII A, Section 1(b)(3) Tax Limitation

Article XIII A, Section 1(b)(3)(A) Tax Limitation

Policy
Adopted: 01/12/17
Revised: 04/06/17
Revised:

CARDIFF SCHOOL DISTRICT
Cardiff-by-the-Sea, California

CARDIFF SCHOOL DISTRICT DISTRICT TECHNOLOGY COORDINATOR

DEFINITION

Under the direction of the Superintendent, the District Technology Coordinator provides leadership in the planning and implementation of technology that promotes effective instructional and operational technology to support the student body and all staff members. Provide good communication and leadership in the area of technology, overseeing all aspects of software and hardware purchases including network infrastructure, providing support and training for these various technology products both instructional and operational, and performing other related duties that facilitate the use of technology by students, teachers, support staff, and administration

DUTIES:

- Attend Leadership meetings with superintendent, principals and other technology employees.
- Develop and maintain effective communication and working relationships with all District employees, parents, community members and other stakeholders.
- Serve as a liaison between the District and the County Office of Education; represent the District at local and county technology meetings.
- Communicate in technical and non-technical terms effectively; listen and interpret user concerns and statements.
- Document in technical and non-technical terms effectively; develop user guides and other user assistance tools.
- Participate in the development of District policies as related to the appropriate use of instructional and management technology.
- Oversee technology support personnel at each site.
- Participate in professional organizations and continue professional development to stay abreast of emerging technologies.
- Ability to address multiple priorities, adapt to change, meet timelines and perform other related duties as assigned.
- Performs other related duties as assigned.

CARDIFF SCHOOL DISTRICT

DISTRICT TECHNOLOGY COORDINATOR

Ability to:

- Prepare and manage annual technology budget that reflects the District's evolving technology infrastructure, hardware and software needs.
- Supervise the evaluation and acquisition of software and hardware to support instructional and business needs of the District.
- Participate in the writing of bid specifications for hardware and software solutions as required.
- Work with an Erate consultant to prepare annual forms to maximize erate eligible discounts.
- Cultivate vendor relationships and manage technology-related contracts.
- Perform or oversee the role of Systems Administrator for multiple systems including the Student Information System, Parent Broadcast System, Google Apps for Education, and other databases as needed.
- Perform or oversee the installation and maintenance of software to support instructional and business needs of the District.
- Provide support and training as needed to the various software programs.
- Perform the role of webmaster of the District website; provide training and support to staff responsible for maintaining web pages for their classroom or department.
- Perform duties to meet the California state data and reporting requirements via their student information system, Calpads, throughout the year.
- Oversee the maintenance and repair of hardware devices in classrooms and offices throughout the District.
- Work with the County Office of Education to troubleshoot and correct network connectivity problems, wired and wireless.
- Provide for asset management of technology equipment, including maintaining support contracts, inventory, and disposal services of end-of-life equipment.
- Maintain server room security and safety; maintain necessary backup and recovery procedures.

CARDIFF SCHOOL DISTRICT

DISTRICT TECHNOLOGY COORDINATOR

EDUCATION / EXPERIENCE

A typical qualifying background would include completion of a four-year college degree, or equivalent technology experience, supplemented by on-the-job technical experience with increasing responsibility. Comprehensive knowledge of computer systems, software, networks, hardware, and peripherals is expected. Experience in a school district or other large public agency desirable. Valid California Driver's License and eligibility for district insurance.

PHYSICAL DEMANDS

Requires lifting of up to 40 pounds. Sufficient stamina, dexterity and mobility to sit at and operate a computer for extended periods of time; operate a variety of computer keyboards, electronic medium and peripheral equipment; test and disassemble some computer components; travel from site to site for various work locations. Sufficient vision to read text on a computer screen, in technical manuals, and on office forms and reports. Sufficient hearing and speech to comprehend office conversation and to communicate orally in a clear, understandable manner.

Positions in this class typically require: stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, finger dexterity, grasping, talking, hearing, seeing, and repetitive motions.

SALARY

This is a full-time, 12-month position with a starting annual salary range 1-6, effective 1/1/18, of \$74,206 to \$94,723.

CARDIFF SCHOOL DISTRICT

Resolution Calling for Full and Fair Funding of California's Public Schools

WHEREAS, California has the sixth largest economy in the world, and the largest Gross Domestic Product (GDP) of any state in the nation; and

WHEREAS, despite California's leadership in the global economy, the state falls in the nation's bottom quintile on nearly every measure of public K-12 school funding and school staffing; and

WHEREAS, California ranks 45th nationally in the percentage of taxable income spent on education, 41st in per-pupil funding, 45th in pupil-teacher ratios and 48th in pupil-staff ratios; and

WHEREAS, K-12 school funding has not substantially increased, on an inflation-adjusted basis, for more than a decade; and

WHEREAS, under the Local Control Funding Formula (LCFF), state funding for K-12 schools has only recently returned to levels predating the Great Recession of 2007; and

WHEREAS, the modest revenue increase since the implementation of LCFF have been eroded by rapidly increasing costs for health care, pensions, transportation and utilities; and

WHEREAS, 58 percent of California's public school students are eligible for free and reduced-price lunch – 13 percent above the national average – and 23 percent of California students are English learners, more than twice the national average; and

WHEREAS, California's investment in public schools is out of alignment with its wealth, its ambitions, its demographics and the demands of 21st-century education; and

WHEREAS, in 2007, a bipartisan group of California leaders commissioned a report titled *Getting Down to Facts*, which stated it would take an additional \$17 billion annually to meet the State Board of Education achievement targets for K-12 schools; and

WHEREAS, in 2016, a California School Boards Association (CSBA) report, *California's Challenge: Adequately Funding Education in the 21st Century*, updated the *Getting Down to Facts* data and determined that, adjusting for inflation, an additional \$22 billion to \$40 billion annually would be required to provide all public school students with access to a high-quality education; and

WHEREAS, California funds schools at roughly \$1,961 per student less than the national average, which translates to approximately \$3,462 per student when adjusted for California being a high-cost state; and

WHEREAS, California trails the average of the top 10 states by almost \$7,000 in per-pupil funding; and

WHEREAS, in *Robles-Wong v. State of California*, a group of plaintiffs led by CSBA argued that California's school funding system violated Article IX of the State Constitution by denying all students access to an education that prepares them for economic security and full participation in our democratic institutions; and

WHEREAS, the California Supreme Court declined to hear the case by a 4-3 motion, prompting Justice Goodwin H. Liu to write: "It is regrettable that this court, having recognized education as a fundamental right in a landmark decision 45 years ago [*Serrano v. Priest* (1971) 5 Cal.3d584], should now decline to address the substantive meaning of that right."; and

WHEREAS, in order to prepare our students for participating in a democratic society and an increasingly competitive, technology-driven global economy, California must fund schools at a level sufficient to support student success; and

WHEREAS, despite its vast wealth, California has consistently underfunded public education while widening its scope, adding new requirements and raising standards without providing appropriate resources to prepare all students for college, career and civic life; and

WHEREAS, if California is to close opportunity and achievement gaps and create a public school system that offers consistently high levels of education, the State must provide schools with the resources to meet the needs of their specific populations;

NOW, THEREFORE BE IT RESOLVED, that the governing board of the Cardiff School District urges the State Legislature to fund California public schools at the national average or higher by the year 2020, and at a level that is equal to or above the average of the top 10 states nationally by 2025 and to maintain, at a minimum, this level of funding until otherwise decreed.

PASSED AND ADOPTED this 10th day of May 2018, by the Board of Trustees of the Cardiff School District.

Motion:

Second:

Ayes:

Noes:

Abstain:

Absent:

Cardiff School District Budget Assumptions 2018-19

Foundational

1. The budget shall reflect the goals of the strategic plan.
2. The employee compensation package is an important aspect of the district's budgetary planning.
3. Provision for the basic education program at all levels shall be the primary consideration.
4. One-time income and ending fund balance shall only be for one-time, non-recurring items.
5. Funding for major maintenance and facilities projects shall be budgeted at ~~4~~ **5**% of General Fund expenditures.
6. The district shall reserve sufficient funds in anticipation of upcoming curriculum adoptions.
7. The cafeteria program shall be self-supporting.
8. Estimates for utilities, contracted services, insurance, maintenance contracts and supplies shall be based upon a combination of historical data and industry projections.
9. Budgeted expenditures shall not exceed income unless the expenditures which exceed income are one-time only, and are being made possible by an identifiable revenue source.
10. When a new and previously unbudgeted general fund project or program is recommended, the major competing demands for funding shall be reviewed also.
11. Provisions shall be made to maintain the use, value, and safety of the facilities and equipment through capital improvements and preventative maintenance.
12. The District shall maintain a district reserve that is 20-25% of the annual budgeted revenues.
13. The district will use the tax assessor's recommended increase/decrease for property taxes each year.

Staffing and Enrollment

14. Keeping class sizes in the low to mid 20's is a target in Cardiff's budgetary planning.
15. Combination classes in all grade levels will be avoided whenever possible.
(combination classes may be a necessary part of each school's class schedule)

Programs

16. Consideration for professional development at all levels shall be included.
17. It is recognized that specialty programs are funded in partnership with local funding sources.
18. Facilities, Maintenance and Operations expenditures will be considered in three tiers: short term, mid term and long term needs.
19. Consideration of technology support, through staff, services, and equipment, shall be included. Technological support for instruction, learning, communication, and data analysis will be considered in three tiers: short term, mid term and long term needs.

Cardiff School District
Cardiff-By-The-Sea, California 92007

May 10, 2018

ITEM: **APPROVE AMENDMENT TO THE CONTRACT AGREEMENT
BETWEEN CARDIFF SCHOOL DISTRICT AND LAND SURVEYING
CONSULTANTS, INC.**

BACKGROUND

In November 2016, the community of Cardiff passed Measure GG, a \$22 million bond for the improvement to Cardiff and Ada Harris School facilities. District staff have begun the implementation phase for Measure GG which necessitates engaging the services of various contractors to provide design, construction and/or other consulting services to the District.

CURRENT CONSIDERATION

Land Surveying Consultants, Inc. will provide supplemental topographical survey information of the channel outfall to assist in the design of storm water drainage per City of Encinitas requirements.

FINANCIAL IMPLICATIONS

The amount to be paid to Land Surveying Consultants, Inc. is a fixed fee of \$1,750. This shall be paid out of Fund 21.

RECOMMENDATION

It is respectfully recommended that the Board approve the Contractor Agreement between Cardiff School District and Land Surveying Consultants, Inc.

Exhibit L