

**HAMILTON UNIFIED SCHOOL DISTRICT
REGULAR BOARD MEETING
AGENDA**

Wednesday, June 24, 2020

5:30 p.m. Public session for purposes of opening the meeting only via Zoom:
5:30 p.m. Closed session to discuss closed session items listed below via Zoom (For Board Only)
6:00 p.m. Reconvene to open session no **later** than 6:30 p.m. via Facebook Live or Zoom (see below)

As authorized by the Governor's Emergency Executive Orders issued on March 12 and 17, 2020, the Hamilton Unified School District Board of Education will conduct Board of Education meetings by video conference until further notice. Please join the meeting by attending the livestream via Facebook Live on the District's Facebook page or through the below Zoom link or dial by phone as listed below:

Join Zoom Meeting

<https://us02web.zoom.us/j/88526876194?pwd=SWRPMkdnR0V3NGgrZmc2OUYveUtlZ09>

Meeting ID: 885 2687 6194

Password: 4ms27Y

Dial by phone:

+1 929 436 2866 US

Meeting ID: 885 2687 6194

Password: 864751

1.0 OPENING BUSINESS:

- a. Call to order and roll call

_____ Gabriel Leal, President

_____ Genaro Reyes

_____ Hubert "Wendall" Lower, Clerk

_____ Ray Odom

_____ Rod Boone

2.0 IDENTIFY CLOSED SESSION ITEMS:

- 3.0 PUBLIC COMMENT ON CLOSED SESSION ITEMS:** Public comment will be heard on any closed session items. The board may limit comments to no more than three minutes per speaker and 15 minutes per item.

4.0 ADJOURN TO CLOSED SESSION: To consider qualified matters.

- a. Government Code Section 54957 (b), Personnel Issue. To consider the employment, evaluation, reassignment, resignation, dismissal, or discipline of a classified and certificated employees.
- b. Government Code Section 54957.6, Labor Negotiations. To confer with the District's Labor Negotiator, Superintendent Jeremy Powell regarding HTA and CSEA negotiations.
- c. Government Code Section 54956.9, Subdivision (a), Existing litigation. Name of case: Crews v. Hamilton Unified School District, Glenn County Superior Court, Case No. 15CV01394.
- d. Government Code Section 54956.9, Subdivision (a), Pending litigation. Name of case: Goodwin v. Hamilton Unified School District, Glenn County Superior Court, Case No. 19CV02117
- e. *Conference with Real Property Negotiators.* Property: Westermann property north of Hamilton High School, approximately located at 500 Sixth Street, Hamilton City, CA 95951 (APN: 032-230-015-000). Agency Negotiator: Jeremy Powell, Superintendent; Matt Juhl-Darlington, Attorney for District. Negotiating Parties: Westermann Family and Hamilton Unified School District. Under negotiation: Price and terms of payment.

Report out action taken in closed session.

5.0 PUBLIC SESSION/FLAG SALUTE:

6.0 ADOPT THE AGENDA: (M)

7.0 COMMUNICATIONS/REPORTS:

- a. Board Member Comments/Reports.
- b. District Reports (written)
 - i. Technology Report by Frank James & Derek Hawley (p. 5)
 - ii. Nutrition Services Report by Sean Montgomery (p. 6)
 - iii. Operations Report by Alan Joksch (p.7)
- c. Principal and Dean of Student Reports (written)
 - i. Kathy Thomas, Hamilton Elementary School Principal (p. 8)
 - ii. Maria Reyes, District Dean of Students (p. 9)
 - iii. Cris Oseguera, Hamilton High School Principal (p. 10)
 - iv. Sylvia Robles, Adult School (p. 11)
- d. Chief Business Official Report by Kristen Hamman (p. 12)
- e. Superintendent Report by Jeremy Powell (p. 13)

8.0 PRESENTATIONS:

- a. Recognition of students who were not present at graduation to receive diplomas

9.0 CORRESPONDENCE:

- a. None

10.0 INFORMATION ITEMS:

- a. HUSD Enrollment History for 5 years (p. 14)
- b. Bond Satus (Fund 21) Update (p.15)
- c. Update on Roy Boone Memorial Barn Project – Mike Cannon (p. 17)

11.0 DISCUSSION ITEMS:

- a. HHS Site Expansion Permitting Status Update – Mike Cannon (p. 18)
- b. Review Draft HUSD Return to School Framework (p. 20)
- c. CSBA Policies Review 1st Readings (p. 44)
 - i. Board Policy and Administrative Regulation 0430: Comprehensive Local Plan for Special Education (p. 49)
 - 1. Option 1, 2, 3
 - ii. Board Policy and Administrative Regulation 1312.3: Uniform Complaint Procedures (p. 60)
 - 1. Option 1, 2
 - iii. Exhibit (1) 1312.3: (New Policy) Uniform Complaint Procedures (p. 89)
 - iv. Exhibit (2) 1312.3: (New Policy) Uniform Complaint Procedures (p. 91)
 - v. Administrative Regulation 1312.4: Williams Uniform Complaint Procedures (p. 93)
 - vi. Exhibit (3) 1312.4: Williams Uniform Complaint Procedures (p. 100)
 - 1. Delete Exhibit, yes or no
 - vii. Exhibit (4) 1312.4: Williams Uniform Complaint Procedures (p. 102)
 - 1. Delete Exhibit, yes or no
 - viii. Board Policy and Administrative Regulation 1340: Access to District Records (p. 104)
 - ix. Administrative Regulation 3231: (New) Impact Aid (p. 119)
 - x. Board Policies and Exhibits 4112.9, 4212.9, 4312.9: Employee Notifications (p. 123)
 - xi. Board Policy and Administrative Regulation 4113: Assignment (p. 135)
 - xii. Board Policies, Administrative Regulations and Exhibits 4119.42, 4219.42, 1319.42: Exposure Control Plan for Bloodborne Pathogens (p. 144)
 - xiii. Board Policies and Administrative Regulations 4119.43, 4219.43, 4319.43: Universal Precautions (p. 158)
 - xiv. Board Policies 4151, 4251, 4351: Employee Compensation (p. 166)
 - xv. Board Policy 5141.5 (New Policy): Mental Health (p. 171)
 - xvi. Board Policy and Administrative Regulation 5145.3: Nondiscrimination/Harassment (p. 175)
 - xvii. Board Policy and Administrative Regulation 6020: Parent Involvement (p. 194)
 - xviii. Board Policy and Administrative Regulation 6115: Ceremonies and Observances (p. 216)
 - xix. Administrative Regulation (New Regulation) 6173.4: Title VI Indian Education Program (p. 223)

12.0 **PUBLIC COMMENT:** Public comment on any item of interest to the public that is within the Board's jurisdiction will be heard (agenda and non-agenda items). The Board may limit comments to no more than three minutes per speaker and 15 minutes per topic. Public comment will also be allowed on each specific action item prior to board action thereon.

13.0 ACTION ITEMS:

- a. CSBA Board Policy and Administrative Regulation (Revised) 5144.1: Suspension and Expulsion/Due Process (from May 20, 2020 2nd reading) choose: (p. 227)
 - i. Recommend Option 1
- b. Amend HUSD Board Policy 4121 (adopted February 2017): Temporary Substitute Personnel: (p. 238)
 - i. Recommend Option 2 under Salary and benefits (p. 247)
 - ii. Recommend Option 3 under Paid Sick Leave (p. 248)
- c. Adopt Resolution# 19-20-111: Order Of Election (p. 253)
- d. Adopt Resolution# 19-20-112: Authorize designated personnel (Dr. Powell and Ms. Hamman) to sign contract documents for fiscal year 2020-21 for child care and development services – CDE (p. 254)
- e. Approval for Superintendent to notify GSRMA Board of HUSD intent to possibly exit agreement at end of 2020-21 fiscal year. (p. 265)
- f. Approve Program Self-Evaluation State Preschool 2019-20 (p. 266)
- g. Approve modifications of the following forms – Maggie Sawyer:
 - i. EL Profile Chart (p. 272)
 - ii. Long Term English Learner Monitoring (p. 274)
 - iii. Intervention Plan (p. 276)
 - iv. ELL Reclassification Worksheet (p. 278)
 - v. RFEP 4 Year Monitoring (p. 279)
- h. Request Acceptance of Donation from Austin Crosby of 1995 Honda Four Wheeler to HUSD (p. 281)
- i. Request Acceptance of Donation from C.F. Koehnen & Sons for New HHS Marquee (p. 282)
- j. Request Acceptance of Donation from Mike & Rachele Millar for New HHS Marquee (p. 283)
- k. Request Acceptance of Donation from Tom & Ann Millar for New HHS Marquee (p. 284)
- l. Request Acceptance of Donation from Tommy Millar for New HHS Marquee (p. 285)
- m. Approve contract from Hupp Signs for New HHS Marquee (p. 286)
- n. Approve contract from EFPM for CDE Program Management/Permitting Status (p. 299)
- o. Approve contract from Robertson Erikson Civil Engineering & Surveying for Surveying Services (p. 312)
- p. Adopt STEM Scope Curriculum (p. 316)
 - i. You may also use the Username: HUSD , password: Husd789 and the following link to access and review the Accelerate Learning STEMscopes curriculum:
<https://n11055d17030.acceleratelearning.com/login>
- q. Request from Confidential Classified for summer/non-student attendance times for work schedule change (Recommend approval to change at the discretion of the Superintendent based on district needs). (p. 323)
- r. Declaration of Need for Fully Qualified Educators 2020-21 School Year (p. 324)
- s. Adopt 2020-21 District Budget (available for public review at District Office and on our website: www.husdschools.org in the board packet for the July 10, 2020 Special Board Meeting). (p. 327)
- t. Approve 2020-21 Local Control Accountability Plan – COVID-19 Emergency Response (p. 335)
- u. Approve DWK HUSD Agreement for Professional Services 2020-21 School Year (p. 337)
- v. Approve Annual District Designees for Glenn County Office of Education 2020-21 (p. 340)
- w. Approve Annual District Designees District Authority 2020-21 (p. 341)
- x. Final approval of the CEQA Initial Study Mitigated Negative Declaration for HHS Expansion (available for public review at District Office and on our website: www.husdschool.org)

14.0 **CONSENT AGENDA:** Items in the consent agenda are considered routine and are acted upon by the Board in one motion. There is no discussion of these items prior to the Board vote and unless a member of the Board, staff, or public request specific items be discussed and/or removed from the consent agenda. Each item on the consent agenda approved by the Board shall be deemed to have been considered in full and adopted as recommended.

- a. Student-Athletes Financial Hardship Waiver due to COVID-19 (CIF Bylaw 207) (p. 342)
- b. Temporary 30 day Waiver of Physical Examination for Students (CIF Bylaw 503.G) (p. 343)
- c. Hamilton Elementary School Site Staff Calendar 2020-21 School Year (p. 344)
- d. Hamilton High School Site Staff Calendar 2020-21 School Year (p. 345)
- e. Hamilton Unified School District Updated Calendar 2020-21 School Year (p. 346)
- f. Minutes from Regular Board Meeting on Wednesday, May 20, 2020 (p. 347)
- g. Minutes from Special LCAP/Budget Hearing Meeting on Wednesday, June 10, 2020 (p. 353)
- h. Warrants and Expenditures (p. 355)
- i. Interdistrict Transfers (new only; elementary students reapply annually).
 - i. Out
 - 1. Hamilton Elementary School
 - a. none
 - 2. Hamilton High School
 - a. none
 - ii. In
 - 1. Hamilton Elementary School
 - a. none
 - 2. Hamilton High School
 - a. 2 x 9th grade (2020-21 school year)
- j. Personnel Actions as Presented:
 - i. New hires:

1. Martine Zuppan	Cheerleading Coach	HHS
2. Raegan Avrit	Head JV Volleyball Coach	HHS
3. Steven Jerome	Cross Country Coach	HHS
	Head JV Football Coach	HHS
 - ii. Resignations/Retirement:

1. Anthony Caperello	Head JV Football Coach	HHS
----------------------	------------------------	-----

15.0 ADJOURNMENT:

Technology Report
Board Meeting on June 24, 2020
Frank James, Director of Technology
Derek Hawley, Information Systems

Completed and in Progress Tasks – June 2020

1. **Chromebook Return:** Both sites have done a great job at collecting Chromebooks from students. To date we have under 10 Chromebooks still out with students.
2. **Adult Ed Chromebooks:** 16 additional Chromebooks have been ordered for Adult Ed use. We expect them to arrive before the end of the month.
3. **COVID Chromebooks:** 10 additional Chromebooks have been ordered for District us. We also expect these to arrive before the end of the month.
4. **GEAR UP:** A proposal has been sent to GEAR UP for an additional 100 Chromebooks for the 7th and 8th grade class. We don't have a timeline or ETA on approval.
5. **NEC Phone System:** Gaynor has been contacted in regards to the District's VoIP phone system. We are hoping to work something out that would maintain current features but provide a cost savings to the District.
6. **Volcom Paging System:** We have started planning the Pre-wiring of this systems over summer. The hope is that if funding becomes available for this project we will be in a good position to implement it quickly.
7. **20-21 Chromebook distribution:** Plans are being made to potentially change the way we provide Chromebooks to students. This new plan would enable us to respond quickly in the event of another school closure.

HUSD Food Service Report

Board Meeting on June 24, 2020

Sean Montgomery, Director of Nutrition and Student Welfare

With the help of many volunteers, we've been able to serve curbside meals, breakfast and lunch since March 17th. We've only been closed two days: Good Friday and Memorial Day. We serve a hot meal and a sack lunch with juice and white or chocolate milk each day.

Our participation has remained fairly steady but we have seen declining numbers towards the end of the school year.

We are planning to continue this service at least through June 30th if there's a need. As of June 8th, we've been using food service workers two to three hours a day. Each worker keeps track of their hours with time cards since they are not contracted to work in June.

The following are our numbers for the May and the first two weeks of June.

Monday	Tuesday	Wednesday	Thursday	Friday
				May 1 254
May 4 232	May 5 225	May 6 269	May 7 243	May 8 227
May 11 254	May 12 238	May 13 228	May 14 246	May 15 230
May 18 225	May 19 204	May 20 233	May 21 225	May 22 254
May 25 Memorial Day	May 26 228	May 27 203	May 28 232	May 29 204
June 1* 318	June 2* 249	June 3 227	June 4 225	June 5 216
June 8 117	June 9 150	June 10 152	June 11 124	

*June 1st & 2nd were Elementary School materials drop off days.

HUSD Maintenance Report

Board Meeting on June 24, 2020

Alan Joksch, Director of Maintenance and Transportation

General Maintenance

1. Most of the crew are back and working regular summer hours.
2. We continue to clean and sanitize areas of use within the district, primarily the office areas and the Elementary Kitchen.
 - a. Bertha has been busy prepping rooms at the Elementary so the floors can be cleaned. She is also helping clean up the rooms where teachers are moving.
 - b. Chris is making good progress on carpets and has waxed hard floors.
 - c. Dallas has been on the roof tops servicing the HVAC units. He is replacing filters, cleaning coils, replacing belts as needed and performing basic maintenance. He is also helping with grounds work and rodent control.
 - d. Austin has been cleaning in the mornings then mowing the grounds and filling in where needed.
 - e. Dave is returning soon, after some personal time was needed.
 - f. Mitch has taken his leave a few weeks early as he has accepted a new job in Chico.
3. I have been busy repairing water leaks and maintaining the irrigation system. I have been working on several other projects including meetings to start planning a few upcoming larger projects throughout the district.

Buses

1. The buses have all been serviced, smoke tested and safety inspections have been performed.
2. We repaired some air suspension issues on the busses.
3. We also replaced leaking rear air bags and some valves on Bus 4.

Donated Equipment

1. Austin Crosby has graciously donated a Honda four-wheeler to the District.
2. We cleaned and rebuilt the fuel system, gave it a basic tune up and replaced the battery. It runs Great. This will be very useful for weed spraying, towing heavy trailer loads and when working on the ball fields.

HAMILTON ELEMENTARY SCHOOL
HUSD Board Meeting on June 24,2020
Kathryn Thomas, Principal

Enrollment at End of Year:

Total: 425

Daily: N/A

Campus News:

- With the input of our teachers, the K-5 Master Schedule is now complete, and all students have been scheduled K-8.
- 8th graders were formally acknowledged with a virtual ceremony live streamed on Facebook on Thursday, June 4th. We did our best to provide traditions and individual acknowledgments of every student during our 30 minutes ceremony. There have been over 8K views, and although a few parents were wanting something more like the High School graduation, we have received more positive feedback than other.
- All teachers supported the pick-up/drop off days on June 1 and June 2 to collect Chromebooks, textbooks, calculators, library books and return any personal belongings that were in classrooms.
- The HES office team joined forces to deliver awards to families on Monday, June 8th, and picked up Chromebooks that had not been returned.
- All Chromebooks have now been returned.
- Staff has checked out for the school year, returning their keys for the summer or have verified their keys as per board policy.

Instructional News:

- Our school year ended successfully with a GEAR UP STEM experiment provided to every 7th and 8th grade student. This experiment/lesson was led by Ms. Shaina and Mr. Johnson who engaged their students with this collaborative learning opportunity. Our GEAR UP facilitator, Natalie Castro, supported this team effort. If you are interested, please take a look at our teachers modeling the experiment and students themselves participating in this exciting lesson. Please visit: <https://flipgrid.com/gearuphamilton>
- The Dual Immersion teachers finished their last day of professional development with Dr. Claudia Mojica via Zoom.
- The DI teachers, led by Maggie Sawyer, completed their book study of Teacher for Biliteracy, and in addition they completed their self-assessment of the program.
- Our **Tech Trailblazers** for the distance learning school year were: Cristina Hawkins, Shelley Whittaker, Bertha Carter and Maria Alvarez, Shaina Dickerson and Aaron Johnson.

End of the Year Acknowledgments:

- Please join me in acknowledging that 85% of our teaching staff supported our Food Services grab and go at least one time, but many teachers were participating one or twice weekly. This is a testament of their dedication and commitment to our students and families.
- Congratulations to our Teacher of the Year, Ms. Shaina Dickerson.
- Congratulations to the 2020 Gerald Tipping Award Recipient, Miss Diana Orozco.

Alternative Education Report

Board Meeting on Wednesday June 24, 2020

Maria Reyes, Dean of Students

We finished the 2019-2020 school with six graduates and we now prepare for the 2020-2021 school year. Due to COVID-19 guidelines we did not have an end of year trip for seniors; this graduating class received \$125.00 from the ASB 2020 class that was fundraised during this past school year.

This last quarter had its success and challenges yet we were able to regularly communicate with all students and made several home visits to assist with computer devices, drop off and pick up homework and to check in with students.

As we prepare for the new school year, the maintenance staff has begun cleaning classrooms and office.

For the 2020-21 school we will continue to have shared staff to provide core classes and electives for students.

Hamilton High School
HUSD Board Report
June 2020
(created 6/12/20)

1. **Enrollment:** End of year: HHS Grades 9-12= 264; EBHS=14. Total 9-12= 278 students.
- a. Pre-enrolled 2020-21 9th Graders = 78 students. Projected 2020-21, 43% from out-of-district schools. Current year Frosh out-of-district is 55%.
 - b. Projected 9th-12th 2020-21 Enrollment= 301 (projected increase of +23). HHS=293; EBHS=8

2. **Events held since May:**

- a. **Awards Night-** Mr. O; K. Langan; M. Reyes visited the home of each award recipient and personally presented their scholarship, with a photo of the event taken and then added to an Awards Night powerpoint created by K. Langan. This was shared on twitter & HHS webpage. Very rewarding to have personally visited each recipient and their family (when present). Please visit the HHS webpage to view the ppt or follow Mr. O on twitter (@MrO_GoHamilton).
- b. **Commencement-** June 5- The Class of 2020 was honored, recognized, and celebrated with a near to normal event that maintained the traditions of graduation for our graduates and their most immediate families. Each graduate family household was permitted one vehicle for a drive-in on the football field facing the stands, where the graduates were seated socially distant facing their families. We were able to provide each graduate with photos of them receiving the diploma, taken by Andy Herzog (thank you), as well as a video professionally produced by Ross Field (thank you). We also live-streamed the event so it could be watched by those unable to attend due to the coronavirus.

The event has received plaudits from families, grads, staff, and community. The Chico ER staff considered it the most natural pandemic graduation event that allowed ALL families to view and celebrate ALL graduates. The vehicle entry was very orderly and all were very cooperative which benefitted the graduates and kept the focus on where it should be- on the memorable moment for our graduates. The video produced is available on the HHS webpage for you to view and also on my twitter.

Thank you to each of the staff work groups I set up as their efforts and teamwork aided the entire process, especially the ingress component. These staff volunteered in non-traditional roles, with safety orange vests, to assist our families. Bottom line- they care for our students and this type of selfless volunteerism clearly indicates that.

Special thanks must be given to Kelly Langan, Maria Reyes, Erin Johnson for their assistance and teamwork with me in helping create this very unique and memorable moment for the HHS Class of 2020. The tireless and dedicated efforts of this group is borne from a sincere and genuine love for Hamilton High School students, school, and traditions. From their dedication and keen assistance, this event was a success for our graduates and their families. Thank you!


3. **Successful Completion to 2nd Semester- Distance Learning style.**

- a. **Grading Conventions- Hamilton Unified School District COVID-19 Grading Policy:**
 - 1. Baseline Grade for all students will be their 3rd Quarter earned grade.
 - 2. We will continue "A,B,C" Grades earned or maintained by the students work and that will be reflected/reported on the end-of-year Report Card & Transcript;
 - 3. a "D" Grade earned will be shown as "Credit (CR)" on the end-of-year Report Card & Transcript;
 - 4. an "F" Grade earned will be shown as "No Credit (NC)" on end-of-year Report Card & Transcript.
 - 5. Students CAN raise their grade based on school work completed and turned in; But, the student's grade CAN NOT go down from lack of work.
 - 6. We encouraged students to complete all work in order to improve on or maintain their grade.
- b. **Top Priority** emphasized to our teachers for our HHS students continues to be the health and well-being of all of our students and their families. Teachers are asked to check-in, via various methods, with the students to see how they are doing emotionally, socially, and physically. Grace, compassion, and heart are to be exhibited to our students during this time. This is the primary concern emphasized as we try to reduce the stress and anxiety of our students- all else is secondary and I am adhering our staff to "do no harm" either socially, emotionally, or educationally. How we treat and react to our students during this historic and health-concerning event will be an important factor in their development.
- c. K. Langan & M. Reyes reviewed the 2nd Semester (4th Quarter) Grades to ensure that they matched our improved from end of 3rd Quarter grades. Great job of matchability process and the efforts of teachers to also do so in the uploading of grades.

4. **Future Concerns:**

- a. **2020-21 HHS Schedule-** Great effort has been taken by the HHS counselors and admin, working with the HES admin, to ensure full staffing at HES and EBHS, while including reduced staff and support at HHS- Special thanks to K. Langan & M. Reyes for their insightful work! This will require shared personnel and will mean that HHS will be slenderness in its elective and (some) core offerings by about 10 sections. This will impact class sizes above normal numbers at HHS and will also reduce the number of support typical at HHS due to assisting the HES and EBHS staffing. With anticipated large Frosh classes expected the next three (3) years, potential schedule and staffing adjustments will likely be necessary.
- b. **School Re-opening & Athletics:** HHS and HUSD are preparing for all possibilities but we are planning to start classes on August 11, 2020. Cleaning and student safety are a top priority but we need to be back and we need our students back. As of this writing, we are going to begin athletic summer workouts, following state/local/CIF guidelines to ensure social distancing and student safety- students, coaches, parents are all eager for normalcy in this arena and will be cooperative and attentive to safety guidelines from myself and E. Johnson.

Submitted:


Cris Oseguera
Principal
Hamilton High School

Hamilton Adult Education
HUSD Board Report for June 24, 2020
Silvia Robles, Director

Completed and in Progress Tasks – June, 2020

1. Enrollment and students served to date for all programs:

- Citizenship.....17 **Remote Learning**
- Computer Literacy Spring 202015 Registered (Cancelled)
- ESL.....26 **Remote Learning**
- Floral Design.....17 Registered (Cancelled as of March)
- Forklift Training for March 27-28.....47 Registered (Cancelled as of March)
- High School Diploma25 **Remote Learning**
- Intensive ELD/Childcare Provider0 No enrollment
- Job Reentry-Starts Spring 2020.....0 No enrollment
- TOTAL:148**

2. Adult Ed is continuing with Distance Learning through summer break with Citizenship students, ESL students, and Adult High School Diploma Students.
3. For fiscal year/academic year beginning in July, reenrollment of existing and new students continuing with Distance Learning is needed and in progress.
4. There are three adult students actively working on completing credits for High School Diploma and will continue with Distance Learning. One of the three is finishing this month.
5. Staff is scheduling and meeting with students on an individual basis to take the standardized post testing for the 2019-20 academic year.

**Hamilton Unified School District
General Fund - Unrestricted and Restricted
June Board Report**

	2019-2020 Estimated Actuals at time of 20-21 Budget	2019-2020 Year To Date As of 6/17/20	2018-2019 Estimated Actuals at time of 19-20 Budget	2018-2019 Year To Date As of 6/17/19
Revenues				
LCFF Sources	\$ 7,833,272	\$ 6,994,934	\$ 7,748,895	\$ 6,867,479
All Other Federal Revenue	\$ 332,568	\$ 309,064	\$ 257,449	\$ 207,681
Other State Revenue	\$ 518,023	\$ 238,061	\$ 527,026	\$ 267,403
Other Local Revenue	\$ 109,577	\$ 79,181	\$ 60,500	\$ 48,975
Other Financing Sources	\$ -	\$ -	\$ 27,972	\$ 27,972
Total Revenues	\$ 8,793,440	\$ 7,621,240	\$ 8,621,842	\$ 7,419,510
Expenditures				
Certificated Personnel Salaries	\$ 3,470,915	\$ 3,173,540	\$ 3,513,169	\$ 3,260,388
Classified Personnel Salaries	\$ 1,196,522	\$ 1,083,058	\$ 1,146,555	\$ 1,096,259
Employee Benefits	\$ 1,986,270	\$ 1,786,638	\$ 1,893,019	\$ 1,733,073
Books and Supplies	\$ 486,374	\$ 278,872	\$ 522,368	\$ 359,840
Travel and Conferences	\$ 132,133	\$ 55,535	\$ 135,049	\$ 68,548
Dues and Memberships	\$ 12,000	\$ 14,843	\$ 9,500	\$ 8,873
Other Insurance	\$ 100,695	\$ 100,695	\$ 89,819	\$ 87,145
All Other Utilities	\$ 275,450	\$ 260,042	\$ 205,500	\$ 236,703
Rents/Leases/Repairs	\$ 77,099	\$ 55,865	\$ 92,299	\$ 77,132
Other Operating Expenditures	\$ 292,626	\$ 294,709	\$ 355,592	\$ 359,185
Capital Outlay	\$ 472,555	\$ 242,032	\$ 569,030	\$ 568,942
Other Outgo	\$ 861,565	\$ 392,678	\$ 818,932	\$ 828,674
Total Expenditures	\$ 9,364,204	\$ 7,738,507	\$ 9,350,832	\$ 8,684,762
Net Increase (Decrease) in Fund	\$ (570,764)	\$ (117,267)	\$ (728,990)	\$ (1,265,252)
Beg. Fund Bal. (2018-19 Unaudited Actuals)	\$ 1,258,543			
Projected End. Fund Bal.	\$ 687,779			

HUSD Superintendent Report
Board Meeting on June 24, 2020
Jeremy Powell, Ed. D.

Target Goals created by District Cabinet:

- All students at Standard and Achievement Gap Closed
- Focus on Dual Immersion-Bilingual/Biliterate/Bicultural
- Graduates who are College and Career Ready

This most unique of school years has come to a close. Looking back, I feel the steps the district has taken to support our students, staff, and community since our last day of school on March 16th have been supportive and helped to build a positive community through this difficult situation. Our high school graduation was a unique opportunity to show the perseverance of our students and honor their hard work in front of their families (in cars)!

2020-2021 Budget Update:

- The Legislature has approved their budget and now has begun to work with the Governor to come to a compromise. The handout provided at this board meeting will include the most up-to-date information on the budget available.

Return to School Planning:

- Included in this board packet is our Return to School Framework. Please review this document as it will be the direction we will be taking as we make plans to open for the 2020-2021 school year.

Educational Services:

- We have finalized all staffing for the 2020-2021 school year minus potential positions we are looking to add with funds received from the CARES Act.

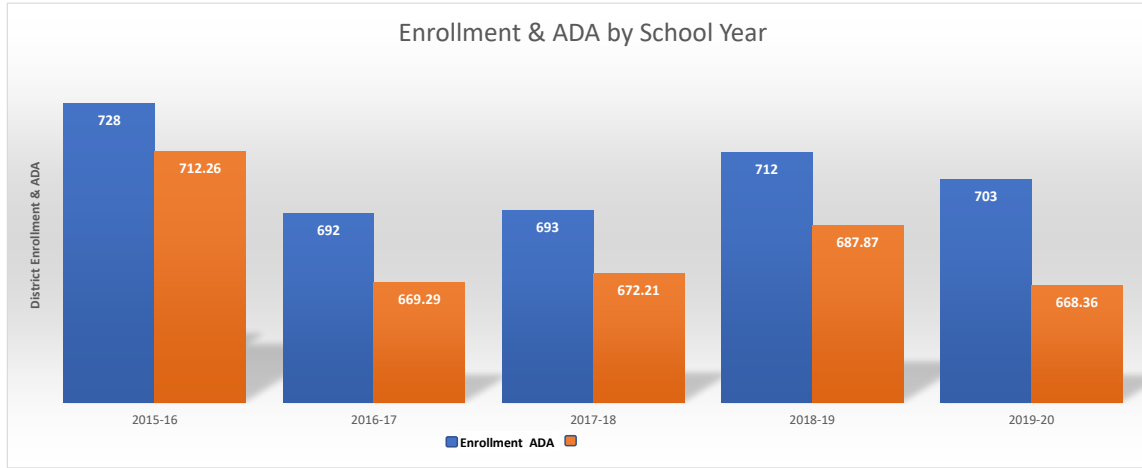
Upcoming District Events:

- 8/11: First Day of School!

HUSD ENROLLMENT OVER FIVE YEARS 2015-2019

1	2	3	4	5
2015-16	2016-17	2017-18	2018-19	2019-20
304 HHS	264 HHS	269 HHS	286 HHS	265 HHS
9 EBHS	14 EBHS	12 EBHS	9 EBHS	13 EBHS
415 K-5	414 K-5	279 K-5	292 K-5	272 K-5
6-8	6-8	133 6-8	125 6-8	153 6-8
728 ENROLLMENT	692 ENROLLMENT	693 ENROLLMENT	712 ENROLLMENT	703 ENROLLMENT
712.26 ADA	669.29 ADA	672.21 ADA	687.87 ADA	668.36 ADA

Enrollment and ADA totals above are based on P2 Data Reporting except current year based on current reporting
 **CDE is only going to count ADA through end of February 2020 for this year, ADA data on this report based on that



2019-20 8/13-8/30/19	
#STU	GRADE
11	TK
39	K
45	1
42	2
40	3
46	4
40	5
59	6
43	7
48	8
68	9
74	10
78	11
53	12
686	TOTAL

2019-20 9/3-9/27/19	
#STU	GRADE
11	TK
39	K
47	1
42	2
40	3
47	4
40	5
59	6
43	7
48	8
68	9
74	10
79	11
54	12
691	TOTAL

2019-20 9/30-10/14/19	
#STU	GRADE
11	TK
39	K
47	1
42	2
40	3
47	4
40	5
59	6
43	7
48	8
68	9
74	10
79	11
56	12
693	TOTAL

2019-20 11/13/19-01/13/20		ADA
#STU	GRADE	
11	TK	10.73
40	K	37.58
47	1	45.23
41	2	39.94
40	3	39.14
47	4	45.86
42	5	39.64
60	6	58.57
43	7	42.30
48	8	46.79
69	9	66.34
75	10	72.05
79	11	74.93
56	12	51.71
698	TOTAL	670.81

2019-20 01/14-2/19/20		ADA
#STU	GRADE	
11	TK	10.61
41	K	37.56
46	1	45.09
41	2	39.86
40	3	39.11
48	4	45.88
42	5	39.63
60	6	58.48
45	7	42.23
48	8	46.66
68	9	66.34
76	10	71.05
78	11	74.15
55	12	51.71
699	TOTAL	668.36

2019-20 2/20-3/16/20		ADA
#STU	GRADE	
11	TK	10.61
41	K	37.56
46	1	45.09
42	2	39.86
41	3	39.11
49	4	45.88
42	5	39.63
60	6	58.48
45	7	42.23
48	8	46.66
68	9	66.34
77	10	71.05
78	11	74.15
55	12	51.71
703	TOTAL	668.36

**Building Fund 21 (Bond) Expenditures for 2019-20
For HUSD Board Meeting June 24, 2020**

PO #	Date	Vendor	Description	Amount
423	9/27/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 802.00
423	10/30/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 1,126.00
423	11/13/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 165.00
423	12/11/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 2,969.00
423	1/8/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518/1103	\$ 807.00
423	5/6/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 754.50
423	5/20/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 1,833.50
19397	9/27/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,057.63
19397	9/27/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,445.00
19397	10/16/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 2,960.00
19397	10/23/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 171.62
19397	12/11/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 12,940.58
19397	2/5/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 12,895.93
19397	2/5/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 560.00
19397	3/18/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 4,475.12
19397	3/18/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,252.38
19397	6/17/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,366.98
19515	9/27/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 4,692.02
19515	10/2/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 5,009.48
19515	11/20/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 9,667.98
19515	11/20/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 14,715.59
19515	6/17/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 15,933.69
20202	9/27/2019	Department of Toxic Substances Control - DTSC	Property Purchase Testing	\$ 14,480.00
20219	9/27/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 5,040.00
20219	9/27/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,200.00
20219	11/13/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,480.00
20219	12/11/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 3,080.00
20219	1/15/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 2,520.00
20219	2/12/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 2,380.00
20219	3/11/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,480.00
20219	4/15/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 5,320.00
20219	5/20/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 3,920.00
20219	6/17/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,200.00
20247	11/20/2019	Timios Title	Title Report for new property	\$ 400.00
20287	10/9/2019	Robertson Erickson Inc.	Survey for land	\$ 3,250.00
PV 98	3/11/2020	Sacramento Valley Mirror	Legal Ad - Notice of Prep. of a Prelim. Environmental Assess.	\$ 90.20
PV 119	6/17/2020	Sacramento Valley Mirror	Legal Ad - Expansion Project	\$ 139.40
Total expenditures through 6/17/2020				\$ 155,580.60

2018-2019 Bond and Property Related Expenses

PO #	Vendor	Description	Amount	Reimbursable
19-567	California Appraisals	Appraisal for future site	\$ 4,000.00	Yes
19-134	Educational Facilities Program Management LLC	Bond Development & Election	\$ 34,440.00	Yes
PV#69	Glenn County Elections	Bond Election Fees	\$ 3,466.00	No
19-309	Holdrege & Kull (NV5)	Environmental Site Assessment	\$ 4,600.00	Yes
19-397	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 4,060.62	Yes
19-524	HUSD Revolving Fund	New property project	\$ 1,500.00	Yes
19-514	Placeworks Inc.	Title 5 Risk Assessment	\$ 15,210.00	Yes
19-515	Placeworks Inc.	CEQA Review; Expansion Project	\$ 5,877.75	Yes
18-639	School Works Inc.	Development Fee Study	\$ 6,000.00	No
19-596	Western Valuation Professional	Appraisal - new property	\$ 3,500.00	Yes
423	Dannis Woliver Kelley	matter # 10518 Property Purchase Negotiation	\$ 6,470	Yes
423	Dannis Woliver Kelley	matter # 10418 2018 Bond Discussions	\$ 1,017	No

Total Amount Expended \$ 90,140.87

Reimbursable Total \$ 79,657.87

HUSD REGULAR BOARD MEETING, JUNE 24, 2020

HAMILTON HIGH SCHOOL

ROY BOONE MEMORIAL BARN PROJECT

UPDATE: The District has requested and received two CTE grant authorizations for its Ag CTE programs. The funds proposed for the Roy Boone Memorial Barn project total \$250,503 for both FY 2018-2019 and FY 2019-2020. The FY 2018-2019 grants (\$108,292) must be expended by 12/31/2020; the FY 2019-2020 grants (\$142,211) must be expended by 12/31/2021.

District staff and consultants have reviewed the existing barn and decided that, if financially feasible, it would be best to replace the building rather than retrofitting the existing building. A proposal for a new barn has been requested from North Valley Building Systems, and the scope and drawings for the building have been reviewed by District program staff. A draft budget for the project (dated 6/23/2020) will be handed out to Trustees at the Board Meeting. If satisfactory, the proposed project schedule is as follows:

Board Approval of Contracts	July 2020
Demolition of Existing Building	August 2020
Begin Construction of New Building	September 2020
Building Completed	December 2020

District staff and consultants are available to answer any questions.

HAMILTON UNIFIED SCHOOL DISTRICT
HAMILTON HIGH SCHOOL SITE EXPANSION-PERMITTING STATUS
BOARD DISCUSSION ITEM

June 24, 2020

CURRENT SITE PURCHASE STATUS & TIMELINE-(Defer to Supt. & Legal Counsel)

CDE SITE PERMITTING REQUIREMENTS

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (NV5)

- Final PEA completed; submitted to DTSC 2/11/2020. Required 30-day Public Comment Period opened 2/17/2020; closed 3/20/2020. Public Comment Hearing completed at Board Meeting 2/26/2020. No adverse comments from DTSC received; No Further Action (Final Approval Letter) from DTSC (see attached) received 4/29/2020. No further action required by the District.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (PLACEWORKS)

- CEQA Final Report now completed; Initial Study/Mitigated Negative Declaration on District Agenda for review 4/22/2020 (see separate Agenda item). Notice of Intent to Adopt and 30 Public Comment period from 4/20/2020 through 5/20/2020; no public comments received to date. Board adoption and final Notice of Determination to be completed in July 2020.

TITLE 5 REPORTS (PLACEWORKS)-

- Pipeline Safety Study: Research & Report Complete. SUMMARY-No mitigation measures required.
- Railway Safety Study: Research & Report Complete. SUMMARY: No special risks or mitigation required.
- Dam Inundation Study: Research & Report Complete. SUMMARY: Dam Inundation: No special risks or mitigation required.

EDUCATIONAL SPECIFICATIONS (iep2)

- Initial Steering Committee Meeting held 2/11/2020; meetings now being scheduled for site faculty, support staff, administrators, parents, students and community members. Teleconference meetings scheduled for September 2020.

GEOLOGICAL HAZARDS STUDIES

- Proposal solicitation for studies to meet the requirements of the California Department of Education (CDE), School Facilities Planning Division form 4.01, Division of the State Architect (DSA), the California Geological Survey (CGS) Note 48, and the 2016 California Building Code (CBC) to be issued in late June; anticipated selection of contractor in late July 2020. Expected completion of study in October 2020.

HAMILTON UNIFIED SCHOOL DISTRICT
HAMILTON HIGH SCHOOL SITE EXPANSION-PERMITTING STATUS
BOARD DISCUSSION ITEM

June 24, 2020

WILLIAMSON ACT FILINGS

- Initial Williamson Act abatement filings to County Planning Office and State Department of Conservation have been reviewed by District Legal Counsel and were submitted to the State department of Conservation and the Glenn County Planning Commission on 6/15/2020.

FINAL SITE SURVEY

- Final site survey for escrow closure and recording to be completed by Robertson Erickson Surveying & Engineering in June 2020, subject to Board approval (see separate Board Agenda item).

PLANNING COMMISSION SUBMITTAL

- The request for Glenn County Planning Commission review (per Section 21151.2. Public Resources Code) was submitted on 6/10/2020, with a requested return within 45 days.

HAMILTON UNIFIED SCHOOL DISTRICT RETURN TO SCHOOL FRAMEWORK

DRAFT PRESENTED TO HUSD SCHOOL BOARD: JUNE 24, 2020



GUIDING DOCUMENTS:

- Hamilton Staff and Parent Survey Results
- Hamilton Unified Leadership Committee (HULC)
- [Glenn County COVID-19 Recovery & Reopening Plan](#)
- [California Department of Public Health COVID-19 Industry Guidance: Schools and School-Based Programs](#)
- [California Department of Education: Stronger Together: A Guidebook for the Safe Reopening of California's Public Schools](#)
- [California School Board Association: Uncertain Road Ahead--Reopening Schools in the Time of COVID 19](#)



REOPENING SCHOOL AT A GLANCE

FACILITY & TRANSPORTATION PREPARATIONS	STUDENT HEALTH & SAFETY PLAN:	STAFF, STUDENT, & PARENT EDUCATION	STAFF & STUDENT HEALTH MONITORING	LEARNING SUPPORTS
<ul style="list-style-type: none"> • All CDE and Health Department Guidelines will be followed. • All school facilities will be cleaned and disinfected daily. • Physical barriers may be installed where social distancing not possible. • Social distancing will be required for all school transportation. • Additional staff will be hired to clean/disinfect and support social distancing/supervision of students. 	<ul style="list-style-type: none"> • Survey data and district meetings allowed families and staff to provide input on return to school plans, policies, and concerns. • All students will be provided a cloth face covering and encouraged to wear it throughout the school day. • All staff will be provided a face covering and should wear it when interacting with students and groups. • All school lunches will be pre-packaged. • Future guidance will be based on forthcoming reopening plans. 	<ul style="list-style-type: none"> • Cleaning and disinfecting supplies will be provided in all classrooms and common areas to all staff members. • Staff and students will be trained on proper hand washing and other hygiene techniques. • Parents will be provided information on hygiene recommendations and symptoms of illness. 	<ul style="list-style-type: none"> • Verbal/visual check of all staff and students will be conducted upon entering school daily. • Temperature checks will be conducted on individuals students showing signs of illness. • Staff will be trained to recognize signs of illness. • Families will be notified when a student or staff member has tested positive for COVID-19. • Office staff will designate separate space for students who are ill. • Access to school volunteers and visitors will be limited. 	<ul style="list-style-type: none"> • Multiple Learning environments will be offered. • All 6th-12th Grade students will have Chromebooks checked out for school and home use. • All TK-5th grade students will have classroom sets of devices • Families in need of reliable, high speed internet, will be provided wireless hotspots. • Site based counseling services will be provided. <p style="text-align: right;">Page 22</p>

RETURN TO SCHOOL CORE PRINCIPLES

- Principle #1: Health and Safety of Students, Parents, and Staff
- Principle #2: Adaptable and High Quality Instruction
- Principle #3: Equitable Academic Supports for All Students
- Principle #4: Ongoing Social-Emotional & Mental Health Support



PRINCIPLE #1: HEALTH AND SAFETY OF STUDENTS, PARENTS, AND STAFF

Overarching Considerations:

- Student Health and Well being are at the forefront of our decision making.
- The District needs to take appropriate proactive and precautionary measures to protect students, staff, and the community of Hamilton City.
- Glenn County will be consulted throughout our return to school process.
- Professional Development for teachers is a focus to support student health and safety.
- Parents need to play an important role in pre-screening for illness.
- Students need the tools to understand how virus are spread and steps they can take to lessen their likelihood of becoming ill.



PRINCIPLE #1: HEALTH AND SAFETY OF STUDENTS, PARENTS, AND STAFF

Students

Focus on Personal and Classroom Hygiene:

- Instruction on proper hygiene, social distancing, and understanding symptoms of illness.
- Provide hand sanitizer in all classrooms.
- Provide cloth mask for all students and have masks available for all students.
- Post reminders throughout campus (inside and outside) of proper hygiene practices.
- Schedule for regular use of hand sanitizer or hand washing:
 - Entering campus or school bus
 - Entering and leaving shared areas



PRINCIPLE #1: HEALTH AND SAFETY OF STUDENTS, PARENTS, AND STAFF

Parents

Focus on Pre-Screening and Education:

- Provide active and passive screening criteria to use before sending their child to school.
- Provide training on symptoms of illness, what to do if child ill, and resources for support.
- Create list of hygiene and classroom items students should have when coming back to school.
- Ongoing and timely communication from school and district regarding health and safety matters.



PRINCIPLE #1: HEALTH AND SAFETY OF STUDENTS, PARENTS, AND STAFF

Staff

Focus on Training and additional student supports:

- Provide disinfecting supplies in classroom and training on proper use before first student attendance day.
- Provide screening criteria for staff to use for verbal/visual check of students as they enter campus and classroom.
- Hire of additional staff focused on disinfection of surfaces, common areas, and classrooms.
- Schedule cleaning in throughout the day in classroom and work spaces.
- Develop plan that ensures physical distancing in their work environment.
- Provide facial covering for all staff members.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

Overarching Considerations:

- Direct contact with teachers and classmates as often as safely possible.
- Provision of high quality educational resources regardless of mode of instruction.
- Accountability for completion of work, specifically at the Jr. High and High School Levels.
- Ongoing teacher, parent, and student collaboration and communication to support student learning.
- Ability to quickly adapt to changing health and safety needs of whole school, single classroom, or individual student.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

- Full Return to School (with health and safety measures):
 - Plan to start the 2020-2021 school year following all California Department of Education guidelines, Glenn County Public Health guidelines, and HUSD School Board approval.
 - Final decision will be made by July 22, 2020 at regularly scheduled School Board Meeting.
- Blended Model Return to School:
 - Will be utilized if required to reduce daily students on campus by 50%.
- Distance Learning Model:
 - Will be utilized only **IF** required to continue to have campus closed.
- Independent Study Model:
 - Voluntary for students who do not wish to attend in person classes.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

Full Return to School:

- All students will attend school daily.
- All health and safety precautions will be followed.
- All 6th-12th grade students will have Chromebooks checked out to take home daily.
- All TK-5th grade students will have assigned devices in the classroom that will only be used by individual student.
- T-Mobile internet hotspots will be provided to families that do not have reliable access to high speed internet.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

Blended Model Return to School:

- Will be utilized only **IF** required to reduce campus capacity by 50%.
- TK-5th Grade Students will be split into AM/PM sessions Monday-Thursday:
 - AM Session: 8:10-11:10
 - PM Session: 12:15-3:15
- 6th-12th Grade Students will be split into A/B sessions.
 - “A” Session: Attendance on Monday/Wednesday
 - “B” Session: Attendance on Tuesday/Thursday
- Friday will be used for Intervention/Enrichment and Teacher Preparation.
- Student attendance will be monitored.
- All Health and Safety precautions will be followed.
- All classrooms and school facilities will be cleaned between sessions.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

Distance Learning Model:

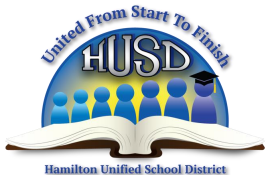
- Same Model as used during Spring 2020.
- Will be utilized only **IF** required to continue to have campus closed.
- Friday will be used for Intervention/Enrichment and Teacher Preparation.
- Student accountability measures will be in place including the ability to earn A-C grades, Credit, and No Credit for failing course expectations.
- Student attendance will be monitored.
- In-person small group instruction may be allowed.
- All health and safety precautions will be followed.



PRINCIPLE #2: ADAPTABLE AND HIGH QUALITY INSTRUCTION

Independent Study Model:

- Voluntary for students who do not wish to attend in person classes.
- Parent will be responsible for primary instruction under supervision of certificated teacher.
- Student MUST show ongoing growth in all academic areas.
- Weekly/Monthly check-in with a certificated teacher will be mandatory.
- In-person Small Group Instruction may occur.



Draft Proposal

PRINCIPLE #3: EQUITABLE ACADEMIC SUPPORT FOR ALL STUDENTS

Overarching Considerations:

- Equitability of resources for ALL students
- Equitability of services for ALL students:

Support Plan:

- All 6th-12th grade students will have Chromebooks checked out to take home daily.
- All TK-5th grade students will have assigned devices in the classroom that will only be used by student.
- Internet hotspots will be provided to families that do not have reliable access to high speed internet.
- Students with disabilities, learning differences, or are struggling academically, small group and one-on-one support will be provided virtually or, if allowed by Glenn County Public Health, in small groups.
- Students, parents, and teachers will continue to use, and be instructed on how to use, various digital platforms including: Google Classroom, Zoom, Aeries Online, and the HUSD mobile app.



PRINCIPLE #4: ONGOING SOCIAL-EMOTIONAL & MENTAL HEALTH SUPPORT

Overarching Considerations:

- Trauma support needs to be in place and available for all students, families, and staff.
- District should provide site-based and individualized support as needed.

Support Plan:

- Site Based Counseling Services will be available to all students.
- Mental Health Resource Guide will be published providing district, county, and regional support programs for individuals and families.
- Teacher Training on Social-Emotional and Mental Health supports.
- Frequent “check-ins” with students and appropriate follow-up.



COVID-19 SURVEY RESPONSE DATA

Survey Data Collection Method:

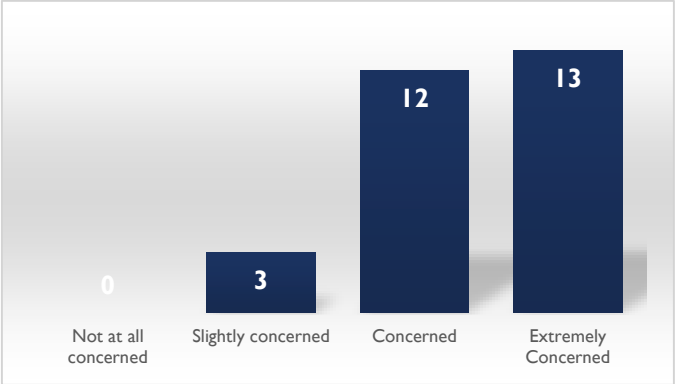
- Survey data was collected in May and June of 2020:
- Online entry via Google Forms, paper survey, and face to face data collection.
- Staff Survey Responses: 38 responses
- Parent Survey Responses: 42 individual responses



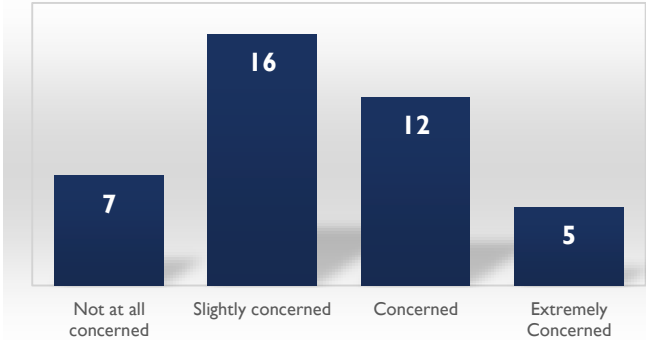
COVID-19 SURVEY RESPONSE DATA

Concern for Student Learning Loss due to COVID-19:

Staff Response



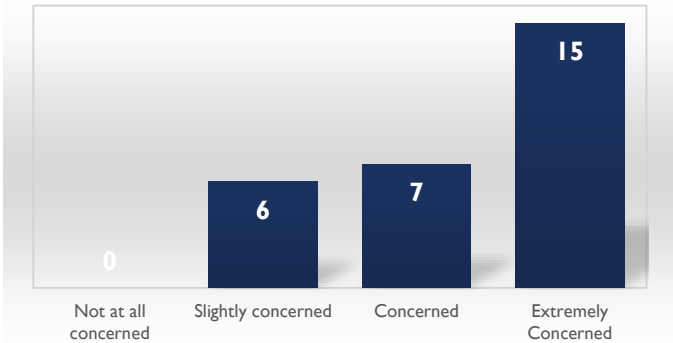
Parent Response



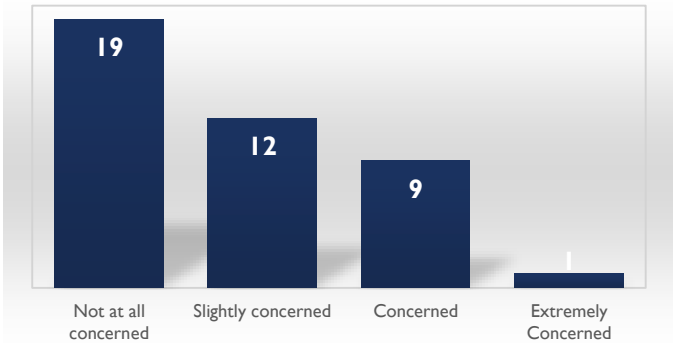
COVID-19 SURVEY RESPONSE DATA

Concern for Student Social/Emotional Well Being due to COVID-19:

Staff Response



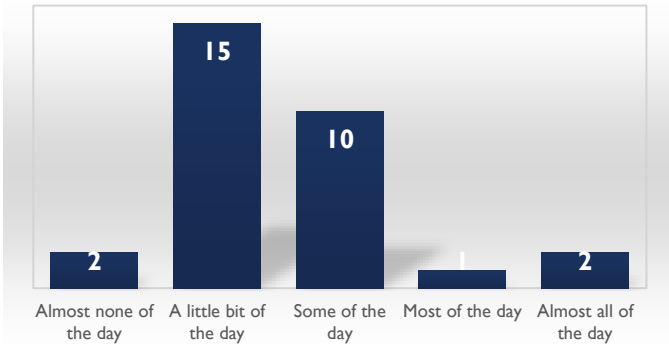
Parent Response



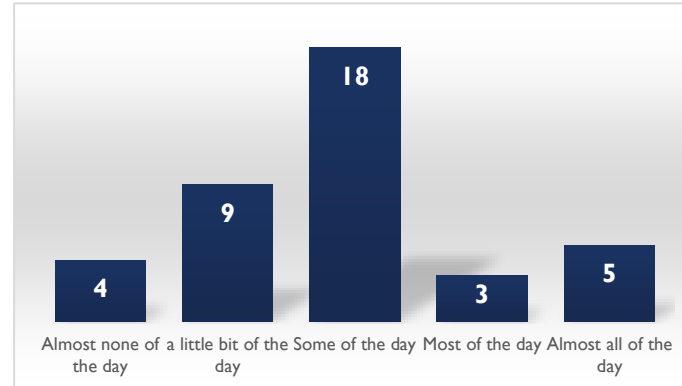
COVID-19 SURVEY RESPONSE DATA

Student Participation in Learning during COVID-19 Closure:

Staff Response



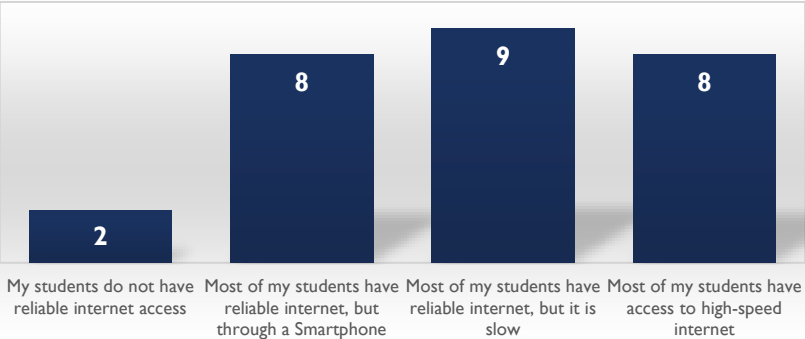
Parent Response



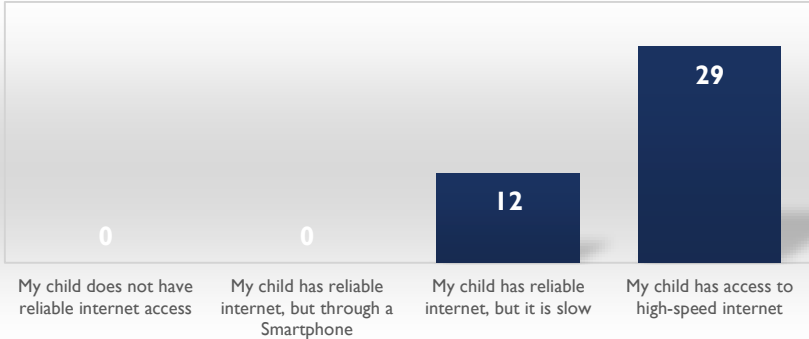
COVID-19 SURVEY RESPONSE DATA

Type of Home Internet Access:

Staff Response



Parent Response



COVID-19 SURVEY RESPONSE DATA

Communication during COVID-19 Closure:

From Parent to Staff



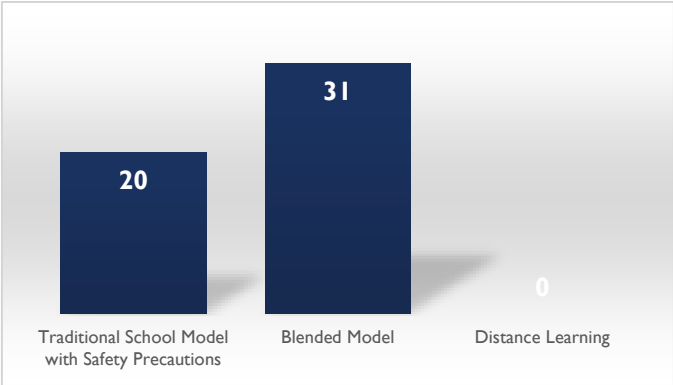
From Staff to Parent



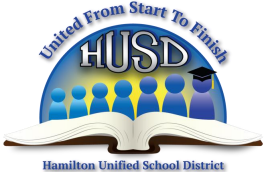
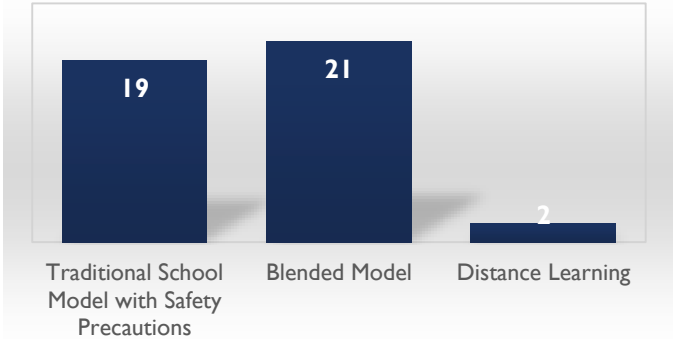
COVID-19 SURVEY RESPONSE DATA

Return to School Preferred Model:

Staff Response



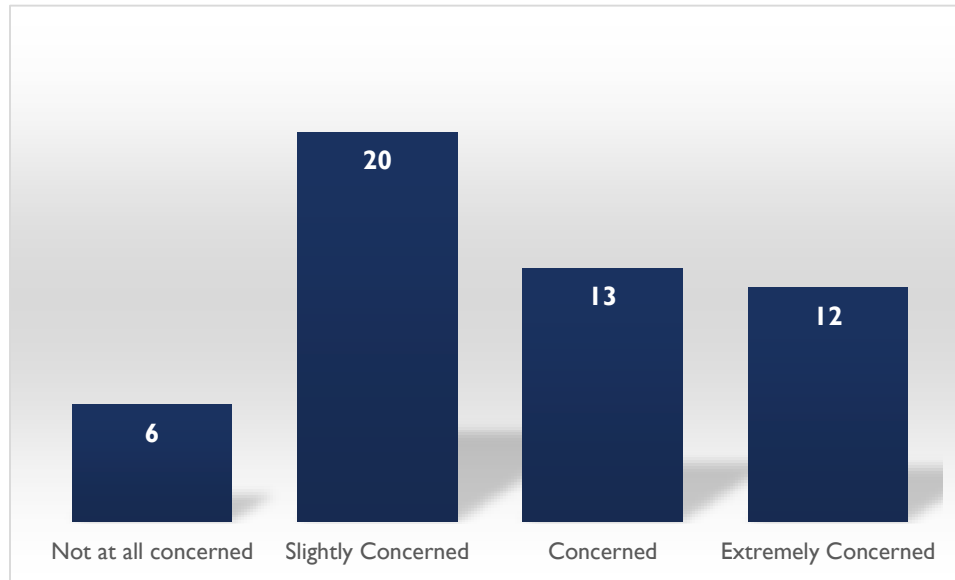
Parent Response



Draft Proposal

COVID-19 SURVEY RESPONSE DATA

Staff Concern for Personal Safety:



Draft Proposal

CSBA POLICY GUIDE SHEET - May 2020
For First Reading
HUSD Board Meeting Wednesday, June 24, 2020

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

Board Policy 0430 - Comprehensive Local Plan for Special Education

Policy updated to reflect the requirement that the Special Education Local Plan Area (SELPA) submit its local plan to the county office of education and/or Superintendent of Public Instruction and the requirement, beginning July 1, 2020, to review the plan every three years. Policy also clarifies the different types of SELPA governance structures and adds an option for arrangements in which the district joins with other districts and the county office of education to form a SELPA. Policy deletes material related to the referral and eligibility of students for special education, which is addressed in AR 6164.4 - Identification and Evaluation of Individuals for Special Education. Policy adds requirement to adopt a procedure for the ongoing review of programs and a mechanism for correcting any identified problem.

Administrative Regulation 0430 - Comprehensive Local Plan for Special Education

Regulation updated to reflect the new template for the SELPA plan developed by the California Department of Education (CDE). Section on "Definitions" revised to delete definitions for terms which are not used in this policy and regulation. Section on "Elements of the Plan" expanded to include further details regarding required components. Regulation also reflects **NEW LAW (SB 75, 2019)** which requires the SELPA plan to include an annual assurances support plan, beginning July 1, 2021 based on a CDE template developed by July 1, 2020. Regulation adds a requirement that each school post a notice of the public hearing that will be held by the SELPA to adopt the plan, and adds a new section on "Availability of the Plan" which includes a requirement to post the SELPA plan on the district's web site and make it available in the district office.

Board Policy 1312.3 - Uniform Complaint Procedures

Policy updated to add medical condition as a characteristic that is protected from discrimination, reflect **NEW LAW (SB 75, 2019)** which extends the use of uniform complaint procedures (UCP) to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12, and add an item indicating the use of the UCP for complaints regarding health and safety in a license-exempt California State Preschool Program (CSPP) consistent with CDE's Federal Program Monitoring Instrument.

Administrative Regulation 1312.3 - Uniform Complaint Procedures

Regulation updated to reflect **NEW LAW (SB 75, 2019)** which extends the use of UCP to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12, and to add a section reflecting requirements for complaints alleging noncompliance with health and safety standards for CSPP programs, formerly in AR 1312.4 - Williams Uniform Complaint Procedures.

Exhibit (1) 1312.3 - Uniform Complaint Procedures

New exhibit presents a sample notice, formerly in E(3) 1312.4 - Williams Uniform Complaint Procedures, regarding health and safety standards in license-exempt CSPP programs and available complaint procedures.

Exhibit (2) 1312.3 - Uniform Complaint Procedures

New exhibit presents a sample complaint form, formerly in E(4) 1312.4 - Williams Uniform Complaint Procedures, for complaints alleging that a license-exempt CSPP program does not comply with health and safety standards.

Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Regulation updated to delete material related to complaints regarding noncompliance with health and safety requirements in a license-exempt CSPP program as such complaints have been moved to BP/AR 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

CSBA POLICY GUIDE SHEET - May 2020
For First Reading
HUSD Board Meeting Wednesday, June 24, 2020

Exhibit (3) 1312.3 - Williams Uniform Complaint Procedures

Exhibit presenting example of classroom notice for CSPP health and safety complaints moved to E(1) 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

Exhibit (4) 1312.3 - Williams Uniform Complaint Procedures

Exhibit presenting a sample complaint form for CSPP health and safety complaints moved to E(2) 1312.3 - Uniform Complaint Procedures, consistent with CDE's Federal Program Monitoring instrument.

Board Policy 1340 - Access to District Records

Policy updated to reflect **NEW LAW (AB 1819, 2019)** which allows members of the public to use their own equipment on district premises, free of charge, to photograph, copy, or reproduce a disclosable district record, provided that the equipment does not make physical contact with the record.

Administrative Regulation 1340 - Access to District Records

Regulation updates the list of confidential public records to include the prohibition against releasing an employee's personal email address, upon request from the employee. Regulation also reflects **NEW LAW (AB 1819, 2019)** which allows members of the public to use their own equipment, free of charge, to photograph, copy, or reproduce a disclosable district record on district premises, provided that the means of copying or reproducing the record does not require the equipment to make physical contact with the record, does not damage the record, and does not result in unauthorized access to the district's computer systems or secured networks.

NEW - Administrative Regulation 3231 - Impact Aid

New regulation addresses requirements of Title VII Impact Aid, which provides assistance to districts with concentrations of children residing on lands owned by the federal government, including Indian lands. Districts with children residing on Indian lands are **mandated** to adopt policy and procedures with specified components, including, but not limited to, consultation with Indian tribes and parents/guardians of students living on Indian lands in the planning and development of programs and activities supported by Impact Aid.

Board Policy 4112.9/4212.9/4312.9 - Employee Notifications

Policy updated to make change for gender neutrality and to revise legal references to reflect corresponding revisions in the Exhibit.

Exhibit 4112.9/4212.9/4312.9 - Employee Notifications

Exhibit updates Section I (All Employees) to (1) delete cite to 2 CCR 11024 which does not directly include a sexual harassment notice requirement; (2) indicate that the notification regarding a public hearing on an alternative schedule for secondary grades is addressed in BP 6112 rather than the AR; (3) delete an item regarding the oath or affirmation for disaster service workers since law does not specifically require an employee notification; (4) indicate that the notification regarding AIDS and hepatitis B was moved from AR 4119.43/4219.43/4319.43 to the BP; (5) indicate that the notification of workers' compensation benefits is addressed in AR 4157.1/4257.1/4357.1 rather than the BP; and (6) indicate that the notification regarding the district's nondiscrimination policy and complaint procedures are addressed in AR 4030 rather than the BP. Section II (Certificated Employees) updated to expand legal cites for the reelection notice for probationary employees and broaden the item to apply to districts with less than 250 average daily attendance. Section III (Classified Employees) updated to (1) delete the dismissal notice for merit system districts since the personnel commission establishes dismissal procedures for such districts and the notice is not reflected in policy; (2) add another legal cite pertaining to the notice of employee drug testing requirements and indicate that the notification is addressed in AR 4112.42/4212.42/4312.42 rather than the BP; and (3) add a requirement to provide school bus drivers with information regarding post-accident procedures. Section V (Individual Employees Under Special Circumstances) updated to indicate that the notice on potential eligibility for workers' compensation benefits is addressed in AR 4157.1/4257.1/4357.1 rather than the BP.

CSBA POLICY GUIDE SHEET - May 2020
For First Reading
HUSD Board Meeting Wednesday, June 24, 2020

Board Policy 4113 - Assignment

Policy updated to reflect **NEW LAW (AB 1219, 2019)** which requires annual monitoring of the assignment of certificated employees at all schools, and requires the Commission on Teacher Credentialing (CTC) to administer a statewide system that produces an annual data file of vacancies and misassignments and provides districts an opportunity to submit additional evidence that an employee is legally authorized for the assignment. Policy also adds legal requirements to report misassignments in the school accountability report card and to use Williams uniform complaint procedures to address any complaint alleging teacher misassignment or vacancy.

Administrative Regulation 4113 - Assignment

Regulation updated to make minor corrections for gender neutrality.

Board Policy 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Policy updated to add the requirement that the district's exposure control plan for bloodborne pathogens be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7. Legal cites added for training and hepatitis B vaccination requirements, and material deleted regarding the exemption of designated first aid providers from the pre-exposure hepatitis B vaccination, which is repeated in the AR. Paragraph added to include the district's responsibility to implement follow-up procedures in the event of an exposure incident.

Administrative Regulation 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Regulation updated to add federal legal cites where applicable, add definition of personal protective equipment, and delete requirement to communicate hazards to employees through labels and signs, which is not applicable to school districts. Section on "Preventive Measures" expanded to include the provision of personal protective equipment, observance of universal precautions, and compliance with state regulations for needleless systems, needle devices, and non-needle sharps. Regulation also adds more detail regarding the exemption of certain first aid providers from the pre-exposure hepatitis B vaccine and adds required components of staff training.

Exhibit 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens

Exhibit updated to clarify which employees are required to sign a statement when they decline to accept the hepatitis B vaccination offered by the district.

Board Policy 4119.43/4219.43/4319.43 - Universal Precautions

Policy updated to include material formerly in the AR on the provision of information to employees regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B and appropriate methods to prevent exposure. Policy also adds optional paragraph regarding the inclusion of related information in employee handbooks.

Administrative Regulation 4119.43/4219.43/4319.43 - Universal Precautions

Regulation updated to add a definition of occupational exposure and delete other unnecessary definitions. Section on "Employee Information" moved to BP. Section on "Infection Control Practices" revised to delete detailed requirements that are specifically applicable to employees identified as having occupational exposure, which are addressed in BP/AR 4119.42 - Exposure Control Plan for Bloodborne Pathogens, and to delete items with limited applicability in school settings.

Board Policy 4151/4251/4351 - Employee Compensation

Policy updated to delete Labor Code citation that is not applicable to public agencies and instead reflect Education Code provisions related to overtime compensation for classified employees.

NEW - Board Policy 5141.5 - Mental Health

New policy addresses strategies and services to promote students' emotional well-being and mental health, including student instruction, staff training, crisis intervention, counseling services and referrals, Section 504

CSBA POLICY GUIDE SHEET - May 2020
For First Reading
HUSD Board Meeting Wednesday, June 24, 2020

evaluation, and collaboration with mental health professionals, agencies, and organizations. Policy reflects **NEW LAW (SB 75, 2019)** which establishes the Mental Health Student Services Act for the purpose of supporting mental health partnerships among county mental health agencies and local educational agencies.

Board Policy 5145.3 - Nondiscrimination/Harassment

Policy updated to reflect law prohibiting discrimination based on medical condition and to reflect **NEW LAW (AB 34, 2019)** which requires the district, starting in the 2020-21 school year, to post its nondiscrimination policies, and specified state and federal laws regarding discrimination, bullying, and harassment, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.

Administrative Regulation 5145.3 - Nondiscrimination/Harassment

Regulation updated to reflect **NEW LAW (AB 34, 2019)** which requires the district, starting in the 2020-21 school year, to post its nondiscrimination policies, specified state and federal laws regarding discrimination, bullying, and harassment, and a link to CDE resources in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Regulation also reflects **NEW LAW (AB 711, 2019)** which requires the district to update a former student's records upon receiving government-issued documentation or a written request for a name and/or gender change.

Board Policy 6020 - Parent Involvement

Policy updated to reflect the requirements to work with parents/guardians and family members to jointly develop the district's parent involvement policy and to include strategies for family engagement in the local control and accountability plan (LCAP). For districts that receive federal Title IV funding for family engagement programs, policy adds the requirement to inform parents/guardians and organizations of the existence of the program. Policy also contains material formerly in the AR regarding the inclusion of the Title I local educational agency plan into the LCAP and the distribution of the district and school-level parent involvement policies.

Administrative Regulation 6020 - Parent Involvement

Regulation updated to revise the section on "District Strategies for Title I Schools," including moving and adding strategies under item #2 to reflect means by which the district may provide coordination, technical assistance, and other support to build school capacity for parent involvement activities, and adding strategies under item #5 to reflect means by which the district may use evaluation findings to design evidence-based strategies for more effective parent/guardian and family involvement. Section on "School-Level Strategies for Title I Schools" revises item #7 to include strategies formerly in section on "District Strategies for Title I Schools." Minor changes made throughout section on "District Strategies for Non-Title I Schools" to more directly reflect law.

Board Policy 6115 - Ceremonies and Observances

Policy updated to add the board's authority to designate any day as a holiday, in addition to those holidays designated by law, and to revise the date upon which schools close in observance of any holiday except Veterans Day. Policy also adds optional language stating that the board may adopt a resolution to authorize the display of symbolic flags or banners in support of specific awareness days or months.

Administrative Regulation 6115 - Ceremonies and Observances

Regulation updated to reflect state law requiring schools to be closed on any day designated as a holiday by the President, Governor, or district board or negotiated with employee organizations. School closure on Cesar Chavez Day and Native American Day deleted from the body of the regulation since school closure on these holidays only applies to districts that have agreed to do so in a memorandum of understanding with employee bargaining units. Section on "Commemorative Exercises" expands Note to include additional days of significance on which schools are encouraged, but not required, to conduct commemorative exercises.

NEW - Administrative Regulation 6173.4 - Title VI Indian Education Programs

CSBA POLICY GUIDE SHEET - May 2020
For First Reading
HUSD Board Meeting Wednesday, June 24, 2020

New regulation reflects major requirements for districts that receive federal Title VI Indian education funding, which supports local educational agencies, Indian tribes and organizations, and consortia in meeting the unique cultural, language, and educational needs of American Indian students and ensuring that all students meet challenging state academic standards. Districts receiving such funding are **mandated** to adopt procedures to ensure that the program will be operated and evaluated in consultation with, and with the involvement of, parents/guardians and family members of American Indian students and community representatives. Regulation also includes allowable expenditures of Title VI funds, the provision of professional development as needed, maintenance of student eligibility records, and distribution of program evaluation results.

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Note: Pursuant to Education Code 56195.1, school districts and county offices of education (COE) are required to form geographical regions, known as Special Education Local Plan Areas (SELPA), of sufficient size and scope to administer a local plan and the allocation of funds for all the special education service needs of the children residing within the boundaries of the region. Districts may join together or with a COE to form a SELPA, or a single district may form its own SELPA. Each SELPA is required to develop and administer a local plan describing how it will provide special education services. Pursuant to Education Code 56195.5, the Governing Board has authority, consistent with the SELPA plan, over the programs it directly maintains.

The following policy and accompanying administrative regulation should be revised to reflect requirements for the type of SELPA in which the district participates.

The Governing Board ~~desires~~ **recognizes its obligation** to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, ~~including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.~~

~~Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 4112.23 - Special Education Staff)~~

~~(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)~~

~~(cf. 6159 - Individualized Education Program)~~

~~(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)~~

~~(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)~~

~~(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)~~

~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~

~~(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)~~

~~(cf. 6164.6 - Identification and Education Under Section 504)~~

~~Note: Education Code 56195.1 requires a local plan for the education of all individuals with disabilities residing in the district. This plan may be developed in conjunction with other districts (Option 1 below) or by a single district (Option 2).~~

~~The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)~~

~~(cf. 1220 - Citizen Advisory Committees)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~(cf. 3541.2 - Transportation for Students with Disabilities)~~

~~(cf. 4112.23 - Special Education Staff)~~

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Note: Option 1 below is for use by districts that have their own single-district SELPA. Option 2 below is for use by districts that join with other districts to form a SELPA. Option 3 below is for use by districts that join with a COE to form a SELPA.

OPTION 2-1: (Single-district SELPA)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district shall serve as a **SELPA-Special Education Local Plan Area (SELPA) pursuant to Education Code 56195.1.**

The Superintendent or designee shall develop a local plan for the education of individuals with disabilities residing in the district. The plan shall be approved by the Board and submitted to the county office of education and the Superintendent of Public Instruction. (Education Code 56195.1, 56195.3)

(cf. 0400 - Comprehensive Plans)

OPTION 1-2: (Districts that participate in a multi-district SELPA)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district shall participate as a member of the SELPA a **multi-district Special Education Local Plan Area (SELPA) pursuant to Education Code 56195.1.**

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

Note: Education Code 56195.8 mandates each entity providing special education that is participating in a multi-district SELPA to adopt policies for the programs and services it operates, including, but not limited to, policies on nonpublic, nonsectarian services, review of the class assignment of a student with disabilities, procedural safeguards, resource specialists, transportation of students with disabilities, information on the number of individuals with disabilities who are being provided special education and related services, and caseloads for speech and language specialists providing services to children with disabilities ages 3-5 years. District policies on these topics should be consistent with policies adopted by the SELPA.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the county office of education and the Superintendent of Public Instruction. (Education Code 56195.1, 56195.3)

~~OPTION 2: (Single-district SELPA)~~

~~In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district shall serve as a SELPA.~~

~~The Superintendent or designee shall develop a local plan for the education of individuals with disabilities residing in the district. The plan shall be approved by the Board.~~

OPTION 3: (Districts that participate in a multi-district SELPA with the county office of education)

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a Special Education Local Plan Area (SELPA) with other districts and the county office of education pursuant to Education Code 56195.1.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the Superintendent of Public Instruction. (Education Code 56195.1)

Note: The remainder of this policy applies to all districts.

Pursuant to Education Code 56195.9, beginning July 1, 2020, the local plan must be reviewed by the SELPA at least once every three years. The budget plan, service plan, and annual assurances support plan must still be reviewed annually pursuant to Education Code 56205; see the accompanying administrative regulation.

The local plan shall be reviewed at least once every three years and updated as needed to ensure the information contained in the plan remains relevant and accurate. The local plan shall be updated cooperatively by a committee of representatives of special and regular education teachers and administrators selected by the groups they

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

represent and with participation by parent/guardian members of the community advisory committee, or parents/guardians selected by the community advisory committee, to ensure adequate and effective participation and communication. (Education Code 56195.9)

Note: Pursuant to Education Code 56195.7, a single-district SELPA is mandated to adopt a written procedure for the ongoing review of programs and a mechanism for correcting any identified problem. For districts participating in a multi-district SELPA with or without a COE pursuant to Option 2 or 3 above, these requirements are contained in the written agreement entered into by members of the SELPA. The following paragraph may be revised to reflect district and/or SELPA practice.

Special education programs and services shall be reviewed on an ongoing basis. The results of such evaluations shall be use to identify and correct any program deficiencies.

Legal Reference: (see next page)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 56000-56001 *Education for individuals with exceptional needs*
- 56020-56035 *Definitions*
- 56040-56046 *General provisions*
- 56048-56050 *Surrogate parents*
- 56055 *Foster parents*
- 56060-56063 *Substitute teachers*
- 56170-56177 *Children enrolled in private schools*
- 56190-56194 *Community advisory committees*
- 56195-56195.10 *Local plans*
- 56205-56208 *Local plan requirements*
- 56213 *Special education local plan areas with small or sparse populations*
- 56240-56245 *Staff development*
- 56300-56385 *Identification and referral, assessment, instructional planning*
- 56440-56447.1 *Programs for individuals between the ages of three and five years*
- 56500-56508 *Procedural safeguards, including due process rights*
- 56520-56524 *Behavioral interventions*
- 56600-56606 *Evaluation, audits and information*
- 56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

- 7579.5 *Surrogate parent, appointment, qualifications, liability*
- 95000-95029 *California Early Intervention Services Act*

WELFARE AND INSTITUTIONS CODE

- 361 *Limitations on parental control*
- 726 *Limitations on parental control*

CODE OF REGULATIONS, TITLE 5

- 3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

- 1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

- 794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

- 12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

- 99.10-99.22 *Inspection, review and procedures for amending education records*
- 104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*
- 300.1-300.818 *Assistance to states for the education of children with disabilities, including:*
- 300.500-300.520 *Due process procedures for parents and children*
- 303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

- California Department of Education, Special Education:* <http://www.cde.ca.gov/sp/se>
- U.S. Department of Education, Office of Special Education Programs:*
<http://www.ed.gov/about/offices/list/osers/osep>

(7/03 11/06) 5/20

Policy Reference UPDATE Service

Copyright 2020 by **California School Boards Association**, West Sacramento, California 95691
All rights reserved.

CSBA Sample Administrative Regulation

Philosophy, Goals, Objectives, and Comprehensive Plans

AR 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Note: The following administrative regulation reflects the 2004 reauthorization of the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation (AB 1663, Ch. 454, Statutes of 2007). Note that in cases where state law provides greater protections to students, state law supersedes federal law.

Free appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (Education Code 56040; 34 CFR 300.17, 300.101, 300.104; Education Code 56040)

~~FAPE applies to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school. (34 CFR 300.17, 300.101, 300.104)~~

Note: AB 1663 (Ch. 454, Statutes of 2007) added Education Code 56040.1 to provide the following definition, consistent with federal law.

Least restrictive environment means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (Education Code 56040.1; 34 CFR 300.107, 300.114, 300.117; Education Code 56040.1)

Note: AB 1663 (Ch. 454, Statutes of 2007) amended Education Code 56000 and 56031 to define "special education," as specified in the following two paragraphs.

~~*Special education* means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities including a full continuum of program options including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education to meet the educational and service needs in the least restrictive environment. (Education Code 56300, 56031)~~

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Special education may include each of the following if the services otherwise meet the definition in the above paragraph: (Education Code 56031)

1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards
2. Travel training
3. Career technical education
4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education

Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the district. (34 CFR 300.39)

Note: Pursuant to Government Code 7579.5, when a student is a ward of the court, the district would appoint a surrogate parent only when the court has limited the right of the parent/guardian to make educational decisions for his/her child and the student has no responsible adult, such as a foster parent, to represent him/her. Since Welfare and Institutions Code 361 and 726 require the juvenile court to appoint a responsible adult when the court limits parental rights, rarely will it be necessary for the district to appoint a surrogate because that appointment would be superseded by the court's appointment of a responsible adult or foster parent. See BP/AR 6159.3 Appointment of Surrogate Parent for Special Education.

Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)

Elements of the Local Plan

Note: Education Code 56205 and 56206 details the elements that must be included in the local plan developed by the Special Education Local Plan Area (SELPA), including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), and the Americans with Disabilities Act (42 USC 12101-12213). The following section is optional.

Pursuant to Education Code 56122, the California Department of Education (CDE) has developed templates for plan development, which are available on its web site.

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

The local plan developed by the Special Education Local Plan Area (SELPA) shall include, but not be limited to, the following: (Education Code 56122, 56205, 56206)

1. ~~Assurances that p~~olicies, procedures, and programs; **that are** consistent with state laws, regulations, and policies, ~~are in effect as specified in Education Code 56205(a)(1-22) and in conformity with and~~ 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201 **governing the following:**
 - a. Free appropriate public education**
 - b. Full educational opportunity**
 - c. Child find and referral**
 - d. Individualized education programs, including development, implementation, review, and revision**
 - e. Least restrictive environment**
 - f. Procedural safeguards**
 - g. Annual and triennial assessments**
 - h. Confidentiality**
 - i. Transition from the Infants and Toddlers with Disabilities programs pursuant to 20 USC 1431 to the preschool program**
 - j. Children in private schools**
 - k. Compliance assurances, including general compliance with the federal Individuals with Disabilities Education Act (20 USC 1400-1482), Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), the federal Americans with Disabilities Act of 1990 (42 USC 12101-12213), related federal regulations, and Education Code 56000-56865**
 - l. A description of the governance and administration of the local plan in accordance with Education Code 56205(a)(12)**
 - m. Personnel qualification to ensure that personnel, including special education teachers and personnel and paraprofessionals are appropriately and adequately prepared and trained in accordance with Education Code 56058 and 56070 and 20 USC 1412(a)(14) and 1413(a)(3)**

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

- n. Performance goals and indicators**
 - o. Participation in state and districtwide assessments, including assessments described in 20 USC 6301 et seq. and alternate assessments in accordance with 20 USC 1412(a)(16), and reports relating to assessments**
 - p. Supplementation of state, local, and other federal funds, including nonsupplantation of funds**
 - q. Maintenance of financial effort**
 - r. Opportunities for public participation before adoption of policies and procedures**
 - s. Suspension and expulsion rates**
 - t. Access to instructional materials by blind individuals with exceptional needs and others with print disabilities in accordance with 20 USC 1412(a)(23)**
 - u. Overidentification and disproportionate representation by race and ethnicity of children as individuals with exceptional needs, including children with disabilities with a particular impairment described in 20 USC 1401 and 1412(a)(24)**
 - v. Prohibition of mandatory medication use pursuant to Education Code 56040.5 and 20 USC 1412(a)(25)**
2. **An annual budget plan and annual service plan adopted at a public hearing held by the SELPA, including descriptions of the SELPA's allocation plan in accordance with Education Code 56836-56845, all revenues by revenue source received by the SELPA specifically for the purpose of special education, a breakdown of the distribution of funds to each local educational agency (LEA) within the SELPA, projected total special education expenditures by each LEA, projected total expenditures by the SELPA and the LEAs within the SELPA, projected funding to be received specifically for regionalized operations, and a breakdown of projected SELPA operating expenditures**
 3. **An annual service plan, describing the services to be provided by each LEA, regardless of whether the LEA participates in the local plan, including the nature of the services and the physical location at which the services will be provided. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.**

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Note: Pursuant to Education Code 56122, as amended by SB 75 (Ch. 51, Statutes of 2019), beginning July 1, 2021, the local plan must include an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating to assure effective outcomes for students with disabilities. A template for the annual assurances support plan will be developed by CDE by July 1, 2020.

4. Beginning July 1, 2021, an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating for purposes of assuring effective outcomes for students with disabilities, including a description of:
 - a. How the SELPA will support each participating district in achieving the goals, actions, and services identified in its local control and accountability plan
 - b. How the SELPA will connect any participating district in need of technical assistance to the statewide system of support
 - c. The services, technical assistance, and support the SELPA will provide to meet the required policies, procedures, and programs specified in Education Code 56205
- 3.5. A description of programs for early childhood special education from birth through five years of age
- 4.6. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
- 5.7. A description of a dispute resolution process, including mediation and arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan
- 6.8. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 and that the committee had at least 30 days to conduct this review before submission of the local plan to CDE
- 7.9. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
- 8.10. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools, and the method for of ensuring that all requirements of each student's IEP are being met, and a method for evaluating whether the student is making appropriate educational progress

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

9.11. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, ~~and~~ annual service plan, ~~and~~ **annual assurances support plan** shall be written in language that is understandable to the general public. **They shall be adopted at a public hearing of the SELPA, for which notice of the hearing shall be posted in each school in the SELPA at least 15 days before the hearing.** (Education Code 56205)

Note: Education Code 56195.8 **mandates** entities providing special education to adopt policies that include, among other things, information on the number of individuals with disabilities who are being provided special education and related services. Other mandated policies are located throughout CSBA's policy manual.

~~Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)~~

~~(cf. 3541.2—Transportation for Students with Disabilities)~~

~~(cf. 3542—School Bus Drivers)~~

~~(cf. 4112.23—Special Education Staff)~~

~~(cf. 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 6159—Individualized Education Program)~~

~~(cf. 6159.1—Procedural Safeguards and Complaints for Special Education)~~

~~(cf. 6159.2—Nonpublic, Nonsectarian School and Agency Services for Special Education)~~

~~(cf. 6164.4—Identification and Evaluation of Individuals for Special Education)~~

~~(cf. 6164.41—Children with Disabilities Enrolled by Their Parents in Private School)~~

~~(cf. 6164.6—Identification and Education Under Section 504)~~

Availability of the Plan

The Superintendent or designee shall post on the district's web site the approved local plan, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans. A complete copy of the local plan, annual budget plan, annual service plan, annual assurances support plan, and policies and procedures shall be held on file in the district office and shall be accessible to any interested party. (Education Code 56205.5)

(11/06 3/08) 5/20

CSBA Sample Board Policy

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: To address prohibited discrimination and violations of state and federal laws governing educational programs, 5 CCR 4621 **mandates** districts to adopt uniform complaint procedures (UCP) consistent with the state's complaint procedures specified in 5 CCR 4600-4670. See the section "Complaints Subject to UCP" below for a list of programs and activities subject to these procedures pursuant to state law.

The California Department of Education (CDE) monitors district programs and operations for compliance with these requirements through its Federal Program Monitoring (FPM) process. The FPM consists of a review of (1) written district policies and procedures for required statements, including prohibition of discrimination (such as discriminatory harassment, intimidation, and bullying) against students pursuant to Education Code 234.1; and (2) records of required activities, such as annual notification provided to students, parents/guardians, employees, and other school community members.

The U.S. Department of Education's Office for Civil Rights (OCR) enforces federal anti-discrimination laws, including Title II of the Americans with Disabilities Act (42 USC 12101-12213), Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000e-17), Title IX of the Education Amendments Act of 1972 (20 USC 1681-1688), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Age Discrimination Act of 1975 (42 USC 6101-6107). OCR has issued guidance describing federal requirements for discrimination complaint procedures. OCR requires such complaint procedures to be "prompt and equitable." OCR evaluates a district's procedures based on factors specified in the accompanying administrative regulation, including whether the procedures (1) provide notice to the district's students, parents/guardians, and employees; (2) ensure adequate, reliable, and impartial investigation of complaints; (3) contain reasonably prompt timeframes for major stages of the complaint process; (4) provide notice to the complainant of the resolution of the complaint; and (5) provide an assurance that action will be taken to prevent recurrence of any discrimination found and to correct its effects.

The following policy and accompanying administrative regulation reflect all components required by law and the **2020-21** FPM instrument. Additional details provided herein may help districts during a compliance check by CDE or in the event that a CDE or OCR investigation occurs.

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 UCP

Note: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. Items #1-~~12~~ **13** list all programs and activities identified in the FPM instrument. ~~The district may revise the following items to reflect the programs it offers and the grade levels it serves.~~ **According to CDE, the district's policy must list all such programs and activities and, at the district's discretion, may add a paragraph below the list stating the UCP programs and activities that are implemented in the district.**

UNIFORM COMPLAINT PROCEDURES (continued)

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 laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education; ~~American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical, and technical training programs;~~ federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; **Economic Impact Aid**; the federal Every Student Succeeds Act; migrant education; **Regional Occupational Centers and Programs**; school safety plans; ~~special education programs;~~ California State Preschool Programs; ~~Tobacco Use Prevention Education programs;~~ and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3555 - Nutrition Program Compliance)

~~*(cf. 5131.62 - Tobacco)*~~

(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)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in 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, parental status, physical or mental disability, **medical condition**, 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 the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

UNIFORM COMPLAINT PROCEDURES (continued)

(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)

Note: Education Code 46015, as added by AB 2289 (Ch. 942, Statutes of 2018), authorizes the use of UCP for complaints alleging the district's noncompliance with requirements related to the provision of parental leave to a pregnant or parenting student or other accommodations to which pregnant and parenting students are entitled pursuant to Education Code 46015.

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)
5. 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)

Note: Pursuant to Education Code 52075, any complaint alleging noncompliance with the requirements of Education Code 52060-52077 may be filed in accordance with the district's UCP. Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), by July 1, 2019 districts are required to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP.

6. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), provides for the use of UCP for complaints alleging noncompliance with requirements to develop a school plan for student achievement pursuant to Education Code 64001 and to establish a school site council pursuant to Education Code 65000-65001.

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any 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, district, or country; school or records 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)

Note: Items #9-11 are for use by districts that maintain high schools.

AB 2121 (Ch. 581, Statutes of 2018) amended Education Code 51225.1 and 51225.2 to add authorization to use the district's UCP for any complaint alleging the district's noncompliance with specified educational rights of migrant students and of students enrolled in a newcomer program (i.e., a program designed to meet the academic and transitional needs of newly arrived immigrant students that has as a primary objective the development of English language proficiency). Also see AR 6175—Migrant Education Program.

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

UNIFORM COMPLAINT PROCEDURES (continued)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)
11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

Note: ~~Item #12 is for use by districts that maintain elementary schools. Education Code 51222, as amended by SB 75 (Ch. 51, Statutes of 2019), extends the UCP to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12.~~

12. Any complaint alleging district noncompliance with the physical education instructional minutes requirement ~~for students in elementary school~~ (Education Code 51210, **51222**, 51223)

(cf. 6142.7 - Physical Education and Activity)

- 13. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations (Education Code 8235.5; Health and Safety Code 1596.7925)**

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item #~~13~~ **14** below.

- ~~13.~~**14.** 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

Note: Pursuant to 5 CCR 4610, a district may, at its discretion, use the UCP to investigate and resolve other complaints.

- ~~14.~~**15.** Any other complaint as specified in ~~a~~ district policy

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4631 authorizes the district to utilize alternative dispute resolution (ADR) methods, including mediation, to resolve complaints before initiating a formal investigation. However, the district should ensure that any ADR it uses, particularly "in-person ADR," is appropriate for the particular situation. For example, in some instances (e.g., sexual assault), face-to-face mediation should not be used, even if all parties voluntarily agree, given the risk that a student might feel pressured to "voluntarily" agree to it. The following **optional** paragraph provides for a neutral mediator and should be revised to reflect district practice.

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 for resolving a** complaint **in a manner** that is acceptable to all parties. **An ADR process** 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.

Note: The following paragraph is **mandated** pursuant to 5 CCR 4621. Appropriate disclosure will vary in each case depending on the facts and circumstances.

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 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 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 requirements related to UCP, 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)

Note: It is important to maintain records of all UCP complaints and the investigations of those complaints. If the district is investigated by OCR or CDE, these are important documents in demonstrating that the district has complied with federal law, state law, and its own policies and regulations.

The Superintendent or designee 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.

(cf. 3580 - District Records)

Non-UCP Complaints

Note: 5 CCR 4611 details complaint issues that are not subject to UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination 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 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 fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Note: Complaints of employment discrimination are not subject to the UCP. Instead, pursuant to 2 CCR 11023, the district must establish an impartial and prompt process for addressing such complaints. In addition, 5 CCR 4611 requires that employment discrimination complaints be referred to the Department of Fair Employment and Housing (DFEH). See AR 4030 - Nondiscrimination in Employment for applicable complaint procedures.

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, including the right to file the complaint with the California Department of Fair Employment and Housing.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 35186 requires the district to use UCP, with modifications, to investigate and resolve complaints related to the issues stated in the following paragraph (i.e., "Williams complaints"). Because Education Code 35186 sets forth different timelines for investigation and resolution of these kinds of complaints than the timelines specified in law for other uniform complaints, CDE has created a separate uniform complaint process for the Williams complaints. See AR 1312.4 - Williams Uniform Complaint Procedures for the separate procedure.

~~In addition, Education Code 8235.5, as added by AB 1808, authorizes the use of Williams uniform complaint procedures to address any complaints alleging violations of health and safety requirements applicable to California State Preschool Programs (Education Code 8235 8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792.~~

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, **or** teacher vacancies and misassignments, ~~or health and safety violations in any license-exempt California State Preschool Program~~ shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

*Legal Reference:***EDUCATION CODE**

200-262.4 Prohibition of discrimination

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~~

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49014 Student fees

49060-49079 Student records, especially:

49069.5 Records of foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51222 Physical education, secondary schools

51223 Physical education, elementary schools

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

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

Legal Reference continued: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

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; school plan for student achievement*

65000-65001 *School site councils*

GOVERNMENT CODE

11135 *Nondiscrimination in programs or activities funded by state*

12900-12996 *Fair Employment and Housing Act*

HEALTH AND SAFETY CODE

1596.792 *California Child Day Care Act; general provisions and definitions*

1596.7925 *California Child Day Care Act; health and safety regulations*

~~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 *Applicability of uniform complaint procedures to complaints regarding students with disabilities*~~

4600-4670 *Uniform complaint procedures*

4680-4687 *Williams 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 Improving the Academic Achievement of the Disadvantaged*

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

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*

12101-12213 *Title II equal opportunity for individuals with disabilities*

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*

Legal Reference: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34 (continued)

104.7 Designation of responsible employee for Section 504

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:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 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: <https://www2.ed.gov/policy/gen/guid/fpco>

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

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

(3/18 3/19) 5/20

CSBA Sample Administrative Regulation

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 **mandates** that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-4670. Additionally, Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP) **and Education Code 8235.5 mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in license-exempt California State Preschool Programs (CSPP).**

Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, all districts are **mandated** pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are **mandated** pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt such policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

Apart from these mandates, state law authorizes the use of UCP to resolve complaints of noncompliance with laws related to the development of a school plan for student achievement and the establishment of school site councils; accommodations for pregnant and parenting students; prohibition against the charging of student fees; educational rights of foster youth, homeless students, former juvenile court school students, children of military families, migrant students, and students participating in a newcomer program for newly arrived immigrants; assignment of students to courses without educational content; and physical education instructional minutes. See the section "Complaints Subject to UCP" in the accompanying Board policy.

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

Note: 5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the "lead compliance officer."

UNIFORM COMPLAINT PROCEDURES (continued)

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(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)

(title or position)

(unit or office)

(address)

(telephone number)

(email)

Note: The following paragraph is for use by districts that have designated more than one compliance officer.

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 the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of 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 with the Superintendent or designee who shall determine how the complaint will be investigated.

Note: 5 CCR 4621 mandates that the district's policy provide require that employees responsible for compliance and/or for investigating and resolving complaints are to be knowledgeable about the laws and programs at issue in the complaints they are assigned. OCR requires that the compliance officer(s) involved in implementing discrimination complaint procedures be knowledgeable about the procedures and be able to explain them to parents/guardians and students. They must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

UNIFORM COMPLAINT PROCEDURES (continued)

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)

Note: During the FPM process, CDE staff will check to ensure that the district's policy contains a statement ensuring annual dissemination of notice of the district's UCP to the persons specified below.

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP 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. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 4622 requires the district to include specified information in its annual UCP notice to students, parents/guardians, employees, and others. During the FPM process, CDE staff will check the notice to ensure that it contains the components specified below.

UNIFORM COMPLAINT PROCEDURES (continued)

A sample of the annual notice is available through CDE's web site. It is the district's responsibility to update the notice as necessary to reflect new law.

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(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)
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

UNIFORM COMPLAINT PROCEDURES (continued)

7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. A statement that copies of the district's UCP are available free of charge

Note: The following paragraph may be modified to reflect district practice. Pursuant to Education Code 221.61, districts are required to post information related to Title IX on their web sites, including specified information about complaint procedures under Title IX. See AR 5145.3 - Nondiscrimination/Harassment. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. In addition, in its April 2015 Dear Colleague Letter: Title IX Coordinators, OCR recommends that districts use web posting and social media to disseminate their nondiscrimination notices, policies, and procedures and communicate current compliance officer(s)' contact information to students, parents/guardians, and employees.

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)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2002 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

UNIFORM COMPLAINT PROCEDURES (continued)

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.

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.

Filing of Complaints

Note: Complaints filed under UCP may be filed directly with a compliance officer or with any site administrator not designated as a compliance officer. For example, acts of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may initially be reported to a principal. See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment. If a site administrator not designated as a compliance officer receives a UCP complaint, the site administrator must notify a compliance officer. A district may also establish a site-level process for receiving informal reports about incidents for which a UCP complaint may be filed and notifying students and parents/guardians of their right to file a UCP complaint. Any site-level process established by a district should be in writing and distributed in the same manner as the grievance procedures listed herein with an explanation of how it interacts with the UCP complaint process.

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 in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

Note: Education Code 49013 **and 52075 mandates** districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees **or violates any requirement related to the LCAP.** Pursuant to Education Code 52075, anonymous complaints are permitted with regard to the LCAP, as long as evidence, or information leading to evidence, to support the allegation of noncompliance is provided in the complaint.

UNIFORM COMPLAINT PROCEDURES (continued)

2. Any complaint alleging noncompliance with law regarding the prohibition against 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 persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that 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.

Note: OCR's Revised Sexual Harassment Guidance indicates that if a complainant in a sexual harassment case requests that the complainant's name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. The OCR publication acknowledges that situations may exist in which a district cannot honor a student's request for confidentiality, but cautions that, in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault. These guiding principles would also apply to harassment on the basis of race, gender, disability, or other protected characteristic.

5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim 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**

Note: The following section should be used only by those districts that have decided to establish procedures for attempting to resolve complaints through alternative dispute resolution procedures such as mediation; see the accompanying Board policy. **The following section may be modified to specify the alternative dispute resolution method and timelines used within the district.**

Within three business days after receiving the complaint, the compliance officer 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 an 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 upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Note: 5 CCR 4631, which requires the district to provide the complainant with the opportunity to present relevant information, does not provide any timeline. Thus, **the timeline specified below may be modified to reflect district practice.**

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 the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the

UNIFORM COMPLAINT PROCEDURES (continued)

complainant and/or 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.

Note: In the investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

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. The compliance officer 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.

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.

Note: 5 CCR 4631 allows the district to dismiss a complaint when the complainant refuses to provide the investigator with relevant documents or otherwise obstructs the investigation. 5 CCR 4631 also provides that, if the district refuses to provide the investigator with access to records or other documents, the investigator may issue a finding in favor of the complainant. During the FPM process, CDE staff will check to ensure that both of these statements regarding the provision of access to information are included in the district's policy or procedures, as specified below.

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

UNIFORM COMPLAINT PROCEDURES (continued)

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)

Timeline for Final Decision

Note: Pursuant to 5 CCR 4631, the district's written decision must be sent to the complainant within 60 calendar days of receiving the complaint. Option 1 below is for districts that do not allow complainants to appeal the compliance officer's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and it requires the compliance officer's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.

Pursuant to 5 CCR 4631, only a complainant has the right to receive a written report and to file a complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination to ensure the process is equitable for all involved. Furthermore, OCR recommends notifying the respondent in such a complaint whenever the complainant approves an extension of the timeline. Options 1 and 2 reflect these recommendations and may be modified to reflect district practice.

Pursuant to 5 CCR 4640, when a UCP complaint is erroneously sent to CDE without first being filed with the district, the 60-day period specified in 5 CCR 4631 begins when the district receives the complaint.

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant 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)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

OPTION 2:

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

UNIFORM COMPLAINT PROCEDURES (continued)

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

Note: 5 CCR 4631 and guidance provided by OCR specify components that should be part of the district's decision. Inclusion of these items will help protect the district's position in case of an appeal to CDE, a complaint submitted to OCR, or if litigation is filed.

For all complaints, the district's final written 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

UNIFORM COMPLAINT PROCEDURES (continued)

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:

- a. 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

UNIFORM COMPLAINT PROCEDURES (continued)

6. Notice of the complainant's and respondent's right to appeal the district's decision to 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.

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), the federal agency which administers FERPA, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the offender when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the alleged student offender (e.g., an order that the alleged offender stay away from the alleged victim), FPCO interprets FERPA as allowing the district to disclose that information.

Given the potential liability from improperly disclosing such information, districts are advised to consult with legal counsel when presented with a situation where a victim of unlawful discrimination requests information about sanctions imposed upon the offender.

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.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure compliance with this requirement. Based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in 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 pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

UNIFORM COMPLAINT PROCEDURES (continued)

Note: During the FPM process, CDE staff will expect to see a statement detailing a complainant's right to pursue civil law remedies (i.e., action in a court of law) in addition to or in conjunction with the right to pursue administrative remedies from CDE.

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:

1. The complainant 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 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

Note: The following section may be revised to reflect district practice.

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.

(cf. 5137 - Positive School Climate)

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

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support
3. Health services

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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.

UNIFORM COMPLAINT PROCEDURES (continued)

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

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

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.

Note: Generally, when a complaint is found to have merit, an appropriate remedy is provided to the complainant or other affected person. However, in certain instances, the law may require a remedy to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or CDE on appeal, finds merit in the complaint alleging noncompliance with the law regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with the LCAP requirements, pursuant to Education Code 52075, and to noncompliance with required instructional minutes for ~~elementary students~~ physical education, pursuant to Education Code **51222 and** 51223. Districts that do not maintain elementary schools should delete reference to physical education below.

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

However, 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, **51222**, 51223, 52075)

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

Note: 5 CCR 4632-4633 provide that complainants may appeal to CDE if they disagree with the district's decision on any matter within the scope of the UCP, as provided below.

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

UNIFORM COMPLAINT PROCEDURES (continued)

The complainant shall specify the basis for the appeal of the decision and 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 a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Note: Although not required pursuant to 5 CCR 4631-4633, OCR recommends that the right to appeal the district's decision to CDE be extended to the respondent to an allegation of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) to ensure fairness for all parties involved. The following paragraphs reflect OCR's recommendation.

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, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by CDE that the district's decision has been appealed, the Superintendent or designee shall forward the following documents to 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 UCP
7. Other relevant information requested by CDE

Note: CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final written decision; (2) the complainant requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; (3) the complainant would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile; (4) the complainant alleges failure to comply with the due process procedures established pursuant to special education law and regulation to implement a due process hearing order; (5) the complainant alleges facts that indicate that one or more students may be in immediate physical danger or that the health, safety, or welfare of one or more students is threatened; or (6) the complainant alleges failure to follow a student's individualized education program.

UNIFORM COMPLAINT PROCEDURES (continued)**Health and Safety Complaints in California State Preschool Program**

Note: The following section is for use by districts that operate any license-exempt CSPP program. Education Code 8235.5 mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in a license-exempt CSPP program.

See the accompanying exhibits for a sample classroom notice and complaint form.

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint and shall contain a space to indicate whether the complainant desires a response to the complaint. If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8235.5)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting. (Education Code 8235.5)

Note: Pursuant to Education Code 8235.5, a complainant who is not satisfied with the district's decision related to a complaint of health and safety conditions in a CSPP program may appeal to the Superintendent of Public Instruction. The law does not provide a timeline for filing the appeal, but the 2020-21 FPM instrument provides a timeline of 30 days.

UNIFORM COMPLAINT PROCEDURES (continued)

A complainant may file a written appeal of the district's decision to CDE in accordance with 5 CCR 4632. (Education Code 8235.5)

Any such appeal shall be filed within 30 days of receiving the decision.

Note: The following paragraph reflects a requirement of the 2020-21 FPM instrument.

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools.

CSBA Sample Exhibit

Community Relations

E(1) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Education Code 8235.5 requires that the following notice be posted in each classroom with a license-exempt California State Preschool Program (CSPP) (Education Code 8235-8239.1). The notice must include the health and safety requirements that apply to such CSPP programs pursuant to Health and Safety Code 1596.7925, which may be the subject of a complaint under the uniform complaint procedures.

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8235.5, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

Note: Education Code 8235.5 requires that the notice include the location to obtain a complaint form and provides that posting a notice downloadable from the California Department of Education's web site will satisfy this requirement. The law does not require that complaint forms be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a

UNIFORM COMPLAINT PROCEDURES (continued)

copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

CSBA Sample Exhibit

Community Relations

E(2) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Pursuant to Education Code 8235.5, uniform complaint procedures should be used for complaints alleging that a license-exempt California State Preschool Program (CSPP) does not comply with any of the health and safety requirements specified in Health and Safety Code 1596.7925.

PRESCHOOL COMPLAINT FORM: UNIFORM COMPLAINT PROCEDURES

Education Code 8235.5 requires that the district's uniform complaint procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

The preschool does not have outdoor shade that is safe and in good repair.

Drinking water is not accessible and/or readily available throughout the day.

The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

UNIFORM COMPLAINT PROCEDURES (continued)

- Restroom facilities are not available only for preschoolers and kindergartners.
- The preschool program does not provide visual supervision of children at all times.
- Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
- Playground equipment is not safe, in good repair, or age appropriate.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Note: Education Code 8235.5 requires complaints identified above to be filed with the preschool administrator or designee. Districts should specify the names and/or locations in the spaces below.

Please file this complaint at the following location:

(preschool administrator or designee)

(address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature) _____ (Date)

CSBA Sample Administrative Regulation

Community Relations

AR 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 35186 **mandates** that districts establish policies and procedures to address complaints regarding insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, and emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff. When such a complaint is filed with the district, the district is required to investigate and resolve the complaint in accordance with the Williams uniform complaint procedures established pursuant to 5 CCR 4680-4687. ~~In addition, pursuant to Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), California State Preschool Programs (CSPP) (Education Code 8235 8239.1) that are exempt from licensing pursuant to Health and Safety Code 1596.792 must utilize district complaint procedures, with modifications as necessary, to resolve allegations of noncompliance with applicable health and safety requirements. The Legislative Counsel's Digest of AB 1808 clarifies that the Williams uniform complaint procedures are the applicable procedures.~~

It is recommended that districts use these procedures only for complaints specified in law and this administrative regulation. See BP/AR 1312.3 - Uniform Complaint Procedures for a discussion of the types of complaints subject to the uniform complaint procedures established pursuant to 5 CCR 4600-4670. For procedures related to complaints about employees, see BP/AR 1312.1 - Complaints Concerning District Employees. For complaints concerning the district's adoption and selection of specific instructional materials, see BP/AR 1312.2 - Complaints Concerning Instructional Materials. For complaints regarding the district's nutrition program, see BP 3555 - Nutrition Program Compliance.

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists.
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

(cf. 4112.22 - Staff Teaching English Learners)

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

Note: The following **optional** paragraph is for use by districts that maintain any of grades 6-12. Education Code 35292.6 requires a school that serves any of grades 6-12 and meets a 40 percent student poverty threshold, as defined in 20 USC 6314, to stock at least 50 percent of the school's restrooms with feminine hygiene products for use in connection with the menstrual cycle, and to not charge students for such products. See AR 3517 - Facilities Inspection. Although Education Code 35292.6 does not require a complaint process, it is recommended that the Williams uniform complaint procedures be used to address any allegation of noncompliance with Education Code 35292.6 in order to ensure consistency in the procedures that districts use to address allegations of noncompliance with all restroom maintenance requirements.

In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: Item #4 is for use by districts that operate one or more CSPP programs which are exempt from licensure by Health and Safety Code 1596.792 and are subject to the health and safety requirements of Health and Safety Code 1596.7925, as added by AB 1808. Pursuant to Health and Safety Code 1596.7925, the California Department of Education (CDE) must adopt regulations by July 1, 2019, that contain the program requirements specified below.

4. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations, including any complaint alleging that: (Education Code 8235.5; Health and Safety Code 1596.7925)
 - a. The preschool does not have outdoor shade that is safe and in good repair.
 - b. Drinking water is not accessible and/or readily available throughout the day.
 - c. The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
 - d. Restroom facilities are not available only for preschoolers and kindergartners.
 - e. The preschool program does not provide visual supervision of children at all times.
 - f. Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
 - g. Playground equipment is not safe, in good repair, or age appropriate.

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

Note: Education Code 8235.5 and 35186 requires that the district's complaint form contain the elements stated in the following paragraph. In addition, Education Code 8235.5 and 35186 requires that a notice be posted in each classroom in each school in the district, as specified below. See the accompanying exhibits for sample forms and classroom notices.

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 8235.5; 35186; 5 CCR 4680)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: The following paragraph may be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall post in each K-12 classroom in each school a notice containing the components specified in Education Code 35186. In each license exempt CSPP classroom, a notice containing the components specified in Education Code 8235.5 shall be posted. (Education Code 8235.5, 35186)

Filing of Complaint

Note: Education Code 8235.5 and 35186 requires that complaints be investigated and resolved within the timelines specified below. During the Federal Program Monitoring (FPM) process, CDE staff will expect to see statements regarding the filing of the complaint, the investigation, timelines, and the complainant's right to appeal to the Governing Board and to appeal facilities complaints to CDE, as detailed in the following section and the section "Investigation and Response" below.

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee, or the preschool administrator or designee as appropriate, at the school in which the complaint arises. A complaint about problems beyond the authority of the principal or preschool administrator shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 8235.5, 35186; 5 CCR 4680)

Investigation and Response

The principal/preschool administrator or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within their the principal's or designee's authority. (Education Code 8235.5, 35186; 5 CCR 4685)

Investigation of a complaint regarding preschool health or safety issues shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5)

The principal/preschool administrator or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 8235.5, 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal/preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the principal/preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5, 35186; 5 CCR 4680, 4685)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Note: Education Code 48985 specifies that, when 15 percent or more of the students enrolled in a particular school speak a single primary language other than English, all notices, reports, statements, or records sent to the parents/guardians of such students be written in English and in the primary language. Education Code ~~8235.5~~ and 35186 requires that, when Education Code 48985 is applicable, any response requested by the complainant must be written in English and in the primary language in which the complaint was filed.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code ~~8235.5~~, 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a ~~or #4~~ in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal/~~preschool administrator~~ or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code ~~8235.5~~, 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

Reports

Note: During the FPM process, CDE staff will expect to see the following statement.

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code ~~8235.5~~, 35186; 5 CCR 4686)

Legal Reference: (see next page)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

1240 County superintendent of schools, duties

~~8235-8239.1 California State Preschool Programs, especially:~~

~~8235.5 California State Preschool Program, complaints regarding health and safety issues~~

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedures

35292.5-35292.6 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

HEALTH AND SAFETY CODE

~~1596.792 California Child Day Care Act; general provisions and definitions~~

~~1596.7925 California Child Day Care Act; health and safety regulations~~

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

Management Resources:

WEB SITES

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

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

California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

(8/14 3/19) 5/20

CSBA Sample Exhibit

Community Relations

E(3) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), requires that the following notice be posted in each classroom with a license exempt California State Preschool Program (CSPP) (Education Code 8235 8239.1). The notice must include the health and safety requirements that apply to such CSPP programs pursuant to Health and Safety Code 1596.7925, which may be the subject of a complaint under the Williams uniform complaint procedures.

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8235.5, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

Note: Education Code 8235.5 requires that the notice include the location to obtain a complaint form and provides that posting a notice downloadable from the CDE's web site will satisfy this requirement. The law does not require that complaint forms be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/ep/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

CSBA Sample Exhibit

Community Relations

E(4) 1312.4(a)

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Note: Pursuant to Education Code 8235.5, as added by AB 1808 (Ch. 32, Statutes of 2018), Williams uniform complaint procedures should be used for complaints alleging that a license exempt California State Preschool Program (CSPP) does not comply with any of the health and safety requirements specified in Health and Safety Code 1596.7925.

PRESCHOOL COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

Education Code 8235.5 requires that the complaint procedures in 5 CCR 4680-4687 be used for the filing of complaints concerning noncompliance with health and safety standards for license exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

The preschool does not have outdoor shade that is safe and in good repair.

Drinking water is not accessible and/or readily available throughout the day.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

Restroom facilities are not available only for preschoolers and kindergartners.

The preschool program does not provide visual supervision of children at all times.

Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.

Playground equipment is not safe, in good repair, or age appropriate.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Note: Education Code 8235.5, as added by AB 1808, requires complaints identified above to be filed with the preschool administrator or designee. Districts should specify the names and/or locations in the spaces below.

Please file this complaint at the following location:

(preschool administrator or designee)

(address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature) (Date)

CSBA Sample Board Policy

Community Relations

BP 1340(a)

ACCESS TO DISTRICT RECORDS

Note: The following **optional** policy and accompanying administrative regulation reflect requirements of the California Public Records Act (CPRA) (Government Code 6250-6270) pertaining to public access to public records of the district. "Public records," as defined by Government Code 6252, include any **records writing containing information** relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics; see **section on** "Definitions" in the accompanying administrative regulation. For information regarding retention of records, see BP/AR 3580 - District Records, AR 4112.6/4212.6/4312.6 - Personnel Files, and BP/AR 5125 - Student Records.

The Governing Board recognizes the right of **citizens members of the public** to have access to public records of the district. The **Board intends the** district **to shall** provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

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

(cf. 9321 - Closed Session **Purposes and Agendas**)

Note: In City of San Jose v. Superior Court, the California Supreme Court held that communications regarding public business **transmitted to or that have been sent, received, or stored** by public officials on a personal account or device are not categorically exempt from disclosure under the CPRA (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public official's or employee's personal device regardless of whether they were transmitted through district servers. Such searches need not be extraordinarily **vily extensive** or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see AR 3580 - District Records and BB 9012 - Board Member Electronic Communications.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

ACCESS TO DISTRICT RECORDS (continued)*(cf. 4040 - Employee Use of Technology)**(cf. 9012 - Board Member Electronic Communications)*

Note: Government Code 6253 authorizes the district to charge a person requesting a copy of a record a fee covering the direct costs of duplication; however, no fee can be charged to a person who wishes to inspect but not copy a record. In North County Parents Organization for Children with Special Needs v. Department of Education, the court determined that direct costs include only the cost of running the copy machine and possibly the expense of the person operating it. **Examples of costs that do not fit this definition include costs associated with** ~~Direct costs do not include the other costs that may be associated with the request, such as~~ searching, reviewing, or redacting the record; assisting the requester in formulating the request; responding to the request; or employee time to sit with the requester during inspection of the record. Because it is not clearly authorized by law, districts wishing to charge for the cost of the copy machine operator should consult with legal counsel.

In addition, Government Code 6253 authorizes districts to provide faster access or access to more records than the minimum standards provided by law. According to the court in North County Parents Organization, this provision permits a district to waive or reduce its fees, **as a reduction in copy fees permits greater access to records**. For example, a district may consider waiving fees below a certain dollar threshold because the costs of collecting the fee exceed the fee amount.

Pursuant to Government Code 6253, as amended by AB 1819 (Ch. 695, Statutes of 2019), members of the public who request to inspect a disclosable record of the district have the right to use their own equipment on district premises, without being charged any fees or costs, to photograph, copy, or reproduce the record in a manner that does not require the equipment to make physical contact with the record. For further information about exceptions and limitations on the use of one's own equipment to copy a record of the district, see "Inspection of Records and Requests for Copies" in the accompanying administrative regulation.

The district may charge for copies of public records or other materials requested by individuals or groups, **unless they are using their own personal equipment to reproduce the record**. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

Note: The following paragraph is **optional**.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Legal Reference:

EDUCATION CODE

234.7 *Student protections relating to immigration and citizenship status*

35145 *Public meetings*

35170 *Authority to secure copyrights*

35250 *Duty to keep certain records and reports*

41020 *Requirement for annual audit*

42103 *Publication of proposed budget; hearing*

44031 *Personnel file contents and inspections*

44839 *Medical certificates; periodic medical examination*

49060-49079 *Student records*

49091.10 *Parental review of curriculum and instruction*

GOVERNMENT CODE

3547 *Proposals relating to representation*

6250-6270 *California Public Records Act*

6275-6276.48 **California Public Records Act; other exemptions from disclosure**

8310.3 California Religious Freedom Act

53262 *Employment contracts*

54957.2 *Minute book record of closed sessions*

54957.5 *Agendas and other writings distributed for discussion or consideration*

81008 *Political Reform Act, public records; inspection and reproduction*

~~8310.3 California Religious Freedom Act~~

CALIFORNIA CONSTITUTION

Article I, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 *Individual student records*

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

***Sacramento County Employees' Retirement System v. Superior Court* (2011) 195 Cal. App. 4th 440**

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 *Ops.Cal.Atty.Gen.* 235 (1988)

64 *Ops.Cal.Atty.Gen.* 186 (1981)

Management Resources: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

California Department of Justice Guidelines for Access to Public Records, October 2017

Summary of the California Public Records Act, 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008 rev. April 2017

WEB SITES

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

California Office of the Attorney General: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org>

State Bar of California: <http://www.calbar.ca.gov>

(11/08 5/17) 5/20

Policy Reference UPDATE Service

Copyright 2020 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

CSBA Sample Administrative Regulation

Community Relations

AR 1340(a)

ACCESS TO DISTRICT RECORDS

Note: Article 1, Section 3 of the California Constitution grants any person the right to access information concerning meetings and writings of state and local government bodies, officials, and agencies as long as the constitutional rights of privacy and due process are protected. Courts broadly interpret rules or laws granting access and narrowly interpret those denying access; thus, the burden is on the district to demonstrate the need for restricting access to public records.

The following **optional** administrative regulation lists those records defined as public and, in contrast, those defined as confidential to which there is no public access. It is not intended to provide an all-inclusive list of records that may be defined as either public or confidential.

Definitions

Note: Pursuant to Government Code 6252, a "public record" includes any writing that relates to district business as defined below.

Emails and other electronic communications related in a substantive manner to district business are considered public records. Furthermore, in City of San Jose v. Superior Court, the California Supreme Court held that using a personal account or personal device to send, **or receive, or store** communications regarding public business does not categorically exclude those records from disclosure upon request under the California Public Records Act (CPRA) (Government Code 6250-6270). The court noted that public agencies are required to disclose all applicable records that can be located "with reasonable effort," including those records contained on a public employee's or official's personal device or account. Such searches need not be extraordinarily **orily extensive** or intrusive. For further information, see CSBA's Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications. Also see the accompanying Board policy, AR 3580 - District Records, and BB 9012 - Board Member Electronic Communications.

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)

(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of such membership, agency, office, or employment. (Government Code 6252)

ACCESS TO DISTRICT RECORDS (continued)**Public Records**

Note: While not specifically enumerated in Government Code 6252, items #1-14 below are items which fall within the definition of "public records."

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

Note: District and school plans (e.g., local control and accountability plan, school plan for student achievement, comprehensive safety plan) must generally be accessible to the public. However, pursuant to Education Code 32281, the Governing Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents **that may result in death or serious bodily injury at the school site**. See BP 0450 - Comprehensive Safety Plan.

8. District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law

(cf. 0400 - Comprehensive Plans)

(cf. 0420 - School Plans/Site Councils)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3543 - Transportation Safety and Emergencies)

ACCESS TO DISTRICT RECORDS (continued)*(cf. 7110 - Facilities Master Plan)*

9. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

Note: Although Government Code 6254 exempts from disclosure those records pertaining to pending litigation—**until the pending litigation or claim has been finally adjudicated or otherwise settled.** However, the Attorney General opined in 71 Ops.Cal.Atty.Gen. 235 (1988) that records predating the filing of the lawsuit are subject to disclosure. In Fairley v. Superior Court, a California Court of Appeal concurred and held that documents were exempted only if they were prepared for use in litigation. (See item #2 in the section "Confidential Records" below.) The Board should consult legal counsel if it believes that any document related to litigation should not be disclosed.

10. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

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

11. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

Note: Generally, the names and salaries of public employees are subject to disclosure under the CPRA. In Sacramento County Employees Retirement System v. Superior Court, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532. However, in International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, the California Supreme Court recognized that, in some instances, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances. The Board should consult legal counsel if it believes that any document related to the names and salaries of public employees should not be disclosed.

12. Documents containing names, salaries, and pension benefits of district employees

13. Employment contracts and settlement agreements (Government Code 53262)

*(cf. 2121 - Superintendent's Contract)**(cf. 4117.5/4217.5/4317.5 - Termination Agreements)**(cf. 4141/4241 - Collective Bargaining Agreement)*

14. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

Note: Government Code 6254.29 specifies that the CPRA does not require a district to disclose an employee's a social security number and states the Legislature's intent that districts will redact social security numbers from any records being disclosed to the public. In addition, Government Code 6254.3 prohibits disclosure of an employee's personal cell phone number and birth date.

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public Records

Note: Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement (ICE), as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order. An ICE "administrative warrant" is not a court order that would allow a district to disclose student records without parent/guardian consent. See BP/AR 5125 - Student Records, BP/AR 5145.13 - Response to Immigration Enforcement, and the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

In addition, pPursuant to Government Code 8310.3, districts are prohibited from collecting or disclosing to federal government authorities any personal information regarding an individual's religious beliefs, practices, or affiliation for the purpose of compiling a list, registry, or database of individuals based on religious affiliation, national origin, or ethnicity.

~~In addition, Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement (ICE), as such disclosure is not among the limited exceptions specified in law for which student records may be released without parental consent or a lawful judicial order. An ICE "administrative warrant" is not a court order that would allow a district to disclose student records without parent/guardian consent. See BP/AR 5125 - Student Records, BP/AR 5145.13 - Response to Immigration Enforcement, and the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.~~

ACCESS TO DISTRICT RECORDS (continued)

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed to federal government authorities. (Education Code 234.7; Government Code 8310.3)

(cf. 5145.13 - Response to Immigration Enforcement)

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

ACCESS TO DISTRICT RECORDS (continued)

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, **personal email address**, or birth date, and the district shall remove ~~this information~~ **the home address, home telephone number, and personal cell phone number** from any mailing list of the district except a list used exclusively to contact the employee.

(cf. 4140/4240/4340 - Bargaining Units)

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Student records, except directory information and other records to the extent permitted ~~under the law, when disclosure is authorized~~ by law **and district policy**

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)
7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in an unfair competitive disadvantage to the person supplying the information (Government Code 6254)
8. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting

ACCESS TO DISTRICT RECORDS (continued)

within the scope of their duties in the administration of the library; to persons authorized in writing, by the individual to whom the records pertain, **to inspect the records;** or by court order (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

Note: The following exemption protects attorney-client privileged communications and attorney work product, as well as other work product prepared for use in pending litigation or claims. Pursuant to the Rules of Professional Conduct of the State Bar of California, when an attorney has been hired to represent the district as a whole, this privilege may only be waived by the Board.

In Los Angeles County Board of Supervisors v. Superior Court, the California Supreme Court held that invoices for the services of district counsel, or portions of those invoices, may be privileged and therefore exempt from disclosure. The Board should consult with legal counsel to determine what records to disclose in response to a CPRA request for such invoices.

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)
11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session **Purposes and Agendas**)

13. Computer software developed by the district (Government Code 6254.9)
14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)
15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

ACCESS TO DISTRICT RECORDS (continued)

(cf. 5141.6 - School Health Services)

16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

Note: Item #17 below reflects an exemption often referred to as the "catch-all" or "public interest" exemption pursuant to Government Code 6255. This exemption allows a district to withhold a record based on analysis of the specific facts of the situation and in light of the competing public interests. This exemption also includes the "deliberative process privilege" which is designed to protect a district's decision-making process in order to encourage candid discussions within the district. Legal counsel should be consulted to determine whether a request for a record falls under this exemption.

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Note: Court decisions have held that a public record request may be made orally, by phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person put an oral request in writing.

Any person may request a copy or inspection of any district record that is **open to the public** **and** not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of the determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester **and** setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

ACCESS TO DISTRICT RECORDS (continued)

3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Note: Government Code 6253 states that copies of records must be provided "promptly." The term "promptly" is not defined in law, but Government Code 6253 also states that a district may not delay or obstruct the **inspection or** copying of records. Thus, if the records are held in a manner that allows for prompt disclosure, the records generally should not be withheld because of the 10-day response period or the 14-day extension detailed above.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

Note: The following **optional** paragraph is for use by districts that charge for copies. See the accompanying Board policy.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

Note: Pursuant to Government Code 6253, as amended by AB 1819 (Ch. 695, Statutes of 2019), members of the public have the right to use their own equipment on district premises to copy a disclosable record, without being charged any fees or costs. The record must be reproduced in a manner as specified below.

Without charging any fees or costs, the Superintendent or designee shall allow members of the public to use their own equipment on district premises to photograph or otherwise copy or reproduce a disclosable record as long as the means of copy or reproduction: (Government Code 6253)

ACCESS TO DISTRICT RECORDS (continued)

- 1. Do not require the equipment to make physical contact with the record**
- 2. Will not result in damage to the record**
- 3. Will not result in unauthorized access to the district's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the district's electronic records**

Note: Government Code 6253, as amended by AB 1819, authorizes the district to impose reasonable limits on the use of personal equipment by members of the public to copy disclosable records, as specified below.

The Superintendent or designee may impose any reasonable limit on the use of personal equipment to photograph, copy, or reproduce a disclosable record that is necessary to protect the safety of the records, or to prevent the copying of records from being an unreasonable burden to the orderly function of the district and its employees. The Superintendent or designee may also impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records. (Government Code 6253)

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

ACCESS TO DISTRICT RECORDS (continued)

2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is not required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential.

If the Superintendent or designee denies a request for disclosable records, the requester shall be assisted in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

(12/16 3/19) 5/20

CSBA Sample Administrative Regulation

Business and Noninstructional Operations

AR 3231(a)

IMPACT AID

Note: The following administrative regulation is for use by districts that receive federal funding through Title VII Impact Aid (20 USC 7701-7714), which provides assistance to districts with concentrations of children residing on lands owned by the federal government, including Indian lands. Basic support grants are considered general aid to the district and may be used for whatever purpose the district chooses, in accordance with any state and local requirements. Pursuant to 20 USC 7704, districts that claim students living on Indian lands in order to receive Impact Aid funding are mandated to adopt policy and procedures with specified components.

The following paragraph reflects examples of how districts may use Impact Aid funds, as provided on the U.S. Department of Education's web site, and may be revised to reflect district practice.

Any federal Title VII Impact Aid funds received by the district based on the concentration of children residing on lands owned by the federal government shall be used to support district programs and activities in accordance with the budget approved by the Governing Board. Such expenditures may include, but are not limited to, the salaries of teachers and paraprofessionals, capital expenditures, instructional materials, computers and other equipment, supplemental instructional programs, after-school programs, Advanced Placement classes, and special enrichment programs.

(cf. 0415 - Equity)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 3230 - Federal Grant Funds)

Note: 20 USC 7703 and 34 CFR 222.53 mandate that Impact Aid funds received for federally connected children with disabilities be used for expenditures that are reasonably related to the conduct of programs or projects for the free appropriate public education of, or early intervention services for, federally connected children with disabilities in accordance with the Individuals with Disabilities Education Act (20 USC 1400-1482).

Any Impact Aid funds received for children with disabilities shall be used to provide a free appropriate public education to those children. (20 USC 7703, 7703a; 34 CFR 222.53)

Note: The remainder of this section is for use by districts that receive Impact Aid based on students living on Indian lands, pursuant to 20 USC 7704.

20 USC 7704 and 34 CFR 222.94 mandate consultation with Indian tribes and parents/guardians of students living on Indian lands in the planning and development of programs and activities supported by Impact Aid. At the discretion of the district and local tribes, the district may revise the remainder of this section to use the term "Native American" rather than "American Indian."

IMPACT AID (continued)

Whenever Impact Aid funds are received based on students living on Indian lands, the Superintendent or designee shall consult and involve American Indian tribes and parents/guardians of students living on Indian lands in the planning and development of the district's general education program and of the policies and procedures for programs and activities supported by Impact Aid funding. (20 USC 7704; 34 CFR 222.94)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

(cf. 6173.4 - Title VI Indian Education Program)

Note: 20 USC 7704 and 34 CFR 222.94 mandate that the district's policy and procedures include a specific description of how the district will accomplish the actions listed in items #1-6 below. The district should expand the following list to include specific strategies developed in consultation with Indian tribes and parents/guardians of American Indian students.

The Superintendent or designee shall: (20 USC 7704; 34 CFR 222.91, 222.94)

- 1. Disseminate relevant applications, evaluations, program plans, and information related to the district's education program and activities with sufficient advance notice to allow Indian tribes and parents/guardians of American Indian students the opportunity to review and make recommendations**

(cf. 5145.6 - Parental Notifications)

- 2. Afford an opportunity for tribes and parents/guardians of American Indian students to present their views regarding the district's educational program and activities, including an opportunity to make recommendations on the needs of those students and how the district may help those students realize the benefits of the programs and activities**

The Superintendent or designee shall notify tribes and parents/guardians of the opportunity to submit comments and recommendations, considering the tribe's preference for method of communication. If necessary, the Superintendent or designee shall modify the method of and time for soliciting views to ensure the maximum participation of tribes and parents/guardians.

- 3. At least annually, assess the extent to which American Indian students participate on an equal basis with other students in the district's education program and activities by:**
 - a. Sharing relevant information with tribes and parents/guardians related to the participation of American Indian students in the district's education program and activities**

IMPACT AID (continued)

- b. Allowing tribes and parents/guardians the opportunity and time to review and comment on whether American Indian students participate on an equal basis with non-Indian students**
- 4. At least annually, respond in writing to any comments and recommendations made by tribes or parents/guardians and disseminate the responses to the tribe and parents/guardians prior to the submission of the district's policies and procedures to the federal Impact Aid program director**
- 5. Modify the district's policies and procedures as necessary based on any assessments or input from tribes or parents/guardians of Indian students**
- 6. Annually provide a copy of the district's policy and procedures to the affected tribe(s)**

The district shall annually review the district's procedures to ensure that they comply with law and are implemented by the district. If the district determines that its procedures do not comply with law, it shall revise the policy and procedures within 90 days of its determination. Within 30 days following any such revision, the district shall send a copy of the policy and procedures to the federal Impact Aid program director and the affected tribe(s). (34 CFR 222.94)

Records

Note: The following section applies to districts receiving Impact Aid funds for any purpose.

The Superintendent or designee shall maintain records of any Impact Aid funds received by the district, including, but not limited to, data and certifications in support of funds received. Such records shall be maintained for three years after completion of the activity for which the funds are expended and, when requested, shall be provided to the appropriate federal authority. (20 USC 1232f, 7703; 34 CFR 222.9-222.10)

Legal Reference: (see next page)

IMPACT AID (continued)

Legal Reference:

UNITED STATES CODE, TITLE 20

1232f Records

1400-1482 Individuals with Disabilities Education Act

7701-7714 Impact Aid

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

CODE OF FEDERAL REGULATIONS, TITLE 34

222.1-222.196 Impact Aid programs, especially:

222.90-222.129 Impact Aid, special provisions for local educational agencies that claim children residing on Indian lands

Management Resources:

WEB SITES

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

U.S. Department of Education, Office of Impact Aid:

<https://www2.ed.gov/about/offices/list/oese/impactaid>

U.S. Department of Education, Office of Indian Education:

<https://www2.ed.gov/about/offices/list/oese/oie>

CSBA Sample Board Policy

All Personnel	BP 4112.9(a) 4212.9
EMPLOYEE NOTIFICATIONS	4312.9

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications ~~he/she~~ **the Superintendent or designee** believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

- 231.5 Sexual harassment policy
- 17612 Notification of pesticide use
- 22455.5 STRS information to potential members
- 22461 Postretirement compensation limitation
- 35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
- 35171 Notice of regulations pertaining to certificated employee evaluations
- 37616 Notice of public hearing on year-round schedule
- 44031 Personnel file contents, inspection
- 44663-44664 Evaluation of certificated employees
- 44842 Reemployment notices, certificated employees
- 44896 Transfer of administrator or supervisor to teaching position
- 44916 Written statement of employment status
- 44929.21 Reelection or nonreelection of probationary employee after second year
- 44929.23 Reelection notice, districts with less than 250 ADA**
- 44934 Notice of disciplinary action for cause
- 44934.1 Suspension or dismissal for egregious misconduct
- 44936 Notice of suspension or dismissal
- 44938 Notice of unprofessional conduct and opportunity to correct
- 44940.5-44941 Notification of suspension and intent to dismiss
- 44948.3 Dismissal of probationary employees
- 44948.5 Nonreelection procedures, districts under 250 ADA**
- 44949 Cause, notice and right to hearing
- 44951 Continuation in position unless notified, administrative or supervisory personnel
- 44954 Nonreelection of temporary employees
- 44955 Reduction in number of employees
- 45113 Notification of charges, classified employees

Legal Reference continued: (see next page)

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)

- 45117 Notice of layoff, classified employees
- 45169 Employee salary data, classified employees
- 45192 Industrial and accident leave
- 45195 Additional leave
- 46162 Notice of public hearing on block schedule
- 49013 Complaints regarding student fees
- 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
- 49414 Epinephrine auto-injectors
- 49414.3 Administration of opioid antagonist

CIVIL CODE

- 1798.29 District records, breach of security

GOVERNMENT CODE

- 1126 Incompatible activities of employees
- ~~3100-3109 Oath or affirmation of allegiance~~
- 8355 Certification of drug-free workplace, including notification
- 12950 Sexual harassment
- 21029 Retirement credit for period of military service
- 54957 Complaints against employees; right to open session
- 54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

- 1797.196 Automated external defibrillators; notification of use and locations
- 104420 Tobacco-free schools
- 120875 Information on AIDS, AIDS-related conditions, and hepatitis B
- 120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

- 245-249 Healthy Workplaces, Healthy Families Act of 2014
- 1034 Lactation accommodation
- 2800.2 Notification of availability of continuation health coverage
- 2810.7 Notice to participate in flexible spending account
- 3550-3553 Notifications re: workers' compensation benefits
- 5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

- 11105 Access to criminal history information
- 11105.2 Subsequent arrest notification
- 11165.7 Child Abuse and Neglect Reporting Act; notification requirement
- 11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

- 2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

- 11023 Nondiscrimination in employment
- ~~11024 Sexual harassment~~
- 11049 Notice of right to request pregnancy disability leave or transfer
- 11091 California Family Rights Act, designation notice
- 11096 Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

- 4622 Uniform complaint procedures
- 80303 Reports of change in employment status, alleged misconduct

Legal Reference continued: (see next page)

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 8

3204 *Employees exposed to bloodborne pathogens, access to exposure and medical records*

5191 *Chemical hygiene plan*

~~5193 *California bloodborne pathogens standard*~~

5194 *Hazard communication program*

CODE OF REGULATIONS, TITLE 13

1234 *Reports regarding school buses and bus drivers*

2480 *Vehicle idling, limitations*

UNITED STATES CODE, TITLE 38

4334 *Uniformed Services Employment and Reemployment Rights Act, notice requirement*

UNITED STATES CODE, TITLE 41

8101-8106 *Drug-Free Workplace Act*

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 *Family and Medical Leave Act; notice requirement*

CODE OF FEDERAL REGULATIONS, TITLE 34

84.205-84.210 *Drug-free workplace statement*

104.8 *Nondiscrimination*

106.9 *Dissemination of policy, nondiscrimination on basis of sex*

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 *Asbestos inspections, response actions and post-response actions*

763.93 *Asbestos management plans*

CODE OF FEDERAL REGULATIONS, TITLE 49

382.113 *Controlled substance and alcohol use and testing notifications*

382.303 *Post-accident information, procedures, and instructions*

382.601 *Controlled substance and alcohol use and testing notifications*

(2/95 7/12) 5/20

Policy Reference UPDATE Service

Copyright 2020 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

CSBA Sample Exhibit

All Personnel

E 4112.9(a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	Education Code 231.5; Government Code 12950; 2 CCR 11024	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees, and 72 hours before pesticide application	Education Code 17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round program
To all employees, prior to implementing alternative schedule	Education Code 46162	AR-BP 6112	Public hearing on alternative schedule in secondary grades
Annually to all employees	Education Code 49013; 5 CCR 4622	AR 1312.3 BP 0460 BP 3260	Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan
Annually to all employees	Education Code 49414	AR 5141.21	Request for volunteers to be trained to administer epinephrine auto-injectors
At least once per year	Education Code 49414.3	AR 5141.21	Request for volunteers to be trained to administer opioid antagonist
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

E 4112.9(b)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of disaster service workers
To all employees	Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon employment	Government Code 21029	None	Right to purchase PERS service credit for military service performed prior to public employment
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures
Annually to all employees, or more frequently if there is new information	Health and Safety Code 120875, 120880	ARBP 4119.43 4219.43 4319.43	AIDS and hepatitis B, including methods to prevent exposure
To all employees, with each paycheck	Labor Code 246	AR 4161.1 4361.1 AR 4261.1	Amount of sick leave available
Upon hire, in employee handbook, and upon request for parental leave	Labor Code 1034	BP 4033	The district's policy on lactation accommodation
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage
To employees participating in a flexible spending account	Labor Code 2810.7	None	Deadline to withdraw funds from account before the end of the plan year

E 4112.9(c)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees (continued)			
To every new employee, either at the time employee is hired or by end of first pay period	Labor Code 3551	BPAR 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees and job applicants	2 CCR 11023; 34 CFR 104.8, 106.9	BP 0410 BP AR 4030	District's policy on nondiscrimination and related complaint procedures
To all employees via employee handbook, or to each new employee	2 CCR 11091, 11095; 29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act(cfRA); obligation to provide 30 days' notice of need for leave when possible
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress
II. To Certificated Employees			
To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	Education Code 22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	Education Code 22461	AR 4117.14 4317.14	Postretirement earnings limitation or employment restriction; monthly report of compensation

E 4112.9(d)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To certificated employees	Education Code 35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	Education Code 44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee	Education Code 44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district issues reemployment notices to certificated employees	Education Code 44842	AR 4112.1	Request that the employee notify district of intent to remain in service next year
To certificated employees upon employment, and to nonpermanent employees in July of each school year	Education Code 44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employee, by March 15 of employee's second year of employment, in districts that grant permanent status after two years	Education Code 44929.21, 44929.23, 44948.5	BP 4116	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year	Education Code 44934, 44934.1, 44936	BP 4118 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/ dismissal notice	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct

E 4112.9(e)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. To Certificated Employees (continued)			
To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year	Education Code 44938	BP 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	Education Code 44940.5	AR 4118	Notice of intent to dismiss 30 days from notice unless employee demands hearing
To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second-year probationary employees	Education Code 44948.3	AR 4118	Reasons for dismissal and opportunity to appeal
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	Education Code 44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	Education Code 44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when a student engages in or is reasonably suspected of specified acts	Education Code 49079	AR 4158 4258 4358	Student has committed specified act that constitutes ground for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending	5 CCR 80303	AR 4117.7 4317.7	Contents of state regulation re: report to Commission on Teacher Credentialing

III. To Classified Employees

~~To classified employee charged with mandatory leave of absence offense, in merit system district~~ ~~Education Code 44940.5~~ ~~AR 4218~~ ~~Notice of intent to dismiss in 30 days~~

E 4112.9(f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. To Classified Employees (continued)			
When classified employee is subject to disciplinary action for cause, in nonmerit district	Education Code 45113	AR 4218	Notice of charges, right to hearing, timeline for requesting hearing
To classified employees at least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year	Education Code 45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	Education Code 45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek
To classified permanent employee whose leave is exhausted	Education Code 45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus drivers and school activity bus drivers prior to expiration of specified documents	13 CCR 1234	AR 3542	Expiration date of driver's license, driver's certificate and medical certificate; need to renew
To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3542	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.113, 382.601	BP AR 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
To school bus drivers, prior to operating school bus	49 CFR 382.303	AR 4112.42 4212.42 4312.42	Post-accident information, procedures, and instructions

E 4112.9(g)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. To Administrative/Supervisory Personnel			
To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	Education Code 35031	BP 2121 BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	Education Code 44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	Education Code 44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
V. To Individual Employees Under Special Circumstances			
In the event of a breach of security of district records, to affected employees	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies
Prior to placing derogatory information in personnel file	Education Code 44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
To employees who volunteer to administer epinephrine auto-injector	Education Code 49414	AR 5141.21	Defense and indemnification from civil liability by the district
To employees returning from military leave of absence, within 30 days of return	Government Code 20997	AR 4161.5 4261.5 4361.5	Right to receive PERS service credit for military service; application form
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
When taking disciplinary action against employee for disclosure of confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session

E 4112.9(h)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Within one working day of work-related injury or victimization of crime	Labor Code 3553, 5401	BP AR 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form
When adverse employment action is based on DOJ criminal history information or subsequent arrest notification	Penal Code 11105, 11105.2	AR 4112.5 4212.5 4312.5	Copy of DOJ notification
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

E 4112.9(i)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS (continued)

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

(3/17 3/20) 5/20

CSBA Sample Board Policy

Certificated Personnel

BP 4113(a)

ASSIGNMENT

Note: Education Code 35035 gives the Superintendent or designee the authority to assign personnel subject to Governing Board approval. The following **optional** policy may be revised to reflect district practice.

Staff assignments must be reported to the California Department of Education through the California Longitudinal Pupil Achievement Data Systems (CALPADS) Professional Assignment Information Form.

In order to serve the best interests of students and the educational program, the Governing Board authorizes the Superintendent or designee to assign certificated personnel to positions for which ~~their~~ **they are qualified pursuant to their certification, preparation, certification,** professional experience, and aptitude ~~qualify them.~~

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

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

Teachers may be assigned to any school within the district in accordance with the collective bargaining agreement or Board policy.

(cf. 4141/4241 - Collective Bargaining Agreement)

Assignment to Courses/Classes

The Superintendent or designee shall assign teachers ~~to courses~~ based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare ~~him/her~~ **the teacher** to provide instruction in that subject.

Note: The Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual describes "local teaching assignment options" available to districts when assigning a teacher outside ~~his/her~~ **the** credential authorization **of the teacher**. See the accompanying administrative regulation for requirements pertaining to assignments to departmentalized classes in grades K-12 (Education Code 44258.3) or elective courses (Education Code 44258.7).

According to the CTC manual, it is inappropriate to use a local teaching assignment option for an individual who holds an emergency permit, provisional internship permit (PIP), or short-term staff permit (STSP). For information about the circumstances under which persons holding these permits may be employed, see

ASSIGNMENT (continued)

BP/AR 4112.2 - Certification. If a district uses a local teaching assignment option for a holder of an intern credential, the CTC cautions that the district must ensure that the individual meets the specific requirements of the teaching assignment option as well as the requirements of the intern credential; see BP/AR 4112.21 - Interns for further information about intern programs.

The CTC manual indicates that a district may use the options at its discretion. The following paragraph may be revised to reflect options available in the district.

When specifically authorized by law or regulation, the Superintendent or designee may, with the teacher's consent, assign a teacher, with his/her consent, to a position outside the teacher's his/her credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments made pursuant to Education Code 44256, 44258.2, and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall reference in district records the statute or regulation under which the assignment is authorized.

(cf. 3580 - District Records)

If at any time a certificated employee is required by the district to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the Superintendent or designee, in writing, of the misassignment. Within 15 working days, the Superintendent or designee shall notify the employee of the legality of the assignment. If no action is taken by the district, the employee shall provide written notification to the County Superintendent of Schools. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

Vacancies and Misassignments

Note: Education Code 44258.9 provides that the County Superintendent of Schools is responsible for monitoring district assignment practices and vacancies, as defined in Education Code 33126, and reporting the results to the CTC. Pursuant to Education Code 44258.9, the County Superintendent must annually monitor and review assignment practices in (1) schools and districts likely to have problems with teacher misassignment and vacancies based on past experience and other available information, and (2) schools ranked in deciles 1-3 on the statewide Academic Performance Index (API). However, the API has been suspended pending transition to a new state accountability system. All other schools undergo review of assignment practices on a four year cycle. In counties in which there is a single school district, the CTC is responsible for monitoring teacher assignments.

Education Code 33126 requires that vacancies and misassignments be reported on the School Accountability Report Card. Also, Education Code 35186 requires districts to develop procedures by which a parent/guardian can file a complaint related to teacher misassignments or vacancies. See AR/E 1312.4 Williams Uniform Complaint Procedures.

ASSIGNMENT (continued)

~~Pursuant to Education Code 44258.9, the County Superintendent is required to notify any certificated administrator responsible for a misassignment and advise him/her to correct it within 30 calendar days. The County Superintendent is also required to notify the Superintendent of any district where five percent or more of the certificated teachers in the secondary schools are misassigned, advising him/her to correct the misassignments within 120 calendar days. If a teacher believes he/she has been misassigned, he/she is authorized, after exhausting any local remedies, to file a written notification with the County Superintendent, who must advise the teacher as to the legality of the assignment within 15 working days.~~

Education Code 44258.9, as amended by AB 1219 (Ch. 782, Statutes of 2019), requires that the assignments of certificated employees at all schools be monitored annually. Pursuant to Education Code 44258.9, the County Superintendent of Schools is responsible for the monitoring of teacher assignments in districts. However, CTC is designated as the monitoring authority for any district that operates within a city or county in which there is a single district. Such districts should modify the following section accordingly to reflect CTC as the monitoring authority.

Pursuant to Education Code 44258.9, CTC administers a State Assignment Accountability System which annually produces a data file of vacant positions and assignments that do not have a clear match of credential to assignment. As provided below, CTC will notify districts of an opportunity to review the initial data, and districts may submit documentation within 60 days to correct any errors. Within 90 days of CTC's notification (i.e., 30 days after the deadline for the district's review), the County Superintendent must review the data and any additional documentation submitted by the district and make a determination of potential misassignments and vacant positions. Beginning in 2020-21, CTC will report the misassignment and vacancy data on its web site.

~~The Superintendent or designee shall periodically report to the Board on teacher assignments and vacancies, including the number and type of assignments made outside a teacher's credential authorization through a local teaching assignment option. Whenever district misassignments and vacancies are reviewed by the County Superintendent of Schools or CTC, as applicable, the Superintendent or designee shall report the results to the Board and shall provide recommendations for remedying any identified issues.~~

Annually, the district shall review potential misassignments and vacant positions throughout the district. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the district, the Superintendent shall review the data within 60 days. When necessary, the Superintendent or designee may respond by submitting additional documentation to the County Superintendent showing that an employee is legally authorized for an assignment and/or that a position identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the district subsequently receives, within 90 days of CTC's initial notification, a notification from the County Superintendent indicating that a certificated employee in the district is assigned to a position for which the employee has no legal authorization, the district shall correct the assignment within 30 calendar days. (Education Code 44258.9)

ASSIGNMENT (continued)

Note: Pursuant to Education Code 44258.9, the district serves as the monitoring authority for any charter school it has authorized. However, pursuant to Education Code 44258.10, the district is not required to advise the charter school administrator to correct the misassignment of any teachers employed by the charter school during the 2019-2020 school year until July 1, 2025.

The district shall serve as the monitoring authority for teacher assignments in any charter school it has authorized, in accordance with Education Code 44258.9-44258.10.

(cf. 0420.41 - Charter School Oversight)

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the district's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The school accountability report card for each school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

(cf. 0510 - School Accountability Report Card)

Equitable Distribution of Qualified and Experienced Teachers

Note: The following section may be revised to reflect district practice. 20 USC 6312, as amended by the Every Student Succeeds Act (ESSA) (P.L. 114 95), maintains the requirement For districts that receive federal Title I funding, 20 USC 6312 requires that the Title I local educational agency (LEA) plan include a description of how the district will identify and address, consistent with the state's ESSA plan, any disparities that result in low-income or minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers. The LEA plan will be transitioned out at the end of the 2016-17 school year. According to the California Department of Education's (CDE) Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016), districts will meet These specific Title I planning requirements are fulfilled through the local control and accountability plan and the consolidated application reporting system beginning with the 2017-18 school year.

According to the U.S. Department of Education's Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions (May 2016), the approved State Plan to Ensure Equitable Access to Excellent Educators remains in effect through the 2016-17 school year and states may, but are not required to, amend the plan. The CDE's transition plan indicates that districts will not be required to participate in the state's Compliance Monitoring, Interventions and Sanctions (CMIS) program in the 2016-17 school year and that the CDE intends to update the CMIS with new guidelines.

The Superintendent or designee shall ensure that identify and address the equitable distribution of highly qualified and experienced teachers are equitably distributed among

ASSIGNMENT (continued)

district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. ~~He/she~~ **The Superintendent or designee** shall annually report to the Board comparisons of teacher qualifications across district schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4114 - Transfers)

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

(cf. 6171 - Title I Programs)

Legal Reference: (see next page)

ASSIGNMENT (continued)

Legal Reference:

EDUCATION CODE

- 33126 *School accountability report card*
- 35035 *Additional powers and duties of superintendent*
- 35186 *Complaint process*
- 37616 *Assignment of teachers to year-round schools*
- 44225.6 *Commission report to the legislature re: teachers*
- 44250-44277 *Credentials and assignments of teachers*
- 44314 *Subject matter programs, approved subjects*
- 44824 *Assignment of teachers to weekend classes*
- 44955 *Reduction in number of employees*

GOVERNMENT CODE

- 3543.2 *Scope of representation*

CODE OF REGULATIONS, TITLE 5

- 80003-80005 *Credential authorizations*
- 80020-80020.5 *Additional assignment authorizations*
- 80335 *Performance of unauthorized professional services*
- 80339-80339.6 *Unauthorized certificated employee assignment*

UNITED STATES CODE, TITLE 20

- 6311 *State plan*
- 6312 *Local educational agency plans*
- 6601-6651 *Teacher and Principal Training and Recruiting Fund*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- California State Plan to Ensure Equitable Access to Excellent Educators*
- Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016*

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

- Administrator's Assignment Manual - Updates and Revisions, May 2014*
- The Administrator's Assignment Manual, rev. September 2007*

U.S. DEPARTMENT OF EDUCATION GUIDANCE

- Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016*
- Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006*

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education: <http://www.cde.ca.gov>
- Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
- U.S. Department of Education: <http://www.ed.gov>

(3/09 7/16) 5/20

Policy Reference UPDATE Service

Copyright 2020 by California School Boards Association, West Sacramento, California 95691
All rights reserved.

CSBA Sample Administrative Regulation

Certificated Personnel

AR 4113(a)

ASSIGNMENT

Assignment to Departmentalized Classes Outside Credential Authorization

Note: Education Code 44258.3 allows the Governing Board to assign the holder of a credential (including a provisional internship permit or short-term staff permit, but not an emergency permit) to teach any subject in departmentalized classes in any of grades K-12 provided that the Board first verifies that the teacher has adequate knowledge of each subject to be taught. If the district chooses to make such assignments, Education Code 44258.3 **mandates** the Board to establish policies and procedures, with specified components, for verifying the adequacy of these teachers' subject matter knowledge. Subject matter specialists as identified below must be involved in the development and implementation of these procedures. For further information, see the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual.

Any holder of a credential other than an emergency permit may be assigned, with **his/her** consent, to teach departmentalized classes in grades K-12 regardless of the designations on **his/her the** teaching credential, provided that **the teacher's their** subject matter knowledge is verified prior to the assignment. (Education Code 44258.3)

Procedures for verifying a teacher's subject matter knowledge shall be developed and implemented by the Superintendent or designee with the involvement of appropriate subject matter specialists, including curriculum specialists, resource teachers, classroom teachers certified to teach the subject, staff assigned to regional subject matter projects or curriculum institutes, or college faculty. (Education Code 44258.3)

Note: Items #1-2 below may be revised to reflect procedures and criteria established by the district.

Procedures to be used for this purpose shall specify: (Education Code 44258.3)

1. One or more of the following ways in which subject matter competence shall be assessed:
 - a. Observation by subject matter specialists
 - b. Oral interviews
 - c. Demonstration lessons
 - d. Presentation of curricular portfolios
 - e. Written examinations

ASSIGNMENT (continued)

2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject and the specific content of the district's course of study for the subject at the grade level to be taught.

(cf. 4115 - Evaluation/Supervision)

Whenever a teacher is assigned to teach departmentalized classes pursuant to Education Code 44258.3, the Superintendent or designee shall notify the exclusive representative of the district's certificated employees. (Education Code 44258.3)

(cf. 4140/4240/4340 - Bargaining Units)

Assignment to Elective Courses Outside Credential Authorization

Note: The following section is **optional**. Education Code 44258.7 authorizes districts to assign a teacher to an elective course outside **his/her the teacher's** credential authorization provided that the teacher has special skills and preparation in that subject area and the assignment is approved by a local committee on assignments.

In order to make such assignments, the district must submit a plan to the County Superintendent of Schools which includes, but is not limited to, statements signed by the Board president or chair and the Superintendent approving the establishment of the committee, procedures for the selection of committee members, term of office for committee members, and criteria for determining teachers' qualifications for these assignments.

Pursuant to Education Code 44258.7, an "elective course" for this purpose is a course other than English, mathematics, science, or social science. The CTC's Administrator's Assignment Manual clarifies that whether a course is considered to be within these subject areas or an elective depends on whether students in the class receive graduation credit for the subject area. For instance, if a drama, speech, or journalism course grants graduation credit for English, then it cannot be taught by a teacher outside of **his/her the teacher's** credential authorization under this option. However, if the course does not grant credit for English, then a teacher may be approved by the committee on assignments to teach the course outside **his/her the** credential authorization.

A full-time teacher with special skills and preparation outside **his/her the** credential authorization may, with **his/her the teacher's** consent and the prior approval of a district committee on assignments, be assigned to teach an elective course in the area of the special skills or preparation, excluding a course in English, mathematics, science, or social studies. (Education Code 44258.7)

The Superintendent or designee shall establish a committee on assignments, consisting of an equal number of teachers selected by teachers and school administrators selected by school administrators, to approve such assignments. (Education Code 44258.7)

ASSIGNMENT (continued)

Note: The following two paragraphs are **optional** and may be revised to reflect district practice.

Committee members shall serve a two-year term but may be reappointed using the same procedure as the initial appointment.

When determining whether a teacher is qualified for an assignment pursuant to Education Code 44258.7, the committee may consider the teacher's education, prior experience, observation by subject matter specialists, oral interviews, demonstration lessons, presentation of curricular portfolios, and/or written examinations.

Assignments approved by the committee shall be for a maximum of one school year, but may be extended by action of the committee upon application by the principal and teacher. (Education Code 44258.7)

Assignment to Special Schedules

Note: The following paragraph is for use by districts that operate one or more schools with year-round schedules in addition to schools with traditional schedules.

The Superintendent or designee shall make every reasonable effort to accommodate the preferences of certificated staff when assigning them to schools with year-round or regular schedules. (Education Code 37616)

(cf. 6117 - Year-Round Schedules)

Note: The following paragraph is for use by districts that have established weekend classes; see AR 6176 - Weekend/Saturday Classes.

Full-time probationary or permanent classroom teachers employed by the district prior to implementation of weekend classes shall not, without their written consent, be required to teach for more than 180 full days during a school year or for more than the number of full days during the preceding school year, whichever is greater. No teacher shall be assigned to work on a Saturday or Sunday if **he/she the teacher** objects in writing that such assignment would conflict with **his/her** religious beliefs or practices. (Education Code 44824)

(cf. 6176 - Weekend/Saturday Classes)

(3/04 3/09) 5/20

Policy Reference UPDATE Service

Copyright 2020 by California School Boards Association, West Sacramento, California 95691
All rights reserved.

CSBA Sample Board Policy

All Personnel BP 4119.42(a)
4219.42
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS 4319.42

Note: Pursuant 29 CFR 1910.1030 and 8 CCR 5193(e), districts must identify employees who have occupational exposure to bloodborne pathogens and must establish a written exposure control plan to eliminate or minimize employee exposure to these pathogens. ~~The exposure control plan must be consistent with the district's Injury and Illness Prevention Program and may be incorporated into that program; see BP/AR 4157/4257/4357 - Employee Safety.~~ **Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the** ~~The~~ district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.

As part of its commitment to provide a safe and **healthful healthy** work environment, the Governing Board recognizes the importance of ~~developing an exposure control plan~~ protecting employees from possible infection due to contact with bloodborne pathogens, including, but not limited to, hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV). The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace ~~to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).~~

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.6 - School Health Services)

The exposure control plan shall be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall **receive training and** be offered the hepatitis B vaccination. **(8 CCR 5193; 29 CFR 1910.1030)**

Note: ~~The following optional paragraph may be implemented only if the district complies with specific conditions; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.~~

~~The Superintendent or designee may exempt designated first aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. (8 CCR 5193(f))~~

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: The following **optional** paragraph allows for employees to be included in the training and vaccination program without being classified as having occupational exposure.

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

In the event that an employee has an exposure incident, the district shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in district practices.

Legal Reference: (see next page)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3204 Access to employee exposure and medical records

5193 California bloodborne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CDE ADVISORIES

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV Infected Persons in School Settings

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Frequently Asked Questions About the Bloodborne Pathogens Standard

A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001

Exposure Control Plan for Bloodborne Pathogens, 2001

WEB SITES

OSHA: <http://www.osha.gov>

Cal/OSHA California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

(3/93 7/99) 5/20

CSBA Sample Administrative Regulation

All Personnel

AR 4119.42(a)

4219.42

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

4319.42

Note: The following **sample optional administrative** regulation summarizes Cal/OSHA's key requirements for preventing and handling exposure to bloodborne pathogens pursuant to (8 CCR 5193). The Cal/OSHA standards are detailed and lengthy, and districts are encouraged to examine the full content of 8 CCR 5193 to determine any additional requirements applicable to their circumstances. **Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.**

Districts may wish to consider including the following **optional** regulation in their employee handbooks.

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b); **29 CFR 1910.1030**)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties. (8 CCR 5193(b); **29 CFR 1910.1030**)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193(b); **29 CFR 1910.1030**)

A *sharp* is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A *sharps injury* is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b); **29 CFR 1910.1030**)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193(b); **29 CFR 1910.1030**)

Engineered sharps injury protection is a physical attribute, **such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism,** built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b); **29 CFR 1910.1030**)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

Exposure Control Plan

The district's **written** exposure control plan **for bloodborne pathogens** shall contain at least the following components: (8 CCR 5193(e); **29 CFR 1910.1030**)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, **which** ~~The district's exposure determination~~ shall be made without regard to ~~the employees'~~ use of personal protective equipment and shall include a list of:
 - a. All job classifications in which all employees have occupational exposure
 - b. Job classifications in which some employees have occupational exposure
 - c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.6 - School Health Services)

2. The schedule and method of implementing **each of the following in accordance with 8 CCR 5193 and this administrative regulation:**
 - a. Methods of compliance required by 8 CCR 5193(d) **and 29 CFR 1910.1030**, ~~such as~~ **including** universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

- b. Hepatitis B vaccination
- c. Bloodborne pathogen post-exposure evaluation and follow-up
- d. Communication of hazards to employees ~~including labels, signs,~~ **through** information and training

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- e. Recordkeeping, **including medical records, training records, and a log of sharps injuries**
- 3. The district's procedure for **evaluating documenting the route(s) of exposure and the** circumstances **surrounding under which** exposure incidents **occurred**
- 4. An effective procedure for gathering information about each exposure incident involving a sharp, **as required for the log of sharps injuries**
- 5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents **documented in the sharps injury log**
- 6. An effective procedure for identifying currently available engineering controls and selecting such controls, **as appropriate,** for the procedures performed by employees in their work areas or departments
- 7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in **a patient's an employee's** care determines, **in the reasonable exercise of clinical judgment,** that the use of an engineering control would jeopardize **an individual's the employee's** safety or the success of a medical, dental, or nursing procedure involving the **individual employee**
- 8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193~~(e)~~; **29 CFR 1910.1030**)

- 1. Reflect new or modified tasks and procedures affecting occupational exposure
- 2. **Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to** ~~To~~ the extent that sharps are used in the district, **reflect progress in document consideration and implementation of appropriate commercially available** ~~implementing the use of~~ **needleless systems and needle devices and** sharps with engineered sharps injury protection
- 3. Include new or revised employee positions with occupational exposure
- 4. Review and evaluate the exposure incidents which occurred since the previous update

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

5. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e), 5193(c); 29 CFR 1910.1030)

Preventive Measures

~~Note: The implementation of universal precautions is another preventive measure that should be utilized by the district. See BP/AR 4119.43/4219.43/4319.43 Universal Precautions.~~

The Superintendent or designee shall use engineering **controls** and work practice controls, **as defined above**, to eliminate or minimize employee exposure **to bloodborne pathogens**, ~~and shall regularly examine and update controls~~ **Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated** to ensure their effectiveness. (8 CCR 5193~~(d)~~; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the district shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

Pre-Exposure Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, **or** antibody testing has revealed that the employee is immune, or vaccination is contraindicated **by for** medical reasons. (8 CCR 5193~~(d)~~; 29 CFR 1910.1030)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, if the employee declines to accept the hepatitis B vaccination offered by the district, the district must ensure that he/she the employee signs the statement reproduced as E 4119.42/4219.42/4319.42 in the accompanying Exhibit.

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f); 29 CFR 1910.1030)

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193(f). from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, and at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193(g); 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- 6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment**
- 7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment**
- 8. The basis for selecting personal protective equipment**
- 9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge**
- 10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials**
- 11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident**

Additional training shall be provided to affected employees whenever a change of tasks or procedures a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193~~(g)~~)

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193~~(f)~~)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

Note: Requirements of 8 CCR 5193 related to designated first aid providers do not apply to employees who assist in nonemployment related first aid situations as "good Samaritans." Although employees are not covered by the bloodborne pathogen standards if their exposure is unrelated to their job duties, Cal/OSHA encourages employers to offer post exposure evaluation and follow up to all employees.

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. ~~The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district.~~ (8 CCR 5193(e); **29 CFR 1910.1030**)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(e))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(e); **29 CFR 1910.1030**)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred
 - c. The procedure that the exposed employee was performing at the time of the incident
 - d. How the incident occurred
 - e. The body part involved in the incident
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during, or after the protective mechanism was activated
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

- h. The employee's opinion about whether any other engineering, administrative, or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation, and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193(4); **29 CFR 1910.1030**)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred

Note: Pursuant to 8 CCR 5193 and 29 CFR 1910.1030, the district must identify and document the source individual, unless to do so is not feasible or is prohibited by law. If the source individual provides consent, that individual's blood should be tested as soon as feasible to determine hepatitis B, hepatitis C, or HIV infectivity.

Districts: The district should obtain permission from the source individual before disclosing confidential information about that source individual, in accordance with law. Legal counsel should be consulted as necessary to ensure compliance with confidentiality laws.

2. Identify and document the source individual, unless that identification is ~~in~~ **not** feasible or **is** prohibited by law
3. **With the consent of the exposed employee, p**Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C, and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional **responsible for the employee's hepatitis B vaccination** with a copy of 8 CCR 5193 **and 29 CFR 1910.1030**; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193(4); **29 CFR 1910.1030**)

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))

Note: Districts should obtain permission from the source individual before disclosing confidential information about that source individual, in accordance with law. Legal counsel should be consulted regarding current rules for the contents and format of consent forms.

(cf. 4119.23/4219.23/4319.23 - *Unauthorized Release of Confidential/Privileged Information*)
(cf. 9011 - *Disclosure of Confidential/Privileged Information*)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location, and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - *Access to District Records*)
(cf. 3580 - *District Records*)
(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)

Medical records for The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h); 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place, and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h); 29 CFR 1910.1030)

1. **The m**Medical records **of each employee with occupational exposure** shall be maintained for the duration of employment plus 30 years.
2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.

AR 4119.42(j)
4219.42
4319.42

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

4. Exposure records shall be maintained for at least 30 years.
5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

(3/93 7/99) 5/20

CSBA Sample Exhibit

All Personnel	E 4119.42
	4219.42
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS	4319.42

HEPATITIS B VACCINE DECLINATION

Note: 8 CCR 5193 and 29 CFR 1910.1030 requires the district to ensure that the following statement is signed by any employee with occupational exposure to bloodborne pathogens or other potentially infectious materials who declines to accept the hepatitis B vaccination offered by the district.

In accordance with 8 CCR 5193 and 29 CFR 1910.1030, the district makes the hepatitis B vaccine available to employees who may reasonably be expected to have contact with blood or other potentially infectious materials in the performance of their duties. Any employee who declines this vaccine is required to read and sign the following statement:

I understand that, due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

Employee Name (Please print)

Signature

Employee Name (Please print)

Date

CSBA Sample Board Policy

All Personnel

BP 4119.43(a)

4219.43

UNIVERSAL PRECAUTIONS

4319.43

Note: **The following policy and accompanying administrative regulation establish the expectation that all employees will observe universal precautions to prevent the spread of infectious diseases. In addition, pursuant to 8 CCR 5193(d) and 29 CFR 1910.1030, all districts with one or more employees having occupational exposure to bloodborne pathogens must enforce universal precautions to prevent contact with blood or other potentially infectious materials; see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.**

Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the district may want to consult legal counsel regarding whether components of this policy or the accompanying administrative regulation are subject to collective bargaining.

In order to protect **all** employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district. Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.6 - School Health Services)
(cf. 6145.2 - Athletic Competition)

Note: Health and Safety Code ~~420875~~ **120880** requires districts to provide information regarding AIDS and hepatitis B, as specified below, **including that the cost of a hepatitis B vaccination may be covered by the employees' health benefit plan. For employees who are identified as having occupational exposure to bloodborne pathogens, the cost of a hepatitis B vaccination must be borne by the district pursuant to 8 CCR 5193 and 29 CFR 1910.1030; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.**

~~However, since, pursuant to 8 CCR 5193(b), hepatitis C is included in the definition of "bloodborne pathogens," districts~~ **Districts** may also wish to provide information to employees about the hepatitis C virus **and other bloodborne pathogens that may be controlled through the use of universal precautions.** The following paragraph should be modified to reflect any additional information provided to employees.

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health

UNIVERSAL PRECAUTIONS (continued)

plan ~~benefits~~ of the employees. Information shall be distributed ~~at least~~ annually, or more frequently if there is new information supplied by ~~the California Department of Education CDE~~. (Health and Safety Code 120875, 120880)

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

Note: The following optional paragraph may be revised to reflect district practice.

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan **for bloodborne pathogens** or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Legal Reference: (see next page)

UNIVERSAL PRECAUTIONS (continued)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

LABOR CODE

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CDE PROGRAM ADVISORIES

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Hepatitis B Questions and Answers for the Public

WEB SITES

American Federation of Teachers: <https://www.aft.org>

Cal/OSHA California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

California Department of Public Health: <https://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

CSBA Sample Administrative Regulation

All Personnel	AR 4119.43(a) 4219.43
UNIVERSAL PRECAUTIONS	4319.43

Definitions

Note: Districts may wish to include the following **optional** administrative regulation in their employee handbook.

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including, but not limited to semen, vaginal secretions, and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV), and other bloodborne pathogens. (8 CCR 5193(b); **29 CFR 1910.1030**)

***Occupational exposure* means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)**

~~*Personal protective equipment* includes specialized clothing or equipment worn or used for protection against a hazard. General work clothes such as uniforms, pants, shirts, or blouses not intended to function as protection against a hazard are not considered to be personal protective equipment. (8 CCR 5193(b))~~

A *sharp* is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

~~*Engineered sharps injury protection* is a physical attribute built into a needle device or into a non needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))~~

Employee Information

Note: Health and Safety Code 120875 requires districts to provide information regarding AIDS and hepatitis B, as specified below. However, since, pursuant to 8 CCR 5193(b), hepatitis C is included in the definition of "bloodborne pathogens," districts may also wish to provide information to employees about the hepatitis C virus. The following paragraph should be modified to reflect any additional information provided to employees.

~~The Superintendent or designee shall distribute to employees information provided by the California Department of Education regarding acquired immune deficiency syndrome (AIDS), AIDS related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of~~

UNIVERSAL PRECAUTIONS (continued)

hepatitis B, and that the cost of this vaccination may be covered by the health plan benefits of the employees. Information shall be distributed at least annually, or more frequently if there is new information supplied by the California Department of Education. (Health and Safety Code 120875, 120880)

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

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Infection Control Practices

For the prevention of infectious disease, the district shall:

1. ~~The Superintendent or designee shall ensure that the worksite is e~~Effectively maintained **the worksite** in a clean and sanitary condition, and shall implement an appropriate written schedule for cleaning and decontamination of the worksite. ~~(8 CCR 5193(d))~~

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

2. **When necessary for employees with** ~~Where~~ occupational exposure **to bloodborne pathogens,** ~~remains after the institution of engineering and work practice controls, the Superintendent or designee shall provide appropriate personal protective equipment, such as gloves, masks, and outer garments,~~ at no cost to the employee. Such equipment may include gloves, gowns, masks, eye protection, and other devices that do not permit blood or other potentially infectious materials to pass through or reach the employee's clothes, skin, eyes, mouth or other mucous membranes under normal conditions of use. The Superintendent or designee shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. (8 CCR 5193(d))
3. ~~The Superintendent or designee shall p~~Provide handwashing facilities which are readily accessible to employees, **or, if not feasible,** ~~When provision of handwashing facilities is not feasible, the Superintendent or designee shall~~ provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. (8 CCR 5193(d))

~~For the prevention of infectious disease, employees shall routinely:~~ (8 CCR 5193(d)) **Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:**

UNIVERSAL PRECAUTIONS (continued)

1. Perform all procedures involving blood or other potentially infectious materials in such a manner as to minimize splashing, spraying, spattering, and generating droplets of these substances.

2.1. Use personal protective equipment as appropriate.

a. Appropriate clothing, including but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments, shall be worn in occupational exposure situations.

If a garment becomes penetrated by blood or other potentially infectious materials, the employee shall remove the garment immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the work area. When removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

b. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and nonintact skin, and when handling or touching contaminated items or surfaces.

Disposable gloves shall be replaced as soon as practical when contaminated, or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. They shall not be washed or decontaminated for reuse. Utility gloves may be decontaminated for reuse if the integrity of the gloves is not compromised, but must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

c. Masks in combination with eye protection devices or face shields shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.

3.2. Wash hands and other skin surfaces thoroughly with soap and running water:

a. Immediately or as soon as feasible following contact of hands or any other skin or mucous membranes with blood or other potentially infectious materials

b. Immediately after removing gloves or other personal protective equipment

UNIVERSAL PRECAUTIONS (continued)

3. When handwashing facilities are not available, **the employee shall** use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.
4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure **to bloodborne pathogens.**
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs, or forceps to clean up broken glassware which may be contaminated.
7. Use effective **patient handling** techniques **and other methods** designed to minimize the risk of a sharps injury in all procedures involving the use of sharps **in patient care.**

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

- a. ~~Needleless systems shall be used to administer medication or fluids, withdraw body fluids after initial venous or arterial access is established, and conduct any other procedure involving the potential for an exposure incident for which a needleless system is available as an alternative to the use of needle devices. If needleless systems are not used, needles or non-needle sharps with engineered sharps injury protection shall be used.~~
- b. ~~Contaminated needles or other sharps shall not be broken, bent, recapped, removed from devices, or stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.~~
- c. ~~Disposable sharps shall not be reused.~~
8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

UNIVERSAL PRECAUTIONS (continued)

- a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193(d)(3)(D). ~~Containers shall be easily accessible, maintained upright throughout use where feasible, and replaced as necessary to avoid overfilling.~~
- b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.6 - School Health Services)
(cf. 6145.2 - Athletic Competition)

CSBA Sample Board Policy

All Personnel

BP 4151(a)

4251

EMPLOYEE COMPENSATION

4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following **optional** policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

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

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

Note: Education Code 45023 and 45162 require the Governing Board to adopt salary schedules for certificated and classified employees, respectively. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, 45268)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 4312.1 - Contracts)

EMPLOYEE COMPENSATION (continued)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments over the year. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

Education Code 45048 and 45165 provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: According to Office of Management and Budget Memorandum M-20-17, during extraordinary circumstances such as a pandemic which interrupts district operations, employees paid with federal grant funds can continue to be paid out of federal grant funds as long as other similarly situated employees paid with nonfederal funds are continuing to get compensated. The following optional paragraph establishes such emergency contingencies so that the Board may continue to provide employee compensation during such times.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (FLSA) (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the FLSA (29 CFR 553.20) and ~~Labor Code 510~~ **Education Code 45128**, employees who are not specifically exempted by law, **including classified employees in both merit and non-merit system districts**, must receive overtime pay **or compensatory time off** at a rate not less than one and one-half

EMPLOYEE COMPENSATION (continued)

times their regular rate of pay for hours worked in excess of **eight hours in any one day and in excess of 40 hours per work calendar week. However, if the Board has established a work day of less than eight hours but at least seven hours, and a work week of less than 40 hours but at least 35 hours, all time worked in excess of the established work schedule must be deemed overtime.** Furthermore, Labor Code 510 entitles employees to an overtime pay rate after working eight hours in one day, unless an alternative work week schedule allowed by law is approved. Pursuant to Labor Code 510, if an employee works more than 12 hours per work day or more than eight hours on the seventh consecutive day of work, the employee must be paid twice the regular salary.

On September 24, 2019, the U.S. Department of Labor issued a final rule (29 CFR 541.600) raising the federal salary threshold for this exemption. However, the threshold is higher in California and thus state law prevails. Pursuant to Labor Code 515, executive, administrative, or professional employees are exempt from the overtime rules if their monthly salary is at least twice the state minimum wage for full time employment. Furthermore, the salary threshold is not affected by any local minimum wage that is higher than the state minimum wage.

Pursuant to Education Code 45130, districts are not required to pay overtime for any classified positions established by the Board, or by the personnel commission in a merit system district, as supervisory, administrative, or executive. In approving positions for exclusion from the overtime provisions, the Board or personnel commission must certify in writing that the duties, flexibility of hours, salary, benefit structure, and authority of the positions are of such a nature that they should be set apart from those positions which are subject to the overtime provisions. See BP/AR 4300 - Administrative and Supervisory Personnel. However, Education Code 45130 requires that, if a classified employee in an exempt position is required to work on a holiday designated in law or by the Board, the employee must be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay.

Overtime pay requirements are also not applicable to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that, to be exempt from overtime rules, administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school.

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, **teachers, school administrators, and other employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules** capacity and are paid a monthly salary that is at least twice the state minimum wage for full time employment. (Labor Code 510, 515; Education Code 45128, 45130; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

(cf. 4300 - Administrative and Supervisory Personnel)

EMPLOYEE COMPENSATION (continued)

Note: The following **optional** paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff. **Education Code 45129 provides that the compensatory time off must be used within 12 calendar months.**

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within **a reasonable period 12 calendar months** after making the request if the use of the compensatory time does not unduly disrupt district operations. (**Education Code 45129**; 29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45127-45133.5 Classified employees; work week; overtime provisions

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

Legal Reference continued: (see next page)

EMPLOYEE COMPENSATION (continued)

Legal Reference: (continued)

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

515 Overtime exemption for administrative, executive, and professional employees

CODE OF REGULATIONS, TITLE 8

11040 Wages and hours; definitions of administrative, executive, and professional employees

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions

207 Overtime

213 Exemptions from minimum wage and overtime requirements

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 Notice of minimum wage and overtime provisions

516.5-516.6 Records

541.0-541.710 Exemptions for executive, administrative, and professional employees

553.1-553.51 Fair Labor Standards Act; applicability to public agencies

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS

Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations, Memorandum M-20-17, March 19, 2020

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

School Services of California, Inc.: <http://www.sscal.com>

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

(10/16 12/19) 5/20

CSBA Sample Board Policy

Students

BP 5141.5(a)

MENTAL HEALTH

Note: Education Code 215 requires all governing boards to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components; see BP/AR 5141.52 - Suicide Prevention. The following optional policy is intended to address broader mental health issues facing students and may be revised to reflect district practice.

The Governing Board recognizes that students' emotional well-being and mental health contribute to their ability to perform to their full academic and personal potential. The Superintendent or designee shall develop strategies and services to build students' resiliency skills, help students cope with life challenges, and reduce the stigma associated with mental illness.

The Superintendent or designee shall consult and collaborate with school-employed mental health professionals, the county mental health department, psychologists and other health professionals, social workers, and/or community organizations to strengthen local mental health services and develop and implement an integrated plan to support student mental health.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

To the extent possible, the district shall focus on preventive strategies which increase students' connectedness to school, create a support network of peers and trusted adults, and provide techniques for conflict resolution. The district shall investigate and resolve any complaint of bullying, intimidation, harassment, or discrimination in accordance with law and district policy.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Note: The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school.

The district shall provide instruction to students that promotes their healthy mental, emotional, and social development. Health education courses shall be aligned with the state content standards and curriculum framework and shall include, but not be limited to, instruction related to identifying signs of depression and self-destructive behaviors, developing coping skills, and identifying resources that may provide assistance.

MENTAL HEALTH (continued)

(cf. 6142.8 - Comprehensive Health Education)

The Superintendent or designee shall provide school staff with information and training to recognize the early signs of an emerging mental health condition, identify risk factors and warning signs of suicidal intent, respond to students who have been impacted by traumatic stress, and link students with effective services and supports. Such information may also be provided to parents/guardians and families.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5141.52 - Suicide Prevention)

The Superintendent or designee shall develop a protocol for identifying and assessing students who may be suffering from an anxiety disorder, depression, eating disorder, or other severe or disabling mental illness. The Superintendent or designee may establish districtwide or school-site crisis intervention team(s) to respond to mental health concerns in the school setting.

A school counselor, school psychologist, or school social worker may provide mental health counseling to students in accordance with the specialization(s) authorized on the individual's credential. As needed, students and their parents/guardians may be provided referrals to mental health services in the community and/or to mental health services at or near district schools.

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to 28 CFR 35.108, a student should be evaluated in accordance with Section 504 of the Rehabilitation Act (29 USC 794) if the student has a disability, including a mental impairment, that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. See BP/AR 6164.6 - Identification and Education Under Section 504. Districts also have an affirmative, ongoing duty to actively and systematically seek out, identify, locate, and evaluate all children with disabilities who may be in need of special education and related services (Education Code 56171, 56300-56385; 20 USC 1412; 34 CFR 300.111). See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

If a student has an emotional or mental illness that limits a major life activity, has a record of such impairment, or is regarded as having such impairment, or may need special education and related services, the student shall be referred for an evaluation for purposes of determining whether any educational or related services are required in accordance with Section 504 of the Rehabilitation Act or the federal Individuals with Disabilities Education Act, as applicable. (Education Code 56301-56302; 29 USC 794; 28 CFR 35.108)

MENTAL HEALTH (continued)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

Note: In addition to using district funds for mental health programs or services, districts may apply for grant funds administered by the county mental health agency or other sources.

The Mental Health Services Act, established by Proposition 63 in 2004, provides funding, personnel, and other resources to support county mental health programs, including, but not limited to, prevention and early intervention programs. Funding may be allocated for outreach to families and others to recognize the early signs of potentially severe and disabling mental illnesses, access and linkage to medically necessary care for children with severe mental illness, reduction in stigma and discrimination against people with mental illness, and strategies to reduce negative outcomes that may result from untreated mental illness.

Welfare and Institutions Code 5886, as added by SB 75 (Ch. 51, Statutes of 2019), establishes the Mental Health Student Services Act, a competitive grant program to award funds to county mental health or behavioral health departments for the purpose of creating mental health partnerships with school districts, charter schools, and county offices of education.

The Superintendent or designee shall explore potential funding sources for district programs and services that support student's mental health. In accordance with local plans and priorities, the district may apply to the county for grants for prevention and early intervention activities that are designed to prevent mental illness from becoming severe and disabling and to improve timely access for underserved populations.

Legal Reference:**EDUCATION CODE**

215-216 Student suicide prevention

234.6 Posting suicide prevention policy on web site

32280-32289.5 Comprehensive safety plan

49060-49079 Student records

49600 Responsibilities of school counselors

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

56171 Duty to identify and assess children in private schools who need special education services

56300-56385 Identification, referral, and assessment for special education

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5840-5840.8 Prevention and early intervention programs

5850-5886 Children's Mental Health Services Act

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

Legal Reference continued: (see next page)

MENTAL HEALTH (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Nondiscrimination on the basis of disability

CODE OF FEDERAL REGULATIONS, TITLE 34

34 CFR 300.1-300.818 Individuals with Disabilities Education Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL CHILD TRAUMATIC STRESS NETWORK PUBLICATIONS

Child Trauma Toolkit for Educators, 2008

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <https://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, Mental Health Services:

<http://www.dhcs.ca.gov/services/MH>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <https://www.nasponline.org>

National Child Traumatic Stress Network: <https://www.nctsn.org>

National Council for Behavioral Health, Mental Health First Aid:

<https://www.mentalhealthfirstaid.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org>

Suicide Prevention Resource Center: <https://www.sprc.org/about-suicide>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

CSBA Sample Board Policy

Students

BP 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** policy reflects various provisions of state and federal law which prohibit discrimination against students in educational programs and activities based on certain actual or perceived characteristics of an individual, including Education Code 220, **as amended by AB 699 (Ch. 493, Statutes of 2017)**, which prohibits discrimination based on **disability**, race, nationality, immigration status, ethnicity, gender, gender identity, gender expression, **sex**, sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55; Government Code 11135, which prohibits discrimination based on all the foregoing characteristics and on **sex, color, ancestry**, age, **medical condition, marital status, disability**, and an individual's genetic information; Title VI (42 USC 2000d-2000e-17), which prohibits discrimination based on race, color, or national origin; Title IX (20 USC 1681-1688), which prohibits discrimination based on sex, gender, gender identity, pregnancy, and parental status; the Age Discrimination Act of 1975 (42 USC 6101-6107), which prohibits discrimination based on age; and Title II (20 USC 12101-12213) and Section 504 (29 USC 794), which prohibit discrimination based on disability. Education Code 260 gives the Governing Board primary responsibility for ensuring that district programs and activities are free from discrimination based on age or any of **these the** characteristics **listed in Education Code 220**. See also BP 0410 - Nondiscrimination in District Programs and Activities.

Moreover, this sample Board policy and the accompanying administrative regulation reflect the statutory right of a transgender student to participate in sex-segregated educational programs and use facilities consistent with **his/her one's** gender identity as specified in Education Code 221.5, and best practices based on existing state and federal law. Districts with questions about the rights of transgender and gender-nonconforming students should consult legal counsel as appropriate. For more information on the rights of transgender students, see CSBA's [Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination](#).

Education Code 234.1 **mandates** that districts adopt policy prohibiting discrimination **at school or in any which applies to all acts related to** school activity **related to or** school attendance **occurring within a school** or under the authority of the district, including discriminatory harassment, intimidation, and bullying, based on the foregoing characteristics. The California Department of Education (CDE), through its Federal Program Monitoring process, reviews districts' uniform complaint procedures (UCP) and other anti-discrimination policies and practices to ensure compliance with these requirements. In addition, the U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the administrative enforcement of federal laws and regulations prohibiting discrimination on the basis of race, color, national origin, sex, disability, and age in programs and activities that receive federal financial assistance from the department, and requires the adoption of nondiscrimination policies and complaint procedures.

OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (i.e., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.

This policy shall apply to all acts **constituting unlawful discrimination or harassment** related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

NONDISCRIMINATION/HARASSMENT (continued)

The Governing Board desires to provide a safe school environment that allows all students equal access **to** and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition**, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 6164.6 - Identification and Education Under Section 504)

~~Note: Education Code 234.1 prohibits unlawful discrimination in all acts related to school activity or school attendance. OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (i.e., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.~~

~~This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school related or school sponsored activities but which may have an impact or create a hostile environment at school.~~

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also **includes the creation of a hostile environment through occurs when** prohibited conduct ~~that~~ is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Note: In addition to the types of prohibited student conduct described above, **prohibited conduct unlawful discrimination** includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services. See BP 0410 - Nondiscrimination in District Programs and Activities.

NONDISCRIMINATION/HARASSMENT (continued)

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Note: Pursuant to Education Code 234.1 and 34 CFR ~~106.8~~ **106.9**, a district is required to ~~adopt and~~ publicize its nondiscrimination policies to the school community. **In addition, Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires the district, starting in the 2020-21 school year, to make readily accessible on its web site its nondiscrimination, sexual harassment, suicide prevention, and other specified policies and information related to specified state and federal laws and resources. For further information regarding specific posting requirements, see "Measures to Prevent Discrimination" in the accompanying administrative regulation. The following paragraph may be modified to reflect district practice.**

~~In addition, in its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See the accompanying administrative regulation for specific measures to prevent discrimination and facilitate students' access to the educational program.~~

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. **In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.**

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See the accompanying administrative regulation for specific measures to prevent discrimination and facilitate students' access to the educational program. The following paragraph may be modified to reflect district practice.

He/she The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. **He/she The Superintendent or designee** shall report **his/her the** findings and recommendations to the Board after each review.

NONDISCRIMINATION/HARASSMENT (continued)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Note: Policies related to discrimination must be consistent with the First Amendment right to free speech. Education Code 48950 prohibits a district from subjecting a high school student to disciplinary sanctions solely on the basis of speech or other communication that would be constitutionally protected if engaged in outside of campus. However, Education Code 48950 also specifies that the law does not prohibit discipline for harassment, threats, or intimidation unless constitutionally protected. Whether such speech might be entitled to constitutional protection would be determined on a case-by-case basis, with consideration for the specific words used and the circumstances involved. The district should consult legal counsel as necessary.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
49060-49079 Student records
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

~~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

12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, ~~July 2016~~ March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, (2013) OCR 09-12-1020, DOJ 169-12C-70

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003

WEB SITES

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

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

California Office of the Attorney General: <http://oag.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

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

(9/16 5/18) 5/20

CSBA Sample Administrative Regulation

Students

AR 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting unlawful discrimination at school or in school-sponsored or school-related activities, including discriminatory harassment, intimidation, and bullying, of any student based on **his/her the student's** actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition**, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations **mandate** districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's (USDOE) Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraphs identify the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws (e.g. Title IX and Section 504 coordinators), including the investigation and resolution of discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status,

NONDISCRIMINATION/HARASSMENT (continued)

pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

(title or position)

(address)

(telephone number)

(email)

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms.

In addition, federal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8, **106.9**), disability (34 CFR **104.7** **104.8** and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures.

~~Item #1 below may be revised to specify the means by which the district publicizes its nondiscrimination policies and complaint procedures.~~

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them ~~on the district's web site and other~~ **in** prominent locations and providing easy access to them through district-supported ~~social media, when available~~ **communications**.

Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires a district, starting with the 2020-21 school year, to post its nondiscrimination policies on its web site as specified below. In addition to the policies listed below, if the district has a policy in regard to the prevention

NONDISCRIMINATION/HARASSMENT (continued)

and response to hate violence, it is also required to be posted, and the following item should be modified accordingly. See BP 5145.9 - Hate-Motivated Behavior.

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post the definitions specified below.

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

Note: Education Code ~~221.6~~ **221.61** requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). Education Code 234.6, as added by AB 34, requires districts, beginning in the 2020-21 school year, to post the Title IX information required pursuant to 221.61 in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Additionally, districts are required to provide a link to the Title IX information included on CDE's website pursuant to Education Code 221.6, in the same manner. A comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

- 2.4. Post in a prominent ~~and conspicuous~~ location on the district ~~and school~~ web site **in a manner that is easily accessible to parents/guardians and students** information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code **221.6, 221.61, 234.6**)
 - a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

NONDISCRIMINATION/HARASSMENT (continued)

- b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
- c. A description of how to file a complaint of noncompliance **with under** Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
- d. A link to the Title IX information included on the California Department of Education's (CDE) web site**

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post a link to statewide resources as specified below.

- 5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)**

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District Sponsored Social Media)

- 3.6.** Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. **(Education Code 234.1)**

NONDISCRIMINATION/HARASSMENT (continued)

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. Item #4 below may be modified to reflect district practice.

- 4.7.** Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's **2002 2003** Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter **or be served by** the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient **and costs**. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

- 5.8.** ~~The Superintendent or designee shall e~~Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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 nondiscrimination 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 information for parents/guardians with limited English proficiency.

- 6.9.** Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what

NONDISCRIMINATION/HARASSMENT (continued)

constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

7.10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

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

Note: Item #**8-11** below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect ~~him/her~~ **the student** from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

8.11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

NONDISCRIMINATION/HARASSMENT (continued)

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that **he/she the student** knew was not true

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

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

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures specified in 5 CCR 4600-4670, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed. In addition, districts may have an obligation to respond to notice of sexual harassment of students which occurs off school grounds or outside school-sponsored or school-related programs or activities, since the sexual harassment may still create a hostile environment at school. This principle would also apply to harassment on other bases, such as race, gender, or disability.

~~Any student~~ **Students** who feels that ~~he/she has~~ **they have** been subjected to unlawful discrimination described above or in district policy ~~is~~ **are** strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, ~~any students~~ who observes any such incident ~~is~~ **are** strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

NONDISCRIMINATION/HARASSMENT (continued)

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, **he/she the principal or compliance officer** shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Note: **The following section may be modified to reflect district practice. Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on his/her educational records. Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's Examples of Policies and Emerging Practices for Supporting Transgender Students. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination. The term "gender identity" is not specifically defined in the Education Code. The following definition is consistent with case law and generally accepted terms within academia, as well as the Resolution Agreement between the Arcadia Unified School**

NONDISCRIMINATION/HARASSMENT (continued)

District, the U.S. Department of Education Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, which defines "gender identity" as "one's internal sense of gender, which may be different from one's assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the student's core identity."

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, **The district prohibits** acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her **the student's** gender identity
2. Disciplining or disparaging a student or excluding him/her **the student** from participating in activities, for behavior or appearance that is consistent with his/her **the student's** gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to his/her **the student's** gender identity

NONDISCRIMINATION/HARASSMENT (continued)

4. Taunting a student because **he/she the student** participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. **Use of Using** gender-specific slurs
7. Physically assaulting of a student motivated by hostility toward **him/her the student** because of **his/her the student's** gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

Note: Timelines included in items #1-2 below may be modified to reflect district practice.

1. **Right to privacy:** A student's transgender or gender-nonconforming status is **his/her the student's** private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless **he/she the employee** is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit

NONDISCRIMINATION/HARASSMENT (continued)

the district's ability to meet the student's needs related to **his/her the student's** status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to **his/her the student's** parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of **his/her** gender identity and begin to treat the student consistent with **that his/her** gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, **his/her the student's** parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to **his/her the student's** status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting **his/her the student's** educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

Note: ~~The following section may be modified to reflect district practice.~~ Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on **the student's his/her** educational records. Because Education Code 221.5 affords transgender students these rights,

NONDISCRIMINATION/HARASSMENT (continued)

districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity. In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's Examples of Policies and Emerging Practices for Supporting Transgender Students. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, ~~access to a staff member's office,~~ or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because ~~he/she~~ **the student** is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with ~~his/her~~ **the student's** gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with ~~his/her~~ **the student's** gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

Note: 5 CCR 432 requires the legal name, sex, date of birth, etc., of a student to be maintained as part of the student's "mandatory permanent student records" but does not prohibit keeping of other records, such as a student's preferred name, as part of the student's "permitted student records." **Education Code 49062.5 and 49070, as added and amended by AB 711 (Ch. 179, Statutes of 2019), respectively, require districts to update a former student's records to change the student's name and/or gender as specified below. See AR 5125 - Student Records.**

5. **Student Records:** A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. ~~However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as~~

NONDISCRIMINATION/HARASSMENT (continued)

~~permitted by law.~~ **When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)**

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with **his/her the student's** gender identity, without the necessity of a court order or a change to **his/her the student's** official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with **his/her the student's** gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress ~~Code~~ and Grooming)

(5/17 5/18) 5/20

CSBA Sample Board Policy

Instruction

BP 6020(a)

PARENT INVOLVEMENT

Note: **Education Code 11503 and** 20 USC 6318, ~~as amended by the Every Student Succeeds Act (P.L. 114-95),~~ **mandates** each district receiving federal Title I, Part A, funds to have a written parent/guardian and family engagement policy developed jointly with and agreed upon by parents/guardians and family members of participating students. Education Code 11504 **mandates** districts to adopt a policy on parent/guardian involvement applicable to each school that does not receive Title I funds. The following policy and accompanying administrative regulation contain language satisfying both mandates and should be revised to reflect district practice.

In addition, Education Code 51101 mandates policy for all districts addressing the manner in which parents/guardians, school staff, and students may share responsibility for continuing the intellectual, physical, emotional, and social development and well-being of students; see BP/AR 5020 - Parent Rights and Responsibilities for language fulfilling this mandate.

For best practices in implementing parent/guardian and family engagement programs, see the California Department of Education's Family Engagement Framework: A Tool for California School Districts.

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall **consult work** with parents/guardians and family members ~~in the development of~~ **to jointly develop and agree upon policy and strategies to meaningfully** ~~opportunities for them to be~~ **involved** **parents/guardians and family members** in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

The district's local control and accountability plan (**LCAP**) shall include goals and strategies for parent/guardian involvement **and family engagement**, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

PARENT INVOLVEMENT (continued)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

(cf. 0500 - Accountability)

Title I Schools

Note: The following section is for use by districts that receive Title I funds. 20 USC 6318 **mandates** that such districts develop, jointly with parents/guardians and family members of participating students, policy which establishes expectations and objectives for meaningful parent/guardian and family involvement and describes how the district will address specified components. See the accompanying administrative regulation for the required components and optional strategies for addressing each component.

State law (Education Code 11503) also **mandates** procedures to ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the Title I parent/guardian and family engagement program.

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

Note: The following paragraph is for use by districts that receive more than \$500,000 in Title I, Part A funding. Pursuant to 20 USC 6318, the Governing Board must reserve at least one percent of the district's Title I funding to carry out parent/guardian and family engagement activities, provided that one percent of the allocation received by the district totals more than \$5,000. **As amended by P.L. 114 95, 20 USC 6318 requires that at least 90 percent of the reserved funds must be distributed to eligible schools, with priority given to "high need schools" as defined in 20 USC 6631.**

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities **and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631.** The Superintendent or designee shall involve parents/guardians and family members of

PARENT INVOLVEMENT (continued)

participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities **and shall ensure that priority is given to schools in high poverty areas in accordance with law.** (20 USC 6318)

(cf. 3100 - Budget)

Note: **As amended by P.L. 114 95,** 20 USC 6318 identifies allowable uses of the Title I funds reserved for parent/guardian and family engagement, as provided below. These uses are consistent with the activities that must be addressed in the district's parent/guardian and family engagement policy, as described in the accompanying administrative regulation.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration, **or the provision of subgrants to schools to enable collaboration,** with community-based or other organizations or employers with a record of success in improving and increasing parent/**guardian** and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

Note: The following paragraph is for use by districts that receive funds under federal Title IV, Part E (20 USC 7241-7246).

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

PARENT INVOLVEMENT (continued)

Note: Pursuant to 20 USC 6318, the district's parent/guardian and family engagement policy must be incorporated into the district's Title I LEA plan. In California, all the requirements of the LEA plan are addressed in an addendum to the ~~local control and accountability plan (LCAP)~~. See BP 0460 - Local Control and Accountability Plan.

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's ~~local control and accountability plan~~ **LCAP** in accordance with 20 USC 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502. See the accompanying administrative regulation for information about these goals and sample strategies for addressing each goal.

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference: (see next page)

PARENT INVOLVEMENT (continued)

Legal Reference:

EDUCATION CODE

11500-~~11506~~ **11505** Programs to encourage parent involvement
48985 Notices in languages other than English
51101 Parent rights and responsibilities
52060-52077 Local control and accountability plan
54444.1-54444.2 Parent advisory councils, services to migrant children
56190-56194 Community advisory committee, special education
64001 School plan for student achievement, consolidated application programs

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 State plan

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions

7241-7246 Family engagement in education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Title I School-Level Parental Involvement Policy

Family Engagement Framework: A Tool for California School Districts, 2014

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

U.S. Department of Education: <http://www.ed.gov>

(8/06 10/17) 5/20

CSBA Sample Administrative Regulation

Instruction

AR 6020(a)

PARENT INVOLVEMENT

Note: The following administrative regulation contains parent/guardian and family engagement strategies that meet legal requirements applicable to districts and schools receiving federal Title I funds and those that do not receive Title I funds. The district should use and adapt the section(s) applicable to its circumstances. If desired, the district may develop one set of strategies applicable to all schools, provided that all the provisions required by law for both types of schools are included.

District Strategies for Title I Schools

Note: The following section is for use by districts that receive Title I, Part A, funds. 20 USC 6318, ~~as amended by the Every Student Succeeds Act (P.L. 114 95)~~, **mandates** that such districts develop a policy, **jointly with and agreed upon by parents/guardians and family members of participating students**, that describes the means by which the district will address the components specified in items #1-6 below. Under each required component below are optional strategies for addressing the component, which should be modified to reflect the specific strategies jointly developed by the district and the parents/guardians and family members of participating students. In the state's Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district has identified such strategies.

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall:

Note: Pursuant to 20 USC 6318, districts must involve parents/guardians and family members in the development of the Title I local educational agency (LEA) plan described in 20 USC 6312; also see BP 6171 - Title I Programs. In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 - Local Control and Accountability Plan for further information about the development of the LCAP, including requirements for consultation with parents/guardians and other stakeholders and for the establishment of a parent advisory committee and English learner parent advisory committee.

1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 6171 - Title I Programs)

The Superintendent or designee may:

- a. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the **district's local control and accountability** plan (**LCAP**) in accordance with the review schedule established by the Governing Board

PARENT INVOLVEMENT (continued)

- b. Invite input on the plan from other district committees and school site councils

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

- c. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the plan and the opportunity to provide input
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)

(cf. 1700 - Relations Between Private Industry and the Schools)

The Superintendent or designee may:

- a. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
- b. Identify funding and other resources, including community resources and services, that may be used to strengthen district and school parent/guardian and family engagement programs**
- c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities

PARENT INVOLVEMENT (continued)

d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements

e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

Note: 20 USC 6318 mandates that the district's policy or regulation include items #2a-f below. The district may expand these items to describe methods the district will use to carry out each activity.

The Superintendent or designee shall: (20 USC 6318)

a. Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

~~(cf. 6011—Academic Standards)~~

~~(cf. 6162.5—Student Assessment)~~

~~(cf. 6162.51—State Academic Achievement Tests)~~

b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement

c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

~~(cf. 4131—Staff Development)~~

~~(cf. 4231—Staff Development)~~

~~(cf. 4331—Staff Development)~~

d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education

PARENT INVOLVEMENT (continued)

- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

Note: Although not mandated to be included in the district's policy or regulation, item #2g reflects a legal requirement in 20 USC 6318(g) to inform parents/guardians about the existence of parent information and resource centers in the state that work with Title I schools, districts, and parents/guardians. See the management resources in the accompanying Board policy for resources that can help districts locate the centers closest to them.

- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

Note: Items #2a t below are **optional** and should be revised to reflect district practice. Items #2a h are authorized, but not required, by 20 USC 6318.

In addition, the Superintendent or designee may:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation

PARENT INVOLVEMENT (continued)

- f. Adopt and implement model approaches to improving parent/guardian involvement
- g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
- h. Develop appropriate roles for community based organizations and businesses in parent/guardian involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

(cf. 1400 – Relations Between Other Governmental Agencies and the Schools)

- j. Provide a master calendar of district activities and district meetings
- k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means
- l. Engage parent teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 – School-Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- o. Provide ongoing district level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops
- p. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of related activities

PARENT INVOLVEMENT (continued)

q. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement

r. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

s. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues

t. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals

PARENT INVOLVEMENT (continued)

4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)
 - a. Barriers to **greater** participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
 - c. Strategies to support successful school and family interactions

(cf. 0500 - Accountability)

~~Note: Although it is not mandated to be included in the district's policy or regulation, the following paragraph reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent/guardian involvement efforts.~~

~~The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)~~

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
- b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged
- c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement

~~Note: Although it is not mandated to be included in the district's policy or regulation, the following paragraph reflects a legal requirement of Education Code 11503 pertaining to evaluation of the district's parent/guardian involvement efforts.~~

PARENT INVOLVEMENT (continued)

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)

5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. **Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians**
- b. **Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups**
- c. **With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration**

6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians and family members
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

PARENT INVOLVEMENT (continued)

Note: Pursuant to 20 USC 6318, the district's parent/guardian and family engagement policy must be incorporated into the district's Title I LEA plan. In California, all the requirements of the LEA plan are addressed in an addendum to the local control and accountability plan (LCAP). See BP 0460 Local Control and Accountability Plan.

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's local control and accountability plan in accordance with 20 USC 6312 and shall be distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

(cf. 5145.6 Parental Notifications)

In addition, the district shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below. (20 USC 6318)

School-Level Policies for Title I Schools

Note: The following section is for use by districts that receive federal Title I, Part A funds. 20 USC 6318, as amended by P.L. 114-95, mandates **requires** that each individual school receiving Title I funds have a written parent/guardian and family engagement policy, developed jointly with and agreed upon by parents/guardians and family members of participating students, that describes the means for carrying out the requirements of 20 USC 6318(c) through (f), reflected in items #1-8 below. The following section lists the required components but does not include specific strategies **which since those** should be added by each school. Schools may also use a template available on the web site of the California Department of Education, **Title I School-Level Parental Involvement Policy**, to develop the school-level policy.

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. **Such The school** policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement

Note: As provided in item #3 below, 20 USC 6318 requires parent/guardian involvement in the development of the comprehensive plan required by 20 USC 6314 for schoolwide programs. Under state law (Education Code 64001), this plan must be incorporated into the school plan for student achievement

PARENT INVOLVEMENT (continued)

covering all categorical programs in the state's consolidated application; see AR 6171 - Title I Programs and BP/AR 0420 - School Plans/Site Councils for further information about the development of this plan.

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the **challenging** state academic standards

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5123 - Promotion/Acceleration/Retention)

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, **and, as soon as practicably possible, to receive responses to the suggestions of parents/guardians. The district shall respond to any such suggestions as soon as practicably possible.**
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

Note: 20 USC 6318 requires Title I schools to develop a school-parent compact as provided in item #6 below. U.S. Department of Education non-regulatory guidance, Parental Involvement: Title I, Part A, provides a sample template that schools may use in the development of the school-parent compact.

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

PARENT INVOLVEMENT (continued)

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)

(cf. 6154 - Homework/Makeup Work)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - (4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand

7. **Build the capacity of the school and parents/guardians for strong parent involvement by implementing the required activities described in item #2 in the section "District Strategies for Title I Schools" above. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:**

- a. Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and

PARENT INVOLVEMENT (continued)

local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

- b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement
- c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

- d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

Note: Items #7a-q below are **optional** and should be revised to reflect district practice. Items #7a-h are authorized, but not required, by 20 USC 6318.

PARENT INVOLVEMENT (continued)

In addition, the Superintendent or designee **school plan** may **include strategies to:**

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation
- f. Adopt and implement model approaches to improving parent/guardian involvement
- g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs
- h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

- j. Provide a master calendar of district/school activities and district meetings
- k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means

PARENT INVOLVEMENT (continued)

- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- o. Provide ongoing district-level workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops
- p. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement
- q. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

8. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

~~Each school's parent/guardian and family engagement policy shall be made available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)~~

PARENT INVOLVEMENT (continued)

Note: The following paragraph is **optional**. Education Code 64001 requires that the school plan for student achievement covering the categorical programs in the state's consolidated application, including Title I schoolwide programs, be annually reviewed by the school site council and submitted to the Board for approval; see BP/AR 0420 - School Plans/Site Councils.

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the **school's single school** plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

District Strategies for Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502 as reflected in items #1-5 below. Subitems under items #1-5 are **optional** strategies for carrying out the legal requirement and should be revised to reflect district practice. **The district may develop one administrative regulation applicable to both Title I and non-Title I schools, provided it meets the requirements below and in the sections above.**

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians **and family members** positively in their children's education by **providing assistance and training on topics such as state academic standards and assessments to helping them develop increase their knowledge and skills to use at home that to** support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
- b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter

PARENT INVOLVEMENT (continued)

- c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective **two-way** communication between the home and school so that parents/guardians **and family members** may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
- c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
- d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
- e. Develop mechanisms to encourage parent/guardian input on district and school issues

PARENT INVOLVEMENT (continued)

- f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers, **and** administrators, **specialized instructional support personnel, and other staff** to communicate effectively with parents/guardians **as equal partners** (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate **and coordinate** parent/guardian and family engagement ~~programs into school plans for academic accountability~~ **activities within the LCAP with other activities**

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians and family members in school planning processes

(8/06 10/17) 5/20

CSBA Sample Board Policy

Instruction

BP 6115(a)

CEREMONIES AND OBSERVANCES

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

Note: Education Code 37220 lists holidays on which district schools must be closed. See the accompanying administrative regulation. Pursuant to Education Code 37220, the Governing Board may designate any other day as a holiday.

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

(cf. 6144 - Controversial Issues)

Legal Reference: (see next page)

CEREMONIES AND OBSERVANCES (continued)

Legal Reference:

EDUCATION CODE

37220-37222.1820 Holidays and commemorative events

44015.1 Week of the School Administrator

45203 Paid holidays, **classified employees**

45460 Classified **School Employee Week**

52720-52730 ~~Daily performance of patriotic exercises in public schools~~ **Patriotic exercises and instruction**

~~52730 Patriotic exercises, daily instruction~~

GOVERNMENT CODE

430-439 Display of flags

3540-3549.3 Meeting and negotiating

UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag

7 Position and manner of display of flag

UNITED STATES CODE, TITLE 36

106 ~~Note~~ Constitution Day and Citizenship Day

106 Note Educational program on the U.S. Constitution

COURT DECISIONS

Newdow v. Rio Linda Union School District, 597 F.3d 1007, 1012 (9th Cir. 2010)

West Virginia State Board of Education et al v. Barnette et al (1943) 319 U.S. 624 (1943)

Management Resources:

CSBA PUBLICATIONS

Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER

70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)

WEB SITES

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

California Department of Education, History/Social Science Instructional Materials:

<http://www.cde.ca.gov/ci/hs/im>

(11/99 11/08) 5/20

CSBA Sample Administrative Regulation

Instruction

AR 6115(a)

CEREMONIES AND OBSERVANCES

Holidays

Note: The following list may be expanded to reflect district practice. Education Code 37220 **specifies holidays on which public schools must be closed, and** allows the Governing Board to designate any other day as a holiday. **See the accompanying Board policy.** In addition, Education Code 37220 provides that the Board, by adoption of a resolution, may revise the date upon which district schools close in observance of any of these holidays except Veterans Day, which must be celebrated on its actual date.

Education Code 37220.5 and 37220.7 authorize the closing of school on March 31 in observance of Cesar Chavez Day and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540-3549.3. **If the district has such an agreement, the holiday(s) should be added to the following list.**

Education Code 37220 **also** provides that a district may, if it so chooses, allow community groups to use school facilities on those dates when the school is closed for a holiday. See BP/AR 1330 - Use of School Facilities.

District schools shall be closed on the following holidays: (Education Code 37220)

New Year's Day	January 1
Dr. Martin Luther King Jr. Day	Third Monday in January or the Monday or Friday of the week in which January 15 occurs
Lincoln Day	The Monday or Friday of the week in which February 12 occurs
Washington Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	The Thursday in November designated by the President
Christmas Day	December 25

CEREMONIES AND OBSERVANCES (continued)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

In addition, schools shall be closed on any day designated by the Governor or President for a holiday, any special or limited holiday on which the Governor provides that the schools shall close, and any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations. (Education Code 37220)

Note: The following paragraph is **optional**. Education Code 37220.5 and 37220.7 authorize the closing of school on March 31 in observance of Cesar Chavez Day and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540-3549.3. The following paragraph should be modified to reflect any agreements reached by the Board and the bargaining units and should be deleted entirely if no such agreements have been reached.

~~In addition, the district has reached agreement with the district employee organizations pursuant to Government Code 3540-3549.3 to close schools in observance of the following holidays:~~

~~Cesar Chavez Day ————— March 31~~

~~Native American Day ————— Fourth Friday in September~~

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal law on a date different from that indicated above, the Governing Board may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

(cf. 6111 - School Calendar)

Commemorative Exercises

Note: As listed in the section below, Education Code 37220, 37221, and 45460 require the observance of various special days with suitable commemorative exercises. In addition, both federal and state law (36 USC 106, Note and Education Code 37221) require districts to hold commemorative exercises for U.S. Constitution Day and Citizenship Day each year on or near September 17; see BP 6142.3—Civic Education. **The following section lists special days that schools are required by state and/or federal law to observe with suitable commemorative exercises.**

In addition to commemorative exercises that are required by law, Education Code 37222-37222.1820 and 51009, as well as various legislative resolutions, have designated other days of special significance on which schools are encouraged, but not required, to conduct appropriate commemorative exercises, including, but not limited to: (1) School Board Recognition Month in January; (2) Ed Roberts Day on January 23; (3) Fred Korematsu Day of Civil Liberties and the Constitution on January 30; (4) Ronald Reagan Day on February 6; **(5) Lunar New Year on the date corresponding with the second new moon**

CEREMONIES AND OBSERVANCES (continued)

following the winter solstice, or the third new moon following the winter solstice if an intercalary month intervenes; ~~(5)~~ **(6)** Week of the School Administrator on the first full week of March; ~~(6)~~ **(7)** California Agriculture Day on the first day of spring each year; ~~(7)~~ **(8)** Welcome Home Vietnam Veterans Day on March 30; **(9) Cesar Chavez on March 31;** ~~(8)~~ **(10)** California Poppy Day on April 6; **(11) Dolores Huerta Day on April 10;** ~~(9)~~ **(12)** John Muir Day on April 21; ~~(10)~~ **(13)** Labor History Month in May; ~~(11)~~ **(14)** the Day of the Teacher on the second Wednesday in May; ~~(12)~~ **(15)** Harvey Milk Day on May 22; **(16) Native American Day on the fourth Friday in September;** ~~(13)~~ **(17)** Larry Itliong Day on October 25; and ~~(14)~~ **(18)** Bill of Rights Day on December 15. Pursuant to Education Code 37220.5 and 37220.7, districts also may, but are not required to, conduct commemorative exercises for Cesar Chavez Day and Native American Day in addition to or instead of closing school on those days; see section above on "Holidays." The California Department of Education's web site includes a calendar of events listing other days for which special recognition is encouraged. The list below may be modified to include any optional days of special significance so designated by the Board.

District schools shall hold exercises in accordance with law to commemorate the following special days: (Education Code 37220, 37221, 45460)

U.S. Constitution and Citizenship Day	On or near September 17
Dr. Martin Luther King, Jr. Day	The Friday before the day schools are closed for this holiday
Abraham Lincoln's Birthday	The school day before the day schools are closed for this holiday
Susan B. Anthony Day	February 15
George Washington's Birthday	The Friday preceding the third Monday in February
Black American Day	March 5
Conservation, Bird, and Arbor Day	March 7
Classified Employee Week	Third week in May

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

Patriotic Exercises

Note: Education Code 52720 requires all schools to conduct patriotic exercises daily. Pursuant to Education Code 52720 and 52730, this requirement may be satisfied by reciting the Pledge of Allegiance and/or through the instruction described below.

CEREMONIES AND OBSERVANCES (continued)

Each school shall conduct patriotic exercises daily. ~~These patriotic exercises shall consist of the reciting of~~ **which may include** the Pledge of Allegiance **to the Flag of the United States** and/or ~~may also include~~ instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

Note: The following paragraph is for use by districts maintaining elementary schools.

At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)

Note: **The following paragraph is for use by districts maintaining secondary schools.** ~~For secondary schools, Education Code 52720 requires that the patriotic exercises be conducted in accordance with mandated regulations adopted by the Board.~~ **mandates that the Board adopt regulations pertaining to the conduct of patriotic exercises in secondary schools.** ~~Districts maintaining secondary schools should modify~~ **The following paragraph should be revised** to reflect district practice.

At secondary schools, such exercises shall be conducted during the homeroom period.

Note: **In Newdow v. Rio Linda Union School District, the Ninth Circuit Court of Appeals upheld a school policy permitting teacher-led recitation of the Pledge of Allegiance pursuant to Education Code 52720 where students were permitted by policy to decline participation for personal reasons.** ~~Federal courts have~~ **In West Virginia State Board of Education et al. v. Barnette et al., the court held that individuals may not be compelled to salute the flag or to stand during the salute.** ~~(West Virginia State Board of Education et al. v. Barnette et al.)~~

~~Individuals~~ **A student** may choose not to participate in the flag salute **or Pledge of Allegiance** for personal reasons.

Display of Flag

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: (4 USC 7)

CEREMONIES AND OBSERVANCES (continued)

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only
6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

(11/08 11/10) 5/20

CSBA Sample Administrative Regulation

Instruction

AR 6173.4(a)

TITLE VI INDIAN EDUCATION PROGRAMS

Note: The following administrative regulation is for use by districts that receive federal Title VI Indian education funding (20 USC 7401-7492), which supports local educational agencies, Indian tribes and organizations, and consortia in meeting the unique cultural, language, and educational needs of American Indian students and ensuring that all students meet challenging state academic standards. Pursuant to 20 USC 7424, districts receiving such funding are mandated to adopt policy and procedures to ensure that the program will be operated and evaluated in consultation with, and with the involvement of, parents/guardians and family members of American Indian students and community representatives, as provided below.

The terms "American Indian," "Native American," and "Indian" are used in various state and federal laws but do not always refer to the same groupings of people or are not defined. For purposes of Title VI, 20 USC 7491 defines "Indians" to include Alaska natives. The following regulation may be revised to reflect terminology preferred by the district and local tribes.

With the assistance of federal Title VI funding for the education of children from federally recognized tribes, the district shall offer programs and activities to meet the unique cultural, language, and educational needs of American Indian students, as defined in 20 USC 7491. Program objectives and outcomes shall be based on state academic standards. (20 USC 7424)

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

(cf. 0415 - Equity)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6011 - Academic Standards)

Note: The following paragraphs address the involvement of parents/guardians and family members of American Indian students and community representatives in program implementation and evaluation, as mandated by 20 USC 7424, and may be expanded to reflect district practice.

In developing, implementing, and evaluating Title VI programs and activities, the Superintendent or designee shall consult with and involve parents/guardians and family members of American Indian students and other community representatives. (20 USC 7424)

The district shall establish a committee that is composed of, and selected by, parents/guardians and family members of American Indian students, representatives of tribes on tribal lands located within 50 miles of any district school that serves any children of the tribes, teachers, and, if appropriate, American Indian students enrolled in secondary schools in the district. The majority of the committee shall be parents/guardians and family members of American Indian students. The committee shall participate in program development and provide written approval for the program. (20 USC 7424)

TITLE VI INDIAN EDUCATION PROGRAMS (continued)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Note: Pursuant to 20 USC 7425, federal funding for American Indian education programs may be used for any of the services and activities listed in items #1-13 below. The following list may be revised to reflect district practice.

The district's Title VI program for American Indian education may include any of the following services and activities: (20 USC 7425)

1. Activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders
2. Culturally related activities that support the district's program
3. Early childhood and family programs that emphasize school readiness
4. Enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of state academic standards
5. Integrated educational services in combination with other programs that meet the needs of American Indian students and their families, including programs that promote parent/guardian involvement in school activities and increase student achievement
6. Career preparation activities that enable American Indian students to participate in career technical education programs, including programs for mentoring and apprenticeship
7. Activities to educate individuals so as to prevent violence, suicide, and substance abuse
8. The acquisition of equipment that is essential to achieve program goals
9. Activities that promote the incorporation of culturally responsive teaching and learning strategies into the district's educational program
10. Family literacy services
11. Activities that recognize and support the unique cultural and educational needs of American Indian students, and incorporate appropriately qualified tribal elders and seniors

TITLE VI INDIAN EDUCATION PROGRAMS (continued)

12. Dropout prevention strategies for American Indian students

13. Strategies to meet the educational needs of American Indian students in correctional facilities, including such strategies that support American Indian students who are transitioning from such facilities to schools served by the district

Any federal funds received to support American Indian education programs shall be used to supplement, not supplant, state or local funds allocated for such purposes. (20 USC 7424)

(cf. 3230 - Federal Grant Funds)

(cf. 3231 - Impact Aid)

Program funds may be used to support a Title I schoolwide program pursuant to 20 USC 6314 if approved by the committee established pursuant to 20 USC 7424, provided that the schoolwide program is consistent with the purpose of American Indian education programs and the district's application identifies how the use of such funds in a schoolwide program will produce benefits to American Indian students that would not be achieved if not used in a schoolwide program. (20 USC 7424)

(cf. 6171 - Title I Programs)

As needed, professional development shall be provided to teachers and other school staff to assist them in working with American Indian students and carrying out Title VI programs. (20 USC 7424)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain a record of the information establishing the status of each student as an American Indian student eligible for assistance through the federal American Indian education program. (20 USC 7427)

The Superintendent or designee shall periodically assess the progress of American Indian students, including American Indian students who do not participate in programs funded through Title VI, in meeting program goals and objectives. Assessment results shall be provided to the Board, the committee established pursuant to 20 USC 7424, tribes whose children are served by the district, and the community. (20 USC 7424)

TITLE VI INDIAN EDUCATION PROGRAMS (continued)

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

33380-33384 California Indian Education Centers

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide programs

7401-7492 Indian education

7701-7714 Impact Aid

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

CODE OF FEDERAL REGULATIONS, TITLE 34

222.90-222.129 Impact Aid, special provisions for local educational agencies that claim children residing on Indian lands

Management Resources:

WEB SITES

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

U.S. Department of Education, Office of Impact Aid:

<https://www2.ed.gov/about/offices/list/oese/impactaid>

U.S. Department of Education, Office of Indian Education:

<https://www2.ed.gov/about/offices/list/oese/oie>

CSBA Sample Board Policy

Students

BP 5144.1(a)

SUSPENSION AND EXPULSION/DUE PROCESS

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code 48918 **mandates** the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. According to the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, studies suggest a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehaviors.

Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel, **and** the student, **and his/her the student's** parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline. Education Code 48900.5 authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code 48911 requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

Pursuant to Education Code 48913.5, as added by AB 982 (Ch. 779, Statutes of 2019), when a parent/guardian of a student in grades 1-12 who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher must provide such homework; see BP 6154 - Homework/Makeup Work.

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Note: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for a violation committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

Except when otherwise permitted by law, a student may be suspended or expelled only when **his/her** the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

BP 5144.1(c)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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

Appropriate Use of Suspension Authority

Note: Education Code 48900.5 requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when **his/her the student's** presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

Note: The following **optional** paragraph may be revised to reflect district practice.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

Note: **As amended by SB 419 (Ch. 279, Statutes of 2019),** Education Code 48900(k) prohibits a district from suspending students in grades K-~~3~~ **8** for disruption or willful defiance **beginning July 1, 2020.**

A district may, but is not required to, and authorizes, but does not require, a district to suspend students in grades ~~4-9~~ **12** for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups. Option 1 below is for use by any district that chooses to suspend students in grades ~~49~~ **12** for disruption and/or willful defiance as authorized pursuant to Education Code 48900(k). Any district that chooses to eliminate disruption and willful defiance as reasons for suspending any of its students from school should select Option 2 below. Such districts should also delete the **first paragraph in the** section titled "Additional Grounds for Suspension and Expulsion: Grades ~~49~~ **12**" in the accompanying administrative regulation.

Each option below reflects an exception granted to teachers pursuant to Education Code 48910 to suspend students, including a K-3 student, from class; see section "Suspension from Class by a Teacher" in the accompanying administrative regulation.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

OPTION 1: No student in grades K-~~3~~ **8** may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

OPTION 2: No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Note: The following **optional** paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

Note: As an alternative to off-campus suspension, Education Code 48911.1 authorizes a supervised suspension classroom program for students who pose no imminent danger to anyone at school and who have not been recommended for expulsion, as specified below. Education Code 48911.2 states that, if the number of students suspended during the prior year exceeds 30 percent of the school's enrollment, the district should consider implementing this program and/or another on-campus progressive discipline program.

The following **optional** section is for use by districts implementing a supervised suspension classroom program. Such districts may continue to claim funding apportionments for students so assigned, provided they meet specific criteria which are set forth under "Supervised Suspension Classroom" in the accompanying administrative regulation. A district does not receive funding for off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)**Authority to Expel**

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

A vote to expel a student shall be taken in an open session of a Board meeting.

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Note: The following paragraph is for use by districts that contract with the California Department of Education (CDE) to operate a California State Preschool Program. Education Code 8239.1, as added by AB 752 (Ch. 708, Statutes of 2017), prohibits the expulsion or disenrollment of a child in a preschool program unless the district has taken specified steps and the child's continued enrollment would present a serious safety threat to the child or other enrolled children. For further details regarding the steps the district must take prior to expelling a child, see BP 5148.3 - Preschool/Early Childhood Education.

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Maintenance and Monitoring of Outcome Data

Note: Education Code 48900.8 and 48916.1 require the district to maintain data related to suspensions and expulsions as provided below. Pursuant to Education Code 48916.1, the Superintendent of Public Instruction

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

may require submission of such data as part of the Federal Program Monitoring process. In addition, 20 USC 7961 requires districts to submit to CDE a description of the circumstances surrounding any expulsions based on bringing or possessing a firearm on campus, including the name of the school, the number of students expelled, and the type of firearms involved.

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

Note: Pursuant to Education Code 52060, districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. As defined in Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference: (see next page)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference:

EDUCATION CODE

212.5 *Sexual harassment*
233 *Hate violence*
1981-1981.5 *Enrollment of students in community school*
8239.1 *Prohibition against expulsion of preschool student*
17292.5 *Program for expelled students*
32261 *Interagency School Safety Demonstration Act of 1985*
35145 *Open board meetings*
35146 *Closed sessions (regarding suspensions)*
35291 *Rules (for government and discipline of schools)*
35291.5 *Rules and procedures on school discipline*
48645.5 *Readmission; contact with juvenile justice system*
48660-48666 *Community day schools*
48853.5 *Foster youth*
48900-48927 *Suspension and expulsion*
48950 *Speech and other communication*
48980 *Parental notifications*
49073-49079 *Privacy of student records*
52052 *Numerically significant student subgroups*
52060-52077 *Local control and accountability plan*
64000-64001 *Consolidated application*

CIVIL CODE

47 *Privileged communication*
48.8 *Defamation liability*

CODE OF CIVIL PROCEDURE

1985-1997 *Subpoenas; means of production*

GOVERNMENT CODE

11455.20 *Contempt*
54950-54963 *Ralph M. Brown Act*

HEALTH AND SAFETY CODE

11014.5 *Drug paraphernalia*
11053-11058 *Standards and schedules*

LABOR CODE

230.7 *Employee time off to appear in school on behalf of a child*

PENAL CODE

31 *Principal of a crime, defined*
240 *Assault defined*
241.2 *Assault fines*
242 *Battery defined*
243.2 *Battery on school property*

Legal Reference continued: (see next page)

BP 5144.1(i)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference: (continued)

PENAL CODE (continued)

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun-free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

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

Management Resources: (see next page)

BP 5144.1(i)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

*U.S. Department of Education, Office of Safe and Healthy Students:
<http://www2.ed.gov/about/offices/list/oese/osh>*

(12/17 10/18) 3/20

Policy Reference UPDATE Service

Copyright 2020 by **California School Boards Association**, West Sacramento, California 95691

All rights reserved.

POLICY GUIDE SHEET
March 2020
For Third Reading HUSD Regular Board Meeting June 24, 2020
Page 1 of 1

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

BP/AR 5144.1 - Suspension and Expulsion/Due Process

(BP/AR revised)

Policy and regulation updated to reflect **NEW LAW (SB 419)** which prohibits districts from suspending students in grades 4-8 for disrupting school activities or willfully defying the authority of school personnel. Policy also references **NEW LAW (AB 982)** which requires a district to provide a student who is suspended for two or more days with the homework assigned during the period of suspension. Regulation adds new section on "Additional Grounds for Suspension and Expulsion: Grades 9-12" reflecting the option to suspend, but not expel, a student in grades 9-12 for disruption or willful defiance.

Hamilton USD

Board Policy

Temporary/Substitute Personnel

BP 4121

Personnel

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

(cf. 4112.2 - Certification)

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

(cf. 4113 - Assignment)

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

(cf. 4117.14/4317.14 - Postretirement Employment)

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

(cf. 4117.3 - Personnel Reduction)

Classification

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

To address the need for additional certificated employees when regular district employees are absent due to leaves or long-term illness, the Board may classify a teacher who is employed for at least one semester and up to one complete school year as a temporary employee. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day to day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (Education Code 44919)

2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)

(cf. 6175 - Migrant Education Program)

(cf. 6200 - Adult Education)

3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)

5. Serve only for the first semester because the district expects a reduction in student enrollment during the second semester due to mid-year graduations (Education Code 44921)

For purposes of classifying employees pursuant to item #1 or #2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district.

(Education Code 44977, 45030)

In most cases temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.

Paid Sick Leave

Except for a retired annuitant who is not reinstated to the retirement system, any temporary 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)

Any temporary 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 temporary 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

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

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. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained during one school year. After serving 75 percent of the number of days that district schools are

maintained during one school year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (Education Code 37200, 44954)

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

Reemployment as a Probationary Employee

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

(cf. 4116 - Probationary/Permanent Status)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

A temporary employee hired pursuant to item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

A person employed pursuant to item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant position in the district for which he/she is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, any temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served in a certificated position in the district for at least 75 percent of each of two consecutive school years shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

Legal Reference:

EDUCATION CODE

- 22455.5 Provision of retirement plan information to potential members
- 22515 Irrevocable election to join retirement plan
- 37200 School calendar
- 44252.5 State basic skills assessment required for certificated personnel
- 44300 Emergency teaching or specialist permits
- 44830 Employment of certificated persons; requirements of proficiency in basic skills
- 44839.5 Employment of retirant
- 44845 Date of employment
- 44846 Criteria for reemployment preferences
- 44909 Employees providing services through categorically funded programs
- 44914 Substitute and probationary employment computation for classification as permanent employee
- 44915 Classification of probationary employees
- 44916 Time of classification; statement of employment status
- 44917 Classification of substitute employees
- 44918 Substitute or temporary employee deemed probationary employee; reemployment rights
- 44919 Classification of temporary employees
- 44920 Employment of certain temporary employees; classifications
- 44921 Employment of temporary employees; reemployment rights (unified and high school districts)
- 44953 Dismissal of substitute employees
- 44954 Release of temporary employees
- 44955 Layoff of permanent and probationary employees
- 44956 Rights of laid-off permanent employees to substitute positions
- 44957 Rights of laid-off probationary employees to substitute positions
- 44977 Salary schedule for substitute employees
- 45030 Substitutes
- 45041 Computation of salary
- 45042 Alternative method of computation for less than one school year
- 45043 Compensation for employment beginning in the second semester
- 56060-56063 Substitute teachers in special education

GOVERNMENT CODE

- 3540.1 Educational Employment Relations Act, definitions

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

- 5502 Filing of notice of physical examination for employment of retired person

5503 Physical examination for employment of retired persons

5590 Temporary athletic team coach

80025-80025.5 Emergency substitute teaching permits

COURT DECISIONS

McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170

Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446

Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187

California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135

Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277

Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911

Management Resources:

WEB SITES

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

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

Policy HAMILTON UNIFIED SCHOOL DISTRICT

adopted: February 22, 2017 Hamilton City, California

CSBA Sample

Board Policy

Temporary/Substitute Personnel

BP 4121

Personnel

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

(cf. 4112.2 - Certification)

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

(cf. 4113 - Assignment)

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

(cf. 4117.14/4317.14 - Postretirement Employment)

***Note: Education Code 44956 and 44957 require that districts give employees who are laid off pursuant to Education Code 44955 priority for substitute service during the period of preferred right to reemployment. The period of preferred right to reemployment is 39 months for laid-off permanent employees and 24 months for probationary employees; see BP 4117.3 - Personnel Reduction. ***

***Note: Pursuant to Education Code 44956, if a laid-off permanent employee serves as a substitute in any position requiring certification for any 21 days or more within a period of 60 school days, he/she is entitled to compensation not less than the amount the employee would receive if he/she were being reappointed and retroactive to the first day of the substitute service. Education Code 44957 does not contain similar provisions for probationary employees; such employees are paid according to the salary schedule for substitute employees adopted by the Governing Board, regardless of the number of days worked as a substitute. ***

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

(cf. 4117.3 - Personnel Reduction)

Classification

***Note: A certificated employee's classification as a substitute, temporary, probationary, or permanent employee governs the statutory job protections to which he/she is entitled and the procedures that apply if he/she is not reelected; see section below entitled "Release from Employment/Dismissal." Districts are encouraged to consult legal counsel when questions arise regarding such classification. ***

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

***Note: The following two paragraphs describe circumstances under which the Education Code expressly defines a position as temporary. In both *Bakersfield Elementary Teachers Association v. Bakersfield City School District* and *California Teachers Association v. Vallejo City Unified School District*, the courts determined that it was inappropriate to classify certificated employees as temporary on the basis of the provisional status of their credential (i.e., those serving under an intern credential, provisional internship permit, short-term staff permit, emergency teaching permit, or credential waiver). According to the courts, districts may classify as temporary employees only those persons who are specified to be temporary employees in the Education Code. All other certificated employees who cannot be properly classified as substitute or permanent employees must be classified as probationary employees. ***

***Note: One circumstance under which a teacher may be classified as a temporary employee is when the district needs an additional teacher for a period of one semester to one year because of teacher absence due to leaves or long-term illness, as authorized in Education Code 44920. As provided below, Education Code 44920 requires the Board to determine the number of temporary employees that may be hired under these circumstances. In *McIntyre v. Sonoma Valley Unified School District*, the court clarified that a district's ability to classify an employee as temporary pursuant to Education Code 44920 is not dependent upon a one-to-one match of temporary employees to employees on leave. Rather, all that is required is that the number of temporary teachers not exceed the total number of employees on leave at any one time. ***

To address the need for additional certificated employees when regular district employees are absent due to leaves or long-term illness, the Board may classify a teacher who is employed for at least one semester and up to one complete school year as a temporary employee. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the

number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day to day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (Education Code 44919)

2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)

(cf. 6175 - Migrant Education Program)

(cf. 6200 - Adult Education)

3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)

***Note: Item #5 below applies only to high school and unified districts. ***

5. Serve only for the first semester because the district expects a reduction in student enrollment during the second semester due to mid-year graduations (Education Code 44921)

For purposes of classifying employees pursuant to item #1 or #2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

***Note: Education Code 44909 authorizes districts to employ certificated employees in programs and projects conducted under contract with public or private agencies or through categorically funded projects which are not required by federal or state statutes, and provides that such persons may be employed for periods less than a full school year. Pursuant to Education Code 44909, such persons may be terminated at the expiration of the contract or specially funded project without regard to termination procedures required for probationary or permanent employees. In *Stockton Teachers Association v. Stockton Unified School District*, the court of appeals clarified that "the expiration of the contract" refers to the contract between the district and the agency providing categorical funds, not a contract between the district and employee. Thus, the district may not hire a person for more or less than the term of the contract or project and treat such a person as a temporary employee. Districts should consult legal counsel as necessary regarding the classification or termination of employees hired pursuant to Education

Code 44909. Also, it is recommended that districts use a separate employment agreement tailored to these employees. ***

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

***Note: Pursuant to Government Code 3540.1, exclusive representatives of employees for purposes of negotiations may include representation of all public school employees other than management and confidential employees, as defined. Thus, substitute and temporary personnel may have the right to be represented. In cases where substitute and temporary employees are not represented, the Board may determine whether to include such employees in the district's health and welfare plan and other benefits. Although Options 1 and 2 below address temporary employees only, a district may modify either option as necessary to reflect its treatment of substitute employees. The district should consult legal counsel if it has any questions about the provision of benefits to substitute and temporary employees. ***

OPTION 1: Temporary employees shall participate in the health and welfare plans or other fringe benefits of the district.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

OPTION 2: In most cases, temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.

Paid Sick Leave

***Note: Labor Code 245-249 (the Healthy Workplaces, Healthy Families Act), as added by AB 1522 (Ch. 317, Statutes of 2014), require districts to grant a minimum of one hour of paid sick leave for every 30 hours worked to their employees who work for 30 days within a year of their employment, including temporary and substitute employees. In implementing this requirement, Labor Code 246, as amended by AB 304 (Ch. 67, Statutes of 2015), permits the district to use any of the options specified below. Option 1 provides for paid leave accrual based on one hour for every 30 hours worked. Option 2 allows an accrual method that provides for a regular accrual basis and ensures that the employee receives 24 hours of paid sick leave by the 120th day of his/her employment. Option 3 is for any district that credits employees with 24 hours of paid sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year. In addition, pursuant to Labor Code 245.5, as amended by AB 304,

retired annuitants who have not reinstated to the applicable public retirement system are excluded from participation in these leave benefit provisions. The district should select the option below which corresponds to its approach under Labor Code 246. ***

***Note: Additional requirements of Labor Code 245-249 include, but are not limited to, display of a poster containing specified information at every workplace, provision of each employee's sick leave balance on his/her wage statements, and maintenance of leave usage documentation for three years. ***

***Note: The provisions of Labor Code 245-249 are very broad and only district employees covered by a valid collective bargaining agreement may be exempted from them, if the collective bargaining agreement expressly provides paid sick leave in an amount equal to or exceeding the amount of leave required pursuant to Labor Code 246, includes final and binding arbitration of disputes regarding the application of the paid sick days provisions, and provides premium wage rates for all overtime hours worked and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. Since many districts may not satisfy all the conditions for this exemption, the following optional section reflects the requirements of Labor Code 245-249. Any district whose collective bargaining agreement meets all the conditions for exemption may modify this section accordingly. For sick leave for full-time and part-time certificated employees and additional requirements of Labor Code 245-249, see AR 4161.1/4361.1 - Personal Illness/Injury Leave. For sick leave for classified employees, see AR 4261.1 - Personal Illness/Injury Leave. ***

OPTION 1: Except for a retired annuitant who is not reinstated to the retirement system, any temporary 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)

OPTION 2: Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of his/her employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of his/her employment or each calendar year or 12-month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours. (Labor Code 246)

OPTION 3: Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

***Note: The following paragraph applies to all the above options. ***

Any temporary 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)

***Note: The following paragraph applies to all of the above options and reflects the intent of the Healthy Workplaces, Healthy Families Act to enable California workers to address their own and their family's health needs and to provide them with economic security when they need to take time off work for reasons of domestic violence, sexual assault, or stalking. The following paragraph may be revised to include additional reasons for which temporary or substitute employees may use sick leave, pursuant to district policy or practice. Pursuant to Labor Code 247.5, as amended by AB 304 (Ch. 67, Statutes of 2015), a district is not required to inquire into the purposes for which an employee uses paid leave. ***

A temporary 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

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

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. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

***Note: Pursuant to Education Code 44954, if a district decides not to reelect for the following year a temporary employee who has served at least 75 percent of the days in the school year, the district must so notify that employee by the end of the school year. In *Neily v. Manhattan Beach Unified School District*, the court held that Education Code 37200, which defines a school year as ending June 30, is applicable for determining the deadline for this notification, not the last day that students and teachers are in their classrooms. ***

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained during one school year. After serving 75 percent of the number of days that district schools are

maintained during one school year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (Education Code 37200, 44954)

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

Reemployment as a Probationary Employee

***Note: Education Code 44917, 44918, and 44920 provide that a substitute or temporary employee who performs the duties of a certificated employee for a complete school year, or for at least 75 percent of the days in the school year, shall be given credit for a complete year as a probationary employee if he/she is then employed as a probationary employee the following school year, as provided below. However, in *McIntyre v. Sonoma Valley Unified School District*, the court clarified that a district is not required to grant probationary status to an employee based solely on the fact that he/she served as a temporary employee for more than one year if the employee is released and reemployed as a temporary employee for the following year to fill the position of a regularly employed person absent from service. ***

***Note: Reemployment provisions contained in Education Code 44918 do not apply to districts with average daily attendance of over 400,000; such districts should modify the following section accordingly. ***

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

(cf. 4116 - Probationary/Permanent Status)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

A temporary employee hired pursuant to item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

***Note: Districts that do not maintain high schools should delete the following paragraph. ***

A person employed pursuant to item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant position in the district for which he/she is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, any temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served in a certificated position in the district for at least 75 percent of each of two consecutive school years shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

Legal Reference:

EDUCATION CODE

- 22455.5 Provision of retirement plan information to potential members
- 22515 Irrevocable election to join retirement plan
- 37200 School calendar
- 44252.5 State basic skills assessment required for certificated personnel
- 44300 Emergency teaching or specialist permits
- 44830 Employment of certificated persons; requirements of proficiency in basic skills
- 44839.5 Employment of retiree
- 44845 Date of employment
- 44846 Criteria for reemployment preferences
- 44909 Employees providing services through categorically funded programs
- 44914 Substitute and probationary employment computation for classification as permanent employee
- 44915 Classification of probationary employees
- 44916 Time of classification; statement of employment status
- 44917 Classification of substitute employees
- 44918 Substitute or temporary employee deemed probationary employee; reemployment rights
- 44919 Classification of temporary employees
- 44920 Employment of certain temporary employees; classifications
- 44921 Employment of temporary employees; reemployment rights (unified and high school districts)
- 44953 Dismissal of substitute employees
- 44954 Release of temporary employees
- 44955 Layoff of permanent and probationary employees
- 44956 Rights of laid-off permanent employees to substitute positions
- 44957 Rights of laid-off probationary employees to substitute positions
- 44977 Salary schedule for substitute employees
- 45030 Substitutes
- 45041 Computation of salary

45042 Alternative method of computation for less than one school year
45043 Compensation for employment beginning in the second semester
56060-56063 Substitute teachers in special education

GOVERNMENT CODE

3540.1 Educational Employment Relations Act, definitions

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

5502 Filing of notice of physical examination for employment of retired person

5503 Physical examination for employment of retired persons

5590 Temporary athletic team coach

80025-80025.5 Emergency substitute teaching permits

COURT DECISIONS

McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170

Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446

Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187

California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135

Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277

Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911

Management Resources:

WEB SITES

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

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

(7/12 12/14) 12/15

Order of Election

(Education Code Sections 5000, 5018, 5304, and 5322)

RESOLUTION # 19-20-111

ORDERING GOVERNING BOARD MEMBER ELECTION

WHEREAS, the regular biennial election of governing board members is ordered by law pursuant to Section 5000 of the Education Code to fill offices of members of the governing board of Hamilton Unified School District, of Glenn County (Counties), now be it

RESOLVED that the County Superintendent of Schools for this county call the election as ORDERED and in accordance with the designations contained in the following Specifications of the Election Order made under the authority of Education Code Sections 5304 and 5322.

SPECIFICATIONS OF THE ELECTION ORDER

The election shall be held on Tuesday, November 3, 2020.

The purpose of the election is to elect three members of the governing board of Hamilton Unified School District.⁽¹⁾

IT IS FURTHER ORDERED that the clerk or secretary of the district shall deliver not less than 123 days prior to the date set for the election, two (2) copies of this Resolution and Order to the county superintendent of schools and one (1) copy to the officer conducting the election.

THE FOREGOING RESOLUTION AND ORDER WAS ADOPTED by a formal vote of the governing board of Hamilton Unified School District of Glenn County, being the board authorized by law to make the designations therein contained on June 24, 2020 at a regular board meeting.

Signed _____
(CLERK/SECRETARY OF THE GOVERNING BOARD)

⁽¹⁾ In the case of an election on a measure, including a bond measure, insert this or equivalent wording: **“Another purpose of the election is to submit to the voters the following measure(s):”** followed by the exact wording of each measure as it is to appear on the ballot (in 75 words or less, as per Elections Code Sec. 13247).

If the measure is a BOARD MEMBER INCREASE proposal sought under the provisions of Education Code Sec. 5018, the Specifications of the Election Order should also be made to state the following **“Another purpose of the election is to elect two additional members of the governing board to serve if the board member increase measure is approved by the voters.”** Please note, also, that Education Code Sec. 5018 allows a governing board to request the superintendent to **resubmit** a board member increase measure to voters, and that the request can be transmitted to the superintendent up to 100 days (rather than 123 days) prior to a governing board member election.

INSTRUCTIONS: After the board has adopted this (or other form of a) Resolution calling the election and setting forth the Specifications of the Election Order, the board clerk or secretary shall sign and distribute the “Order of Election” as follows:

- (1) For a governing board member election, generate three copies of the Resolution and Specifications; and, not less than 123 days prior to the date set for the election, send one copy to the officer conducting the election, and two copies to the county superintendent of schools. The superintendent, then, shall send one copy together with a copy of the Notice of Election to the officer conducting the election (county clerk or registrar of voters), not less than 120 days before the election (Education Code Sec. 5324).
- (2) For an election on a measure, including a bond measure, send (only one copy of) the Resolution and Specifications directly to the officer conducting the election (county clerk or registrar of voters), not less than 88 days prior to the date of the election.

RESOLUTION

This resolution is adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2020-2021.

RESOLUTION

BE IT RESOLVED that the Governing Board of _____

_____ authorizes entering into local agreement number _____ and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

NAME

TITLE

SIGNATURE

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

PASSED AND ADOPTED THIS _____ day of _____ 2020, by the

Governing Board of _____

of _____ County, in the State of California.

I, _____, Clerk of the Governing Board of

_____, of _____, County, in the State of California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a _____ meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.

(Clerk's signature)

(Date)

Contractor Certification Clauses

CCC 04/2017

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed)	Federal ID Number
---------------------------------------	-------------------

By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed	Executed in the County of
---------------	---------------------------

CONTRACTOR CERTIFICATION CLAUSES

1. STATEMENT OF COMPLIANCE: Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. DRUG-FREE WORKPLACE REQUIREMENTS: Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

b. Establish a Drug-Free Awareness Program to inform employees about:

- 1) the dangers of drug abuse in the workplace;
- 2) the person's or organization's policy of maintaining a drug-free workplace;
- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed Agreement will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,

2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

3. NATIONAL LABOR RELATIONS BOARD CERTIFICATION: Contractor certifies that no more than one (1) final unappealable finding of contempt of court by a Federal court has been issued against Contractor within the immediately preceding two-year period because of Contractor's failure to comply with an order of a Federal court, which orders Contractor to comply with an order of the National Labor Relations Board. (Pub. Contract Code §10296) (Not applicable to public entities.)

4. CONTRACTS FOR LEGAL SERVICES \$50,000 OR MORE- PRO BONO REQUIREMENT: Contractor hereby certifies that Contractor will comply with the requirements of Section 6072 of the Business and Professions Code, effective January 1, 2003.

Contractor agrees to make a good faith effort to provide a minimum number of hours of pro bono legal services during each year of the contract equal to the lessor of 30 multiplied by the number of full time attorneys in the firm's offices in the State, with the number of hours prorated on an actual day basis for any contract period of less than a full year or 10% of its contract with the State.

Failure to make a good faith effort may be cause for non-renewal of a state contract for legal services, and may be taken into account when determining the award of future contracts with the State for legal services.

5. EXPATRIATE CORPORATIONS: Contractor hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation within the meaning of Public Contract Code Section 10286 and 10286.1, and is eligible to contract with the State of California.

6. SWEATFREE CODE OF CONDUCT:

a. All Contractors contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the contract have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The contractor further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at www.dir.ca.gov, and Public Contract Code Section 6108.

b. The contractor agrees to cooperate fully in providing reasonable access to the contractor's records, documents, agents or employees, or premises if reasonably

required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).

7. DOMESTIC PARTNERS: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.3.

8. GENDER IDENTITY: For contracts of \$100,000 or more, Contractor certifies that Contractor is in compliance with Public Contract Code section 10295.35.

DOING BUSINESS WITH THE STATE OF CALIFORNIA

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (Pub. Contract Code §10410):

- 1). No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2). No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Pub. Contract Code §10411):

- 1). For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- 2). For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions, and

Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:

a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.

b. "Doing business" is defined in R&TC Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.

c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.

6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

CALIFORNIA CIVIL RIGHTS LAWS CERTIFICATION

Pursuant to Public Contract Code section 2010, if a bidder or proposer executes or renews a contract in the amount of \$100,000 or more on or after January 1, 2017, the bidder or proposer hereby certifies compliance with the following:

1. **CALIFORNIA CIVIL RIGHTS LAWS:** For contracts \$100,000 or more, executed or renewed after January 1, 2017, the contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
2. **EMPLOYER DISCRIMINATORY POLICIES:** For contracts \$100,000 or more, executed or renewed after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

CERTIFICATION

I, the official named below, certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

1. Proposer/Bidder Firm Name (Printed):
2. Federal ID Number:
3. By (Authorized Signature):
4. Printed Name and Title of Person Signing:
5. Date Executed:
6. Executed in the County and State of:

FEDERAL CERTIFICATIONS

Certifications regarding lobbying, debarment, suspension and other responsibility matters; and drug-free workplace requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82 “New restrictions on Lobbying,” and 34 CFR Part 85, “Government-wide Debarment and Suspension (Non procurement) and Government-wide requirements for Drug-Free Workplace (Grants).” The Certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000 as defined at 34 CFR Part 82, Section 82.105 and 82.110, the applicant certifies that:

- (a.) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
- (b.) If any funds other than federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an employee of Congress, or any employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form –LLL, “Disclosure Form to Report Lobbying,” in accordance with this instruction;
- (c.) The undersigned shall require the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by executive Order 12549, Debarment and Suspension, and other responsibilities implemented at 34 CFR Part 85, for prospective participants in primary or substantive control over a covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110-

A. The applicant certifies that it and its principals:

(a.) Are not presently debarred, suspended proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency:

(b.) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c.) Have not within a three-year period proceeding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1998, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Section 85.605 and 85.610-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a.) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

(b.) Establishing an on-going drug-free awareness program to inform employees about-

- (1.)The danger of drug abuse in the workplace;
 - (2.)The grantee's policy of maintaining a drug-free workplace;
 - (3.)Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4.)The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c.)Making it a requirement that each employee to be engaged in performance of the grant be given a copy of the statement required by paragraph (a);
- (d.)Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will-
- (1.)Abide by the terms of the statement; and
 - (2.)Notify the employer in writing of his or her conviction for a violation;
- (e.)Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants, and Contracts Service, U.S. Department of Education 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No.3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;
- (f.) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:
- (1.)Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2.)Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency:
- (g.)Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Address:

City:

State:

Zip Code:

Check if there are workplaces on file that are not identified here.

4. DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610

(a.)As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant, and

(b.)If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No.3) Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT:

CONTRACT #:

PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE:

SIGNATURE:

DATE:



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 20 - 21

DATE: July 01, 2020

CONTRACT NUMBER: CSPP-0106

PROGRAM TYPE: CALIFORNIA STATE
PRESCHOOL PROGRAM

PROJECT NUMBER: 11-07656-00-0

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

CONTRACTOR'S NAME: HAMILTON UNIFIED SCHOOL DISTRICT

This Agreement is entered into between the State Agency and the Contractor named above. The Contractor agrees to comply with the CONTINUED FUNDING APPLICATION FY 20-21, the GENERAL TERMS AND CONDITIONS* (GTC 04/2017), the STATE PRESCHOOL PROGRAM REQUIREMENTS*, and the FUNDING TERMS AND CONDITIONS* (FT&C), which are by this reference made a part of the Agreement. Where the GTC 04/2017 conflicts with either the Program Requirements or the FT&C, the Program Requirements or the FT&C will prevail.

Funding of this Agreement is contingent upon appropriation and availability of sufficient funds. This Agreement may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this Agreement.

The period of performance for this Agreement is July 01, 2020 through June 30, 2021. For satisfactory performance of the required services, the Contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount section of the FT&C, at a rate not to exceed \$49.85 per child day of full time enrollment and a Maximum Reimbursable Amount (MRA) of \$146,484.00.

Service Requirements

Minimum Child Days of Enrollment (CDE) Requirement 2,938.0

Minimum Days of Operation (MDO) Requirement 178

Any provision of this Agreement found to be in violation of Federal or State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this Agreement.

Items shown with an asterisk (*) can be viewed at <https://www.cde.ca.gov/fg/aa/cd/ftc2020.asp>

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Jaymi Brown,		PRINTED NAME AND TITLE OF PERSON SIGNING			
TITLE Contract Manager		ADDRESS			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 146,484	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General		Department of General Services use only
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 0	(OPTIONAL USE) 0656 23038-7656				
TOTAL AMOUNT ENCUMBERED TO DATE \$ 146,484	ITEM 30.10.010. 6100-196-0001	CHAPTER B/A	STATUTE 2020	FISCAL YEAR 2020-2021	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.		B.R. NO.	
SIGNATURE OF ACCOUNTING OFFICER		DATE			
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590					



HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street
P.O. Box 488, Hamilton City, CA 95951
TEL 530-826-3261 | FAX 530-826-0440

Jeremy Powell, Ed. D.
Superintendent

June 24, 2020

Golden State Risk Management Authority

Board of Directors

P.O. Box 706

243 W. Sycamore Street

Willows, CA 95988

To Golden State Risk Management Authority Board of Directors:

Hamilton Unified School District (HUSD) is a member of Golden State Risk Management Authority (GSRMA).

The bylaws of GSRMA provide that a member may withdraw participation in the program by notifying the GSRMA Board of Directors in writing of its intent to withdraw provided it has given the Authority 12 months' notice. Thus, June 30, 2020 is the deadline for the intent to withdraw.

In accordance with the GSRMA Member Withdrawal Policy (Article VII, paragraph C.2 of GSRMA By-Laws), HUSD is submitting this letter serving as the required 12 months written notice of our intent to withdraw from GSRMA effective July 1, 2021.

HUSD intends to confirm intention to withdraw or retain our GSRMA membership prior to June 1, 2021.

Sincerely,

Jeremy Powell, Ed. D.
Superintendent

BOARD OF TRUSTEES

Gabriel Leal, President | Hubert "Wendall" Lower, Clerk
Rod Boone, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee



Program Self-Evaluation Fiscal Year 2019–20

1. **Contractor Legal Name** (Full Spelling of Legal Name required. Acronyms or site names not accepted):
Hamilton Unified School District
2. **Four-Digit Vendor Number:**
7656
3. **Program Director Name** (as listed in the Child Development Management Information System [CDMIS]):
Margrit Vogelesang

4. **Program Director Phone Number:**

530-826-0341

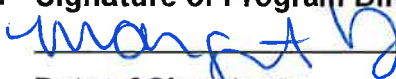
5. **Program Director Email:**
mvogelesang@husdschools.org

6. **Statement of Completion:**

I certify that an annual plan has been developed and implemented for the Program Self-Evaluation (PSE) that includes the use of the Program Review Instrument (PRI), age appropriate Environment Rating Scales, Desired Results Parent Survey, Alternative Payment and/or Resource and Referral Parent Survey, and the Desired Results Development Profile for all applicable contract types, per *California Code of Regulations*, Title 5 (5 CCR), Section 18279. I also certify that all documents required as part of the PSE have been completed and are available for review and/or for submittal upon request.

The Program Review Instrument (<https://www.cde.ca.gov/sp/cd/ci/#monitoring>)
includes Items 1 through 20 as applicable to your contract type(s):

7. **Signature of Program Director**, as listed in the CDMIS (Wet signature):



8. **Date of Signature:**

06/01/20

9. **Name and Title of contact person completing the PSE:**

Margrit Vogelesang

10. **Contact Person Telephone number:**

530 345-8773

11. **Contact Person Email Address:**

mvogelesang@husdschools.org

12. Scan and email the signed PSE, all four (4) pages, including additional sheets, together to FY1920PSE@cde.ca.gov using the fiscal year and the contractor's legal name in the subject line.
NOTE: All supporting documents required as part of the PSE are to be kept on site and **shall not be included** with the submission of the PSE.

**Summary of Program Self-Evaluation
Fiscal Year 2019–20**

13. In accordance with Title 5 *California Code of Regulations (5 CCR)*, Section 18279(b)(3), provide an assessment, in narrative format, summarizing the:

- A) Staff and
- B) Board member participation, in the PSE process.

Answers are not limited to space provided. Attach additional (Word document) sheets as necessary.

Summary of Program Self- Evaluation 2019-2020

The 2019-2020 programs self-evaluation was completed by program staff, and board members. The teachers, Irma Garcia, Liliana Magaona, and Margrit Vogelesang, completed the ECERS assessment. They created goals, and action plans for each low scoring category. The director, Margrit Vogelesang, wrote the report.

The teachers, Irma Garcia, Lilian Magaona, and Margrit Vogelesang, completed DRDP evaluations on children twice. Martha Jaegar, school secretary, imputed scores into DRDP tech in the fall. The teachers imputed spring scores in May 2020.

The director, Margrit Vogelesang, reviewed 5 CCR program instrument and created program goals where the school was deficient.

The Hamilton Unified Board members reviewed the self-evaluation on June 24, 2020

14. In accordance with 5 CCR, Section 18279(b)(5), provide a summary of the program areas that:

- A) Did not meet standards,
- B) A list of tasks needed to improve those areas and addressed in a timely and effective manner.

Summary is to include all contract types for your agency. Answers are not limited to space provided. Attach additional (Word document) sheets as necessary.

EES 01: Plan for Parent Education and Involvement

Due to closure, program goals were not shared with families.

Fall parent / teacher conferences took place in October. Spring conference forms were completed in March. Conference forms were reviewed over the phone during the week of April 20th. Open door policy is posted in the handbook and on the parent board. Parent involvement expectations are written in the handbook which explains they must attend a minimum of two parent advisory meetings, two conferences, and sign up to volunteer on the "Help Wanted" chart. The policy is reviewed at the orientation meeting. Parents were also given a newsletter in March regarding parent expectations.

EES06: Inventory Records

The main office maintains an inventory record of all equipment. It is printed with date, description, cost, and book value.

The contractor did not physically check every two years of records.

The director has created documentation to physically check and sign off inventory rerecords each year during closing procedures.

A copy of the record will be located at the preschool.

EES08: Desired Results Profile and Data

Parent surveys were mailed out second week of April, but because of school closure, parents did not return survey.

The program completed the DRDP's profile. The information collected was gathered in the class planning report, and DRDP online: Group Progress Report. The staff completed DRDP summary of findings with action steps and expected completion dates. The lesson plan reflects the goals with color coated sub-measures. Children's portfolios contain assessment records and work samples. The findings are used for individual children's yearly goals, and shared with parents during conference time in the fall and spring.

ECERS was completed in February, and a summary of findings were created by staff.

EES11: Staff Development Program

There was not a staff development plan made this year.

There is not a job description for the director approved by the Board.

Staff attended bi-monthly staff meetings.

A staff member attended a Love and Logic training to help us handle disruptive behavior, and the yearly conference in March was canceled.

During the Covid pandemic, staff read a book called, No more teaching a letter a week, completed DRDP trainings, and other professional development done on line. All professional development is documented in Quality binder.

A tab for professional development has been created for the staff binder with ideas, topics, books, online learning, and video's.

EES 20 Health and Safety:

When family needs are shared or identified, referrals are made.

There are no hard copies of documentation, or follow up procedures. There is no form used to identify health and social services.

A form will be created called "Health and Wellbeing Recourses" and is located under the attendance sheet.

Instead of a pamphlet area of resources, a binder was created for easy access. Additional resources where added.

15. In accordance with 5 CCR, Section 18279(b)(6), provide a summary of program areas that:

A) Met standards,

B) Explains the procedures for ongoing monitoring to ensure that those areas continue to meet standards and addressed in a timely and effective manner.

Summary is to include all contract types for your agency. Answers are not limited to space provided. Attach additional (Word document) sheets as necessary.

EES 02: Family Eligibility Requirements

All enrolled families have meet eligibility requirements for CSPP, and a file is created for each family. The file has a check off cover sheet of requirements. It includes, 9600, family size, notice of action, countable income, earning statements, proof of residency, and birth certificates. Information regarding eligibility for services is written in the handbook and given to parents on orientation. Eligibility is determined once per contract period.

EES04: Recording and Reporting Attendance

The school policy states the staff will complete daily attendance on an attendance sheet. The director will complete end of the month attendance calculations, and document reasons for absences in a master binder to track absences. If absences fall close to termination, the director gives the parent a notice of their absence record. The absence policy is written in the parent handbook describing what is excusable, inexcusable, emergency, and days of best interest. Parents sign children in and out every day they arrive on a monthly attendance sheet.

EES09: Annual Evaluation Plan

The program has a self-evaluation binder with results from DRDP, parent survey, ECERS, and program instrument to create yearly goals. When assessments are first collected in October, goals are created, and the school evaluates itself. Each staff meeting goals are reviewed.

EES10: Site Licensure

A current license authorized by licensing's agency is posted on the parent board, and on file at preschool.

The parent handbook contains the open door policy to allow parents to observe, and stop by anytime.

EES: 12: Staff are qualified for position held. Director has: Child development program director permit.

Teacher has: Child development teacher permit

Teacher aid has: Child development teacher permit which is being processed for renewal.

Personal Roster, certificates, credentials and permits are posted on parent board.

EES₁₃: Staff-Child Ratios

There are 24 children enrolled with three staff members.

EES: 14 Family Selection

Upon enrollment, family income is collected and rated according to rank before the enrollment process begins.

EES: 15 Compliance with Due Process.

During the enrollment process parents read and sign 9600 contract, issued a notice of action, and given an appeal information pamphlet. During the orientation, the handbook is reviewed and complaint procedure is explained. The complaint procedure is posted on the parent board, and reviewed again during the January parent meeting.

EES 16: Refrain from Religious Instruction

Information is posted on the parent board and handbook that the program refrains from religious instruction and worship.

EES 18: Environment Rating Scale

The environment rating scale was completed on February 2, 2020 by all teachers. A summary report was also created by teachers with goals to be completed by June 5, 2020.

EES 19: Nutritional Needs

The program offers children breakfast and lunch with the components of grains, vegetables, fruits, protein, and dairy. The month's menu is posted on the parent board, and given out monthly. Children's allergies are posted in the food supply cabinet, and in children's file. The meal time procedure is posted on the parent board and is reviewed with parents in the handbook.

Hamilton Unified School District EL Profile Chart

Name of student:
Student Id:

Date Entered US School:

Year 1

Date:

Grade:

Academic Data

Initial ELPAC Scores (Date of Test: _____)

Overall Performance Level:	
Oral Language Listening & Speaking Skills	Written Language Reading & Writing Skills

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Year 2

Date:

Grade:

Academic Data

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Is student making progress according to ELPAC assessment above? Yes No

Hamilton Unified School District
EL Profile Chart
Year 3

Date:

Grade:

Academic Data

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Is student making progress according to ELPAC assessment above? Yes No
 If not, see Intervention Plan attached.

Year 4

Date:

Grade:

Academic Data

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Is student making progress according to ELPAC assessment above? Yes No
 If not, see Intervention Plan attached.

Hamilton Unified School District Long Term English Learner Monitoring

Name of student:

Date Entered US School:

Student Id:

Year: ____

Date:

Grade:

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall Semester	Spring Semester
Attendance/Tardy		

Is student making progress according to ELPAC assessment above? Yes No

If not, see Intervention Plan attached.

Year: ____

Date:

Grade:

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall Semester	Spring Semester
Attendance/Tardy		

Is student making progress according to ELPAC assessment above? Yes No

If not, see Intervention Plan attached.

Hamilton Unified School District Long Term English Learner Monitoring

Year: ____

Date:

Grade:

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Is student making progress according to ELPAC assessment above? Yes No
If not, see Intervention Plan attached.

Year: ____

Date:

Grade:

Summative ELPAC Scores (Date of Test: _____)

Overall	Oral		Written	
	Listening	Speaking	Reading	Writing

District Quarterly ELD Benchmarks

Date	Q 1 Score	Date	Q2 Score	Date	Q3 Score	Date	Q4 Score

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall Semester		Spring Semester	
Attendance/Tardy				

Is student making progress according to ELPAC assessment above? Yes No
If not, see Intervention Plan attached.

Hamilton Unified School District Intervention Plan (EL/LTEL/RFEP)

Name:
Student Id:

RFEP Date:
Date Entered US School:

Date:

Grade:

Area of Concern:

Date	Description of intervention
	<input type="checkbox"/> Wolf-Time <input type="checkbox"/> Push-in/pull out <input type="checkbox"/> Site contract <input type="checkbox"/> Small Group <input type="checkbox"/> Migrant Ed tutor <input type="checkbox"/> Behavior Plan <input type="checkbox"/> Saturday School <input type="checkbox"/> Summer School <input type="checkbox"/> Other: _____

SMART Goal: academic and/or social behavior			
By when, student will ____ under what conditions at what proficiency level measured by whom, how.			
<i>Start date:</i>	<i>Duration:</i>	<i>Progress Monitoring Tool:</i>	<i>Responsible Party(s):</i>

Follow-Up Date: _____ **Responsible Party for Follow-Up:** _____

- INTERVENTION SUMMARY SMART GOAL MET:** Yes No
- | | | |
|-----------------------------------------|--------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> PLC | <input type="checkbox"/> SST | <input type="checkbox"/> Assessment for 504/IEP |
| <input type="checkbox"/> POD Leadership | <input type="checkbox"/> Speech Referral | |
| <input type="checkbox"/> Focus Group | <input type="checkbox"/> School Based Counseling | |

Continued Area of Concern:

Date	Suggested interventions
	<input type="checkbox"/> Wolf-Time <input type="checkbox"/> Push-in/pull out <input type="checkbox"/> Site contract <input type="checkbox"/> Small Group <input type="checkbox"/> Migrant Ed tutor <input type="checkbox"/> Behavior Plan <input type="checkbox"/> Saturday School <input type="checkbox"/> Summer School <input type="checkbox"/> Other: _____

SMART Goal: academic and/or social behavior			
By when, student will ____ under what conditions at what proficiency level measured by whom, how.			
<i>Start date:</i>	<i>Duration:</i>	<i>Progress Monitoring Tool:</i>	<i>Responsible Party(s):</i>

Follow-Up Date: _____ **Responsible Party for Follow-Up:** _____

Hamilton Unified School District Intervention Plan (EL/LTEL/RFEP)

INTERVENTION SUMMARY SMART GOAL MET: Yes No

- | | | |
|-----------------------------------------|--------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> PLC | <input type="checkbox"/> SST | <input type="checkbox"/> Assessment for 504/IEP |
| <input type="checkbox"/> POD Leadership | <input type="checkbox"/> Speech Referral | |
| <input type="checkbox"/> Focus Group | <input type="checkbox"/> School Based Counseling | |

Date on which intervention is scheduled or scheduled to start _____

Continued Area of Concern:

Date	Suggested interventions
	<input type="checkbox"/> Wolf-Time <input type="checkbox"/> Push-in/pull out <input type="checkbox"/> Site contract <input type="checkbox"/> Small Group <input type="checkbox"/> Migrant Ed tutor <input type="checkbox"/> Behavior Plan <input type="checkbox"/> Saturday School <input type="checkbox"/> Summer School <input type="checkbox"/> Other: _____

SMART Goal: academic and/or social behavior			
By when, student will ____ under what conditions at what proficiency level measured by whom, how.			
<i>Start date:</i>	<i>Duration:</i>	<i>Progress Monitoring Tool:</i>	<i>Responsible Party(s):</i>

Follow-Up Date: _____ **Responsible Party for Follow-Up:** _____

INTERVENTION SUMMARY SMART GOAL MET: Yes No

- | | | |
|-----------------------------------------|--------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> PLC | <input type="checkbox"/> SST | <input type="checkbox"/> Assessment for 504/IEP |
| <input type="checkbox"/> POD Leadership | <input type="checkbox"/> Speech Referral | |
| <input type="checkbox"/> Focus Group | <input type="checkbox"/> School Based Counseling | |

Continued Area of Concern:

Date	Suggested interventions
	<input type="checkbox"/> Wolf-Time <input type="checkbox"/> Push-in/pull out <input type="checkbox"/> Site contract <input type="checkbox"/> Small Group <input type="checkbox"/> Migrant Ed tutor <input type="checkbox"/> Behavior Plan <input type="checkbox"/> Saturday School <input type="checkbox"/> Summer School <input type="checkbox"/> Other: _____

SMART Goal: academic and/or social behavior			
By when, student will ____ under what conditions at what proficiency level measured by whom, how.			
<i>Start date:</i>	<i>Duration:</i>	<i>Progress Monitoring Tool:</i>	<i>Responsible Party(s):</i>

Follow-Up Date: _____ **Responsible Party for Follow-Up:** _____

**HAMILTON ELEMENTARY SCHOOL
ELL RECLASSIFICATION WORKSHEET**

Student Name _____ Grade _____ Date _____

CRITERIA FOR RECLASSIFICATION

1. **English Language Proficiency: Date of Assessment** _____

ELPAC Overall	Listening	Speaking	Reading	Writing

2. **Teacher Evaluation/Curriculum Mastery**

Observation Protocol for Teachers of English Learners (OPTeL)	
Date __/__/__	Level _____

3. **Parent Opinion/Consultation**

Date Contacted: _____

Parent Opinion Yes _____ No _____ Letter mailed Date: _____

4. **Student Performance**

District Benchmark Score _____

Student Meets Reclassification Criteria: <input type="checkbox"/> Yes <input type="checkbox"/> No RFEP Date: _____
Principal/ Designee: _____ Date _____
EL Coordinator: _____ Date _____

**Hamilton Unified School District
RFEP 4 Year Monitoring**

Name:
Student Id:

RFEP Date:

Year of Monitoring: 1

Date:

Grade:

Academic Data

CAASPP Date	ELA Scale Score	ELA Prof. Level	Math Scale	Math Prof. Level

Grades	Semester:	Semester:
ELA		

Attendance and Tardy Data

	Semester:	Semester:
Attendance/Tardy		

Is student making progress according to data above? Yes No
If not, see Intervention Plan attached.

Year of Monitoring: 2

Date:

Grade:

Academic Data

CAASPP Date	ELA Scale Score	ELA Prof. Level	Math Scale	Math Prof. Level

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall	Spring
Attendance/Tardy		

Is student making progress according to data above? Yes No
If not, see Interventions Plan attached.

**Hamilton Unified School District
RFEP 4 Year Monitoring**

Year of Monitoring: 3

Date:

Grade:

Academic Data

CAASPP Date	ELA Scale Score	ELA Prof. Level	Math Scale	Math Prof. Level

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall	Spring
Attendance/Tardy		

Is student making progress according to data above? Yes No
If not, see Intervention Plan attached.

Year of Monitoring: 4

Date:

Grade:

Academic Data

CAASPP Date	ELA Scale Score	ELA Prof. Level	Math Scale	Math Prof. Level

Grades	Fall	Spring
ELA		

Attendance and Tardy Data

	Fall	Spring
Attendance/Tardy		

Is student making progress according to data above? Yes No
If not, see Intervention Plan attached.



**Hamilton Unified School District
Request for Board Acceptance
Gift or Donation**

Date: May 29, 2020

Donated to: Hamilton Unified School District
 Donor's Name: Austin Crosby
 Donor's Address: P.O. Box 826 Hamilton City
CA 95951

Description of Donation

<i>Section A (Equipment, Material or Supplies)</i>			
Item Description	New/Used	Model/Serial #	Est. Value
<u>Honda Four Wheeler</u>	<u>Used</u>	<u>478TE1500SA7K007</u>	<u>500.00</u>

<i>Section B (Monetary Donation)</i>		
Donation Amount	Purpose for Which Given	Budget Object Code
<u>500.00</u>	<u>Gift</u>	

Signature:
 Principal or Department Head

5-29-2020
 Date

Approved:
 Superintendent

5-29-2020
 Date

Safety Check Completed/Approved:
 Director of Maintenance

5-29-2020
 Date

Comments:
will need to file for A Lost Title.

HHS Marquee Bids Overview

We have received bids from the below three vendors to replace the HHS Marquee:

1. Hupp Signs\$41,843.16
 - a. 16mm sign 53" x 99" d/f 10mm electronic sign with 12" x 99" LED illuminated d/f header cabinet and shroud, foundation installation and pole.
2. Golden Rule Signs\$35,015.62
 - a. 16mm sign 4' x 8' with 80 rows x 160 columns of pixels, RGB double face
3. McHale Signs.....\$34,842.97
 - a. 19mm, 12' OAH double sided pole sign with 3 x 7' electronic message centers illuminated logo on pole cover.

CONTACT Tiffany Wilhelm
 BUYER Hamilton Unified School District
 ADDRESS 620 Canal St
Hamilton City, CA 95951
 PHONE 530-826-3261 ext 6011

DATE May 8, 2020
 JOB NAME _____
 ADDRESS _____
 PHONE _____

1. Hupp Signs & Lighting, Inc. (Seller) hereby proposes to furnish the following goods and/or services, subject to the general conditions printed below, and on the reverse of this form, which form a part of this proposal. There are twenty-three (23) numbered paragraphs to this contract. Please read them carefully before signing. **All workmanship and materials are warranted for a period of one (1) year from the date of installation with the exception of neon tubing and/or lamps, which are warranted for a period of ninety (90) days. This proposal is valid for thirty (30) days.**

Buyer to provide connection to dedicated circuit(s) accessible within five (5) feet of center of the sign in accordance with the National Electric Code (NEC), access for installation and service per NEC requirements and/or local ordinances not limited to catwalks and access doors.

Sales tax, permits, engineering and special inspections are in addition to agreed contract price unless otherwise stated.

Manufacture and install:

Location 2 16mm electronic message sign
Manufacture 53" x 99" d/f 10mm electronic message sign with 12" x 99" LED illuminated d/f header cabinet and shroud. Install foundation and pole

Cost: \$34,119.50
Sales tax: \$ 2,473.66
Install prevailing wage: \$ 4,450.00
Engineering: \$ 800.00

No permits/not a DIR project

TERMS: 50% deposit. Balance due upon completion.

2. GENERAL CONDITIONS

a. Electrical Service. Buyer shall provide, at his own cost, electrical service and feed wires at the site of any sign installation in advance of the installation date. Said electrical service and feed wires shall conform to all applicable governmental building and electrical codes. Buyer shall be responsible and pay for all electricity used or needed by the sign.

b. Existing Signs. If this contract is for replacement of exterior sign facings only, Buyer represents to Hupp Signs that the interior lamps, tubes, wiring, and other electrical and mechanical functioning parts of the sign are in good working order and in conformance with applicable local building and electrical codes. Hupp Signs shall have no obligation to inspect said internal parts to determine whether they are in working order and in conformance with applicable codes, or to repair or replace any of said parts unless such service is specially included in the work to be performed under the terms of this contract.

c. Soil Conditions and Toxic Cleanup. The parties hereby agree that the contract price agreed upon is based on the presence of normal soil conditions at the sign installation site. Buyer hereby warrants that he knows of no unusual soil conditions or underground obstructions at the said site, and agrees that in the event that such conditions are encountered, the contract price will be adjusted based on the additional labor or materials required to complete construction. If, upon commencement of construction of the sign and/or other work of construction by Hupp Signs, it shall become known to Hupp Signs and/or Buyer that there is, on the site designated for construction or necessary thereto, toxic material or waste which is of a level which is

required by the regulations of any local, state, or federal agency to be reported, Hupp Signs shall notify Buyer of the presence of such material. Thereafter, Buyer shall be responsible for the reporting of the presence of such material to the appropriate local, state, or federal agency and for all expenses necessary to remove, clean up or otherwise dispose of said toxic material in accordance with the regulations of each and every local, state, and federal agency involved. Hupp Signs shall, in no event, be required to proceed with construction and/or installation of signage on the premises until such toxic problem has been remedied in accordance with all applicable governmental regulations. Should Buyer fail or refuse to clean up the toxic problem, thereby resulting in Hupp Sign's inability to construct and/or install the signage in this Contract, then, and in that event, Buyer shall pay to Hupp Signs the entire actual cost incurred by Hupp Neon in work performed at that point, including overhead at the normal rate computed by Hupp Signs for its projects, together with lost profits in the amount of 10% of the Contract price. Such failure by Buyer to remedy any toxic waste problem shall be deemed to be a breach of the Contract.

d. Reinforcement of Building; Unforeseen Objects. If installation is a part of this agreement, Buyer shall be responsible and pay for all necessary reinforcement to the building or any other structures on which display is installed, for relocating power lines or other obstacles, and for any additional installation cost incurred by Hupp Neon due to underground obstructions or soil conditions. Hupp Signs is not responsible for damage to underground utilities or other unforeseen objects.

e. Governmental Permits. Buyer is responsible for obtaining such authorization and/or permits as may be required by state, local, or federal governmental authorities, at Buyer's expense. Hupp Signs agrees, at Buyer's request, to act as Buyer's agent in obtaining such permits, but shall not be responsible for failure of such governmental authorities to issue permits or subsequent revocation thereof for any reason not attributable to negligence of Hupp Signs, shall be in addition to the agreed contract price.

f. Landlord's Permission. Buyer shall be responsible for obtaining the permission of the landlord or owner of the premises for installation of the sign or changes in any existing sign. Hupp Signs will, if requested by Buyer, assist in obtaining such permission, but shall be in no way responsible for landlord's refusal to permit installation of the sign or a subsequent revocation of such permission.

g. Removal of Goods and Materials - Restoration of Premises. Should Hupp Signs or any other person be required to remove the goods and materials from the premises on which they are installed pursuant to this contract, with or without the permission of Buyer, pursuant to exercise of Hupp Sign's right of repossession under this contract or for any other reason. Hupp Signs shall have no obligation to restore the premises to their original condition prior to installation. Such restoration shall be at the sole cost and expense of Buyer, and Buyer shall save and hold Hupp Signs harmless from any liability to the owner of the premises or any third person, on account of failure to restore the premises.

CONTINUED ON REVERSE

Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is: Contractors' State License Board, 3132 Bradshaw, Sacramento, California 95827.

CONTRACT PRICE: The contract price for the furnishing of the materials, labor, and services listed above shall be the sum of:

Forty One Thousand Eight Hundred Forty Three Dollars and Sixteen Cents DOLLARS \$ \$41,843.16

• Sales Tax, Permits, Engineering, and Special Inspections are in addition to the agreed contract price.

With payment to be made as follows: Visa MasterCard Check CASH/Other _____ Billing Address _____

Card # _____ Expiration Date _____ CV Code _____

HUPP SIGNS & LIGHTING, INC.
 BY Kathy Cunningham
 Sales Representative
 Accepted 5-8-2020
 Date
 BY Joe Hupp
 Executive Officer
 Owner
 Title

BUYER

 (individual-partnership-corporation)
 BY _____ Date: _____

 Printed Name of Buyer

 Title
 Payments under this contract personally guaranteed by:

3. **INSPECTION:** Buyer shall inspect the described goods immediately upon delivery, and shall notify Hupp Signs in writing of any defects or variances therein. In the absence of any such written notification within five (5) days after delivery, the described goods shall be deemed in all respects approved and satisfactory to Buyer.

4. **INDEMNIFICATION:** Buyer shall indemnify Hupp Signs against, and hold Hupp Signs harmless from, all claims, actions, proceedings, cost, damages and liabilities, including attorney's fees, arising out of, connected with, or resulting from the installation and maintenance of described goods which arise from the operations or conduct of Buyer or his agents, the use of any trade names, trademarks or patents utilized in the described goods, or any disputes with the owner or lien holder of the premises, or any Governmental agency or authority seeking to revoke a permit or license or to enjoin or have the described goods declared a nuisance.

5. **FINANCE CHARGES:** A finance charge of 1-1/2% per month on the unpaid balance will be added to any sums not paid when due under the payment terms of this contract.

6. **FORMATION OF CONTRACT:** This document, when signed by Buyer, shall constitute an offer by Buyer to pay the sums specified herein for the goods and services listed above. No contract shall be formed until an officer of the company accepts the said offer, on behalf of Hupp Signs. Signature of the sales representative below shall not constitute acceptance of any such offer.

7. **NOTICE TO BUYER:** Do not sign this agreement before you read it or if it has any blank spaces. This agreement is subject to the terms and conditions set forth, and your signature on this agreement constitutes acknowledgement that you have read and understood those additional conditions.

8. **SOLE AND ONLY AGREEMENT:** This instrument constitutes the sole and only agreement between the parties respecting the materials, parts, and labor furnished herein and correctly sets forth the rights, duties, and obligations of each to the other with respect to the said materials, parts, and labor as of its date. Any prior agreements, promises, negotiations or representation, concerning the said materials, parts and labor not expressly set forth in this agreement are no longer of any force and effect.

9. **DELIVERY AND PERFORMANCE:** Hupp Signs shall commence the construction of described goods and prosecute the work thereon with due diligence until the completion. All obligations to be performed by Hupp Signs hereunder, however, shall be subject to delay or failure resulting from war, fire, labor disputes, unforeseen commercial delays, acts of God, regulations or restriction of the Government or public authorities, or other accidents, forces, conditions or circumstances beyond its control. If installation is a part of this Agreement, completion of the described goods, ready for installation, shall be deemed equivalent of actual installation in the event that Hupp Signs shall be prevented from making the installation by reason of failure or neglect of Buyer to prepare the premises for such installation, as herein provided or other default on the part of Buyer.

10. **FABRICATION OF DESCRIBED GOODS; PRICE INCREASES FOR DEFERRED FABRICATION OR DELIVERY:** Hupp Signs shall commence fabrication of described goods promptly following receipt of all permits, licenses, and consents unless the terms of this Agreement or instructions from Buyer provide for Hupp Neon not to commence fabrication of described goods until a later date, occurrence or event. If for any reason, other than fault or neglect of Hupp Signs, fabrication shall not be commenced within 90 days from the date of Hupp Sign's acceptance of this agreement or if delivery or tender of described goods shall be delayed, deferred or postponed, for any reason other than fault or neglect of Hupp Neon, beyond 6 months from the date of such acceptance, then, in any such event, the price of described goods shall be subject to increase, as determined by Hupp Signs, on the basis of applicable labor, material and transportation costs increased incurred by Hupp Signs subsequent to such acceptance date. Hupp Signs shall promptly advise Buyer of any price increase resulting from the provisions of this Paragraph 10.

11. **FABRICATION INTERRUPTIONS:** If, after fabrication of described goods is commenced, Hupp Signs shall cease or extend scheduled fabrication of described goods at the request of Buyer or by reason of any act or omission of Buyer, then Buyer, in addition to all its other obligations under this Agreement, shall be responsible for all of Hupp Sign's costs and expenses thereby resulting and for all additional costs and expenses incurred upon recommencement of fabrication including, without limited the foregoing, increased labor and material cost incurred by Hupp Signs in completion of fabrication. Any cessation or extension of scheduled fabrication requested by Buyer shall be in the sole discretion of Hupp Signs and shall not relieve Buyer of any of its obligations under this Agreement.

12. **RISK OF LOSS:** Buyer shall bear all risk of loss with respect to the described goods after delivery or installation has been completed (where installation is a part of this Agreement), except for any written warranty made by Hupp Signs.

13. **ORDER TO REMOVE DISPLAY NOT RELIEVE BUYER:** The impossibility of performance by Buyer of this Agreement for any reason or the impossibility of keeping the described goods at the location or the use of the

described goods in whole or in part for any reason, including, but not limited to, loss of premises, loss of lease, foreclosure, condemnation, revocation of permits or license, sign ordinance, law or regulation, shall not relieve Buyer from the performance of this Agreement, and happening of the above shall be treated as a breach of this Agreement by Buyer and Paragraph 17 hereof shall apply. Any and all compensation awarded to the extent of the unpaid balance remaining due in the eminent domain proceedings as a result of such condemnation shall be Hupp Sign's and Buyer hereby assigns and transfers to Hupp Signs any Claim it may have to compensation for damages as a result of such condemnation.

14. **WARRANTY:** Warranties will be same as described in paragraph 1 unless otherwise stated in writing by Hupp Signs. Seller disclaims any warranty of any other kind, including any warranty that the goods are merchantable or fit for a particular purpose.

15. **INSPECTION RIGHTS:** Hupp Neon may, either in person or by agent, enter at any reasonable hour the premises where the goods and materials or any part of the goods and materials, are located and inspect such goods and materials.

16. **SECURITY INTEREST:** Buyer hereby grants Hupp Signs a security interest in goods described in this contract. The grant of the security interest shall not prevent Hupp Signs from exercising any mechanic's lien remedies as to goods, which are fixtures. Concurrently herewith the parties shall execute a UCC-1 Financing Statement. Buyer authorizes Hupp Signs to sign a UCC-1 Financing Statement on behalf of Buyer.

17. **ACCELERATION CLAUSE:** Should Buyer fail to pay any installment specified in this agreement when it becomes due, or should Buyer fail to perform any obligation imposed on him by this agreement, Hupp Signs may, at Hupp Neon's option and without demand or notice to Buyer, declare all amounts remaining unpaid under this agreement immediately due and payable.

18. **REMEDIES:** Should Buyer fail to pay any amount specified in this agreement when it becomes due, or should Buyer fail to perform any provision of this agreement to be performed by him, Buyer shall be in default of this agreement under Division 9 of the Uniform Commercial Code of California and Hupp Signs shall have all the rights and remedies afforded a secured party by the chapter on "Default" of Division 9 of the Uniform Commercial Code of California now in effect. In conjunction with that chapter, Hupp Signs may:

(a) Enter Buyer's premises, render the goods and materials unusable, and dispose of the goods and materials in the manner provided by the Uniform Commercial Code of California on Buyer's premises.

(b) Apply the proceeds received from the sale or other disposition of the goods and materials to, in addition to the items specified in Division 9 of the Uniform Commercial Code of California, payment of reasonable attorney's fees and legal expenses incurred by Hupp Signs as a result of Buyer's default

19. **WAIVER:** Neither the acceptance of any partial or delinquent payment by Hupp Signs nor Hupp Sign's failure to exercise any of his rights or remedies on default of Buyer shall be a waiver of the default, a modification of this agreement of Buyer's obligations under this agreement, or a waiver of any subsequent default by Buyer.

20. **ATTORNEY'S FEES:** Should any litigation be commenced between the parties hereto concerning the goods and materials, this agreement, or the rights and duties of either in relation thereto, the party, Buyer or Hupp Signs, prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum and for his attorney's fees in such litigation, which shall be determined by the court or in a separate action brought for that purpose.

21. **NOTICES:** Except as otherwise expressly provided in this agreement or by law, any and all notices or other communications required or permitted by this agreement or by law to be served on, given to, or delivered to either party hereto, Buyer or Hupp Signs, by the other party to this agreement shall be in writing and shall be deemed duly served, given, delivered and received when personally delivered to the party to whom it is directed or in lieu of such personal delivery, when deposited in the United States mail, first class postage prepaid, addressed to Buyer at the address set forth in this agreement, or to Hupp Signs at P.O. Box 7730, Chico, California 95927-7730. Either party, Buyer or Hupp Signs, may change his address for the purpose of this paragraph by giving written notice of such change to the other party in the manner provided in this paragraph.

22. **BINDING ON HEIRS AND ASSIGNS:** This agreement and each of its provisions shall be binding on the heirs, executors, administrators, successors, and assigns of each of the parties hereto. Nothing contained in this paragraph, however, shall be deemed consent to the sale assignment or transfer of the goods and materials or the Buyer's obligations under this agreement.

23. **VENUE:** This contract is entered into at Chico, CA and is to be performed at Chico, CA. Any litigation regarding this contract shall be filed in Butte County, CA.

HUPP SIGNS
 & LIGHTING, INC.

70 Loren Ave. Chico, CA 95928
 License #969949,

www.huppsigns.com

SIGN DESIGN
 MANUFACTURING
 INSTALLATION & SERVICE

THIS DESIGN IS THE EXCLUSIVE
 PROPERTY OF HUPP SIGNS AND
 CANNOT BE REPRODUCED, IN WHOLE
 OR IN PART, WITHOUT HUPP SIGNS'S
 PRIOR WRITTEN APPROVAL

SALES ASSOCIATE
 Kathy Cunningham

JOB NUMBER

CUSTOMER NAME
 HAMILTON HIGH

CUSTOMER ADDRESS
 620 CANAL
 HAMILTON CITY, CA

CUSTOMER PHONE #

DESIGN PHASE
 1design__

REVISED BY	DATE
Kathy C	5-8-2020

**APPROVALS INCLUDE
 DESIGN, COLOR, SPELLING**

PRINT NAME
SIGN NAME
DATE

PRINT NAME
SIGN NAME
DATE

This sign is intended to be installed in accordance with the requirements of article 600 of the national electric code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

PAGE # 1



D/F LED ILLUMINATED
 HEADER CABINET

ALUMINUM
 SHROUD

LOCATION 2

HUPP SIGNS
& LIGHTING, INC.

70 Loren Ave. Chico, CA 95928
 License #969949,

www.huppsigns.com

SIGN DESIGN
 MANUFACTURING
 INSTALLATION & SERVICE

THIS DESIGN IS THE EXCLUSIVE
 PROPERTY OF HUPP SIGNS AND
 CANNOT BE REPRODUCED, IN WHOLE
 OR IN PART, WITHOUT HUPP SIGNS'S
 PRIOR WRITTEN APPROVAL

SALES ASSOCIATE
 Kathy Cunningham

JOB NUMBER

CUSTOMER NAME
 HAMILTON HIGH

CUSTOMER ADDRESS
 620 CANAL
 HAMILTON CITY, CA

CUSTOMER PHONE#

DESIGN PHASE
 1design__

REVISED BY	DATE
Kathy C	5-8-2020

APPROVALS INCLUDE
 DESIGN, COLOR, SPELLING

PRINT NAME
SIGN NAME
DATE
PRINT NAME
SIGN NAME
DATE

This sign is intended to be installed in accordance with the requirements of article 600 of the national electric code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

PAGE # 1



HUPP SIGNS
 & LIGHTING, INC.
 70 Loren Ave. Chico, CA 95928
 License #969949,
 www.huppsigns.com
 SIGN DESIGN
 MANUFACTURING
 INSTALLATION & SERVICE
 THIS DESIGN IS THE EXCLUSIVE
 PROPERTY OF HUPP SIGNS AND
 CANNOT BE REPRODUCED, IN WHOLE
 OR IN PART, WITHOUT HUPP SIGNS'S
 PRIOR WRITTEN APPROVAL

SALES ASSOCIATE
 Kathy Cunningham

JOB NUMBER

CUSTOMER NAME
 HAMILTON HIGH

CUSTOMER ADDRESS
 620 CANAL
 HAMILTON CITY, CA

CUSTOMER PHONE#

DESIGN PHASE
 1design_

REVISED BY	DATE
Kathy C	5-8-2020

**APPROVALS INCLUDE
 DESIGN, COLOR, SPELLING**

PRINT NAME
SIGN NAME
DATE

PRINT NAME
SIGN NAME
DATE

This sign is intended to be installed in accordance with the requirements of article 600 of the national electric code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

PAGE # 1

16MM FULL COLOR



PRODUCT SPECIFICATIONS

Pixel Pitch:	W16mm LED RGB
Pixel Matrix:	72 X 144
Cabinet Size:	4ft 5in H x 8ft 3in L x 5in D
Viewing Area:	4ft H x 8ft L
Cabinet Style:	Double Face Twinpak (Slim)
Character Size:	8 lines / 28.8 Characters at a 4" type
Approx. Weight:	814.00 Lbs.
Warranty:	Standard 5 Year Watchfire warranty applies.
Mfg. Lead Time:	2-4 weeks (after this document is signed & returned and receipt of down payment).
Electrical Service:	120 VOLT 18.0 amps (9.00 per face) Single Phase Service. Refer to the Installation manual for details on wiring. Based on 18 hours of operation a day, plus or minus 10% depending on how the sign is programmed. <i>Example: 11.2 KWHrs a day x \$0.07 = \$0.78/Day</i>

STANDARD FEATURES

Brightness	Daytime 10000 NITs Maximum; Nighttime 750 NITs Maximum
Color	LED RGB
Color Capability	Min. 18.0 Quadrillion
Energy-Conscious LED	Use optional Sign Brightness Adjustment to run sign at less than 10000 NITs.
Includes	Ignite Graphics Software
Video	plays prerecorded clips up to 30FPS; Imports Windows Video (AVI); Animated Text & graphics
Viewing Angles	140 Horiz/70 Vert

OPTIONS

Software	Ignite OP
Communications	4G Wireless w/ Life-of-sign Cellular Data Plan
Software Training	Web Based Software Training
Temperature Sensor	w/100-Step Photocell w/15 ft Cable
Cabinet Separation	Standard Up To 15 Feet
Power Requirements	Standard As Quoted
Sign Mounting Kit	Not Ordered / Not Required
Warranty	Standard 5-Year Parts Warranty
Personal Computer	PC Not ordered. Ignite Included
Technician On-Site	Not Ordered
Spare Parts Kit	Not Ordered
Custom Artwork	Not Ordered

SIGN SPECIFICATIONS

Color: Full Color / RGB text, pictures & video.
 Pitch: 16mm
 Matrix: 80x160
 Dimensions: 4'-0" x 8'-0" (Tall x Wide)
 Max # of Lines: 10
 Max Letter Per Line: 26
 Cabinet Size: 1'-0" x 8'-0" (Tall x Wide)
 Pedestal Size: 6' x 2' (Tall x Wide)

Cabinet PMS Color:
PANTONE 294 C



SIGNATURE

DATE

VERSION #: n7850

2420 Holloway Road
 Louisville, KY 40299

TF 1-800-732-9886
 Fax 1-502-416-0544



Client is responsible for ensuring that the proof is correct in all areas. Double-check spelling, grammar, layout and design before approving artwork. If a proof containing errors is approved by client, the client is responsible for payment of original cost as well as corrections, revisions, and re-makes. This custom artwork is not intended to provide an exact match between ink, vinyl, paint or EMC color. Vector art will provide the best quality print of your logo. If vector art is not provided, your existing artwork will be vectorized for \$50. Brickwork, masonry and landscaping is not included in the proposal unless otherwise specifically stated. EMC images shown are simulated. Sign is designed to be illuminated at all times. Sketches are based off of this premise. This is a custom made product, built by hand for people by people. Small blemishes/imperfections may occur and can be expected with hand made products. Industry standard is to view this product from a minimum distance of 10 feet to determine quality acceptability.

ADDITIONAL DESIGN OPTIONS:





2420 Holloway Road
Louisville, KY 40299

Consultant Ben Williamson
1-800-732-9886
ben@goldenrulesigns.com

Quote # 18042
Date 05-21-2020

Client Tiffany Wilhelm
Hamilton Unified School District
580 Capay Ave
Hamilton City CA 95951

Great Signs. Great Service. Great Prices.

L.E.D. Message Unit (Series)

Color	RGB -2 Billion Colors	Communication Capabilities	Wireless Bridge Text, Pictures, Graphics, Video Animations, Time & Temperature
Pitch	16mm		
Matrix	80 x 160	Certifications	 
Dimensions	4' -0 x 8' -0" (Height x Length)		
Max # of Lines	10		
Max letter per line	26		
Configuration	Double Face		

Identification/Logo Cabinet & Support Structure

Cabinet Size	1'-0" x 8'-0" (Tall x Wide)
Pedestal Size	6' x 2' (Tall x Wide)
Vertical Support	6" square steel tube, structural support

Your sign cabinet will be internally lit and controlled by a day/night sensor. It contains translucent faces which display digitally printed lettering/art (name of organization/mascot etc.) which will be approved prior to manufacturing.

Electrical Requirements	This sign system is typically built as a 110v unit, however, any sign can be built for 220v power. Please contact your Project Consultant for detailed electrical information.
--------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Additional Items

--	--

Installation, Delivery & Warranty

Installation	Professional Installation - New Footer	Total	\$ 35,015.62	
Existing Sign	Not Applicable		50% Deposit:	\$ 17,507.81
Delivery	Included - LTL3.5		25% Upon Shipping:	\$ 8,753.91
Warranty	Limited Lifetime Warranty		25% Balance:	\$ 8,753.91

To begin the purchase process please sign and fax to 502-416-0544 or scan and e-mail to your Project Consultant.

Signature: _____ Date: _____

*Applicable sales tax will be added to your invoice - exempt organizations must provide certificate. Manufacturing lead time is 4-10 weeks depending on scope of work - confirm with your Project Manager. Engineering, permit acquisition, permit fee and running electric are not included unless specifically stated in this quote. This quote is valid for 90 days.

Specifications for comparing 'Apples to Apples'

Using the information below any sign company should be able to provide an exact quote which would be comparable to the proposal enclosed in this packet of information. Feel free to copy/scan/fax or e-mail the information below to any of our competitors – none of the specifications below are proprietary to our design or would prohibit a competitor from quoting this project

L.E.D. Message Unit

Pitch/Resolution:	16mm	
Matrix:	80 x 160	(number of rows x columns of pixels)
Dimensions:	4' -0 x 8' -0" (Height x Length)	
Color Format:	RGB -2 Billion Colors	(text, pictures & video)
Communications:	Wireless Bridge	
Configuration:	Double Face	
Warranty:	5 Years Parts Replacement	

Cabinet & Pedestal

Sign Face: Polycarb-Makrolon
Cabinet Size: 1'-0" x 8'-0" (Tall x Wide)
Pedestal Size: 6' x 2' (Tall x Wide)
Vertical Support: 6" square steel tube, structural support

Install

Professional Installation - New Footer

Delivery

Included - LTL3.5

Additional Items

Limited Lifetime Warranty including 5 Years Replacement Parts

1.0 Basis of Sale:

No variation to these Conditions shall be binding unless agreed in writing between authorized representatives of the Buyer & Seller. Additional, different or inconsistent terms or conditions proposed or received from Buyer, including without limitation, any additional, different or inconsistent terms or conditions in Buyer's request for proposals or order, are hereby rejected and shall not be a part of the parties' contract. Seller's commencement of any work or delivery of any goods does not constitute acceptance of or consent to any additional, different or inconsistent terms. Changes in orders must be requested by Buyer in writing. No changes in orders or these terms and conditions shall be binding on Seller unless specifically agreed in a writing signed by Seller. Seller is not liable or responsible for any delays caused by Buyer's changes in orders. Sales literature, price lists and other documents issued by Seller in relation to the Goods are subject to alteration by Seller without notice, do not constitute offers to sell the Goods which are capable of acceptance and do not constitute a part of this Contract unless the parties otherwise expressly agree in writing. Typographical, clerical or other accidental errors or omissions in any sales literature, quotation, price list, acceptance of o

2.0 Orders, Specifications & Permits:

All specifications of the order, products, and services provided by the Seller shall be listed on the signed Purchase Order Contract including items such as shipping, installation, permitting, training, custom artwork and design. Items not listed on the POC are not included in the specifications of the Goods. Seller does not run electricity – this is a client responsibility. Buyer is responsible for ensuring their signed POC lists all items and their correct prices prior to signing. No order which has been accepted by the Seller may be canceled by the Buyer except with the agreement in writing of the Seller and with the understanding that the Buyer shall indemnify the Seller in full against all loss (including loss of profit), costs (including the cost of all labor and materials used), damages, charges and expenses incurred by the Seller because of cancellation. Permits for erecting the sign are the sole responsibility of the Buyer unless included as a line item in the order. The Seller may, at its option assist in providing drawings, sketches/renderings, or technical information. Permits are paid for at face value by the Buyer unless a sale price has already been assigned to them. Any required core samples, engineered drawings or additional certifications requested by the Buyer or the Buyer's local government are the responsibility of the Buyer. Unless Seller is procuring permits as listed in the order agreement: If for any reason the local governing authorities (be it city or county zoning, permit, building inspections etc.) deny permit application, Buyer is conclusively responsible for all purchased equipment, services and products. If Seller is procuring permits and local governing authorities deny application; Buyer is only responsible for costs incurred. If Seller is to utilize an existing support structure when installing a sign, it is hereby known that Seller has no knowledge of the depth, size or integrity of the footer below grade or materials/methods used to construct the existing support structure. As such, Buyer agrees to hold Seller harmless and void of all liability as it relates to the existing support structure, including the footer.

3.0 Terms of Payment Payment to Seller is specified on the POC (Purchase Order Contract). In the event that Buyer is paying through installments, "due on or before" dates will be set forth on the POC. Any payments that are past due by 7 or more calendar days shall be assessed a \$50 late fee. In addition, any payments that are past due by more than 30 calendar days shall bear interest at a rate equal to the lesser of (a) one and one-half percent (1.5%) per month or (b) the maximum permitted by law. Noncompliance with payment terms or any other failure by Buyer to observe, perform and be in compliance with the terms and conditions of this Contract, will be a breach of contract by the Buyer. In that event, (a) Seller may exercise all rights and remedies available to it at law or in equity, and title to the Goods shall revert to the Seller, and (b) the Buyer waives all rights to the Goods and services that were to be provided as well as moneta

4.0 Delivery:

Title to all Goods and risk of loss passes to Buyer and Seller's liability ceases upon making delivery of the Goods to the Buyer. The date of delivery of the Goods may vary due to the nature of manufacturing custom signage. Estimated delivery/installation dates are estimations. Seller shall be held harmless if the estimated delivery/installation date is exceeded. Buyer is responsible for any increased installation costs due to delays caused by Buyer (lack of access to site or personnel during planned visit, delivery or installation, undisclosed underground lines or unprepared site provisions). Buyer is solely responsible for any damage during shipping if Goods are being shipped directly to the Buyer and the damage is discovered after signing for and receiving the Goods. Buyer's are advised to examine crate and Goods before accepting. This does not apply to projects where a GRS contracted installer is receiving Goods

5.0 Assignment of Manufacturer's Warranties:

Seller hereby assigns to Buyer, to the extent assignable, all manufacturer's warranties and service agreements with respect to the Goods, if any, for the purpose of making appropriate claims against the manufacturer, provided that the Seller shall retain at all times the right to be protected by these warranties, agreements and indemnities.

6.0 Legal:

Buyer represents and warrants that it is duly authorized to enter into this Contract and that this Contract constitutes its legal, valid and binding obligation, enforceable in accordance with its terms. It is the responsibility of the Buyer to ensure that this purchase and signing of this contract is compliant with the Buyers protocol and procedures. This contract shall be governed by the laws of the Commonwealth of Kentucky, without regard to its conflict of laws principles. The parties hereby irrevocably submit to the exclusive jurisdiction of the Federal and State courts located in Jefferson County, Kentucky regarding the interpretation and enforcement of this Contract and the transactions contemplated hereby and hereby waive and agree not to assert as a defense that it is not subject thereto or that any such action may not be brought or maintained in such courts or that such venue may not be appropriate or convenient. This Contract constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all other agreements, previous contracts for this signage, understandings, representations and warranties both oral and written with respect to such subject matter. In the event that GRS hires an attorney to represent it in any dispute in any way related to this Contract, Buyer expressly agrees to pay all legal fees and costs incurred by such attorney in such a matter.

END OF DOCUMENT



**3707 ELECTRO WAY.
REDDING, CA 96002
(530) 223-2030
FAX (530) 223-2060**

PROPOSAL

Proposal #: 11374

Proposal Date: 05/18/20
Customer #: 3379
Page: 1 of 3

SOLD TO:	JOB LOCATION:
HAMILTON UNIFIED SCHOOL DISTRICT 620 CANAL STREET PO BOX 488 HAMILTON CITY CA 95951	Hamilton Unified School District 620 Canal Street Hamilton City CA 95951

McHale Sign Company (HEREINAFTER CALLED THE "COMPANY") HEREBY PROPOSES TO FURNISH ALL THE MATERIALS AND PERFORM ALL THE LABOR NECESSARY FOR THE COMPLETION OF:

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #25163 Provide parts and labor (tax included) to fabricate and install (1) 12' OAH double sided pole sign with 3'x7' 19mm electronic message centers illuminated top cabinet to read "Hamilton High School" and illuminated logo on pole cover	\$34,842.97	\$34,842.97

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED, AND THE ABOVE TO BE IN ACCORDANCE WITH THE DRAWINGS AND OR SPECIFICATIONS SUBMITTED FOR THE ABOVE WORK AND COMPLETED IN A WORKMANLIKE MANNER FOR THE SUM OF:

TOTAL PROPOSAL AMOUNT: \$34,842.97

TERMS: 30.0% DOWN, BALANCE DUE ON COMPLETION
(INTEREST OF 1.5% PER MONTH WILL BE ADDED TO PAST DUE ACCOUNTS)

THIS PRICE DOES NOT INCLUDE ELECTRICAL HOOKUP, PERMITS, ENGINEERING OR TAX UNLESS SPECIFICALLY STATED.

NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS. WORK WILL NOT BEGIN UNTIL DOWN PAYMENT AND WRITTEN ACCEPTANCE OF PROPOSAL AND DRAWINGS IS RECEIVED.

ANY ALTERATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE TO BE PAID BY THE PURCHASER.

TERMS AND CONDITIONS

1. UPON DEFAULT IN THE PAYMENT OF ANY SUMS HEREIN AGREED, McHale Sign Company MAY, AT ITS OPTION, DECLARE THE ENTIRE BALANCE FULLY DUE AND PAYABLE WITHOUT FURTHER NOTICE TO CUSTOMER; AND WHEN DECLARED, CUSTOMER AGREES TO PAY INTEREST ON SAID BALANCE, WHEN DECLARED DUE AT THE RATE OF 1.5% PER MONTH. CUSTOMER FURTHER AGREES TO PAY ALL REASONABLE COSTS OF COLLECTION OF SAID BALANCE INCURRED BY THE COMPANY, INCLUDING ATTORNEY'S FEES.
2. BOTH PARTIES HERETO AGREE THAT THE TITLE TO SAID ELECTRICAL SIGN SHALL REMAIN IN THE COMPANY UNTIL PAID FOR IN FULL, BUT AFTER DELIVERY TO THE CUSTOMER ALL OF DAMAGE FROM FIRE OR OTHER CAUSES AFTER SAID DELIVERY SHALL BE ASSUMED BY SAID CUSTOMER AND WILL NOT EFFECT THE RIGHTS OF THE COMPANY TO ENFORCE THE PURCHASE PRICE THEN UNPAID.
3. IT IS FURTHER AGREED BY BOTH PARTIES THAT ALL PROVISIONS IN REGARD TO THE PROJECT ARE CONTAINED IN WRITING HEREIN.
4. ALL TERMS AND CONDITIONS OF THIS CONTRACT SHALL BE BINDING UPON ANY SUCCESSORS, ASSIGNEES OR OTHER LEGAL REPRESENTATIVES OF THE RESPECTIVE PARTIES BUT NO ASSIGNMENT SHALL BE MADE BY THE CUSTOMER WITHOUT CONSENT OF THE COMPANY IN WRITING, UNLESS FULL PAYMENT OF THE TOTAL CONSIDERATION HAS BEEN MADE.

COMPANY INITIALS _____

CUSTOMER INITIALS _____



**3707 ELECTRO WAY.
REDDING, CA 96002
(530) 223-2030
FAX (530) 223-2060**

PROPOSAL

Proposal #: 11374

Proposal Date: 05/18/20
Customer #: 3379
Page: 2 of 3

- 5. McHale Sign Company SHALL SECURE ALL NECESSARY PERMITS FROM THE BUILDING OWNER, AND/OR OTHERS WHOSE PERMISSION IS REQUIRED FOR THE INSTALLATION OF THE SIGN AND SAID SHALL BE LIABLE FOR ANY OBSTRUCTION OF DELIVERY DUE TO DELAY IN OBTAINING SUCH PERMISSION, AND IF CUSTOMER EXECUTES THIS CONTRACT OF SALES WITHOUT EVER OBTAINING PERMISSION FROM PARTY OR PARTIES NECESSARY FOR THE INSTALLATION OF SAID SIGN, THEN HE/SHE PURCHASES SAME AND IS BOUND TO THE TERMS AND CONDITIONS OF THIS CONTRACT AS THOUGH HE/SHE HAD OBTAINED SAID PERMISSION AND HE/SHE AGREES TO RELIEVE THE COMPANY FROM ANY LIABILITY FOR ITS FAILURE, WITHIN 10 DAYS OF DELIVERY TO ERECT OR INSTALL SAID SIGN.
- 6. CUSTOMER AGREES TO PROVIDE SERVICE FEED WIRE OF SUITABLE CAPACITY AND APPROVED TO LOCATION OF DISPLAY IN ADVANCE OF INSTALLATION.
- 7. WHEN EXCAVATION IS REQUIRED, THE COMPANY WILL CONTACT USA NORTH TO LOCATE PUBLIC UTILITIES. LOCATION OF PRIVATE UTILITIES IS SOLE RESPONSIBILITY OF THE CUSTOMER. IN THE EVENT ROCK IS ENCOUNTERED IN THE DRILLING PROCESS, TO THE POINT WHERE SPECIAL EQUIPMENT IS REQUIRED, ADDITIONAL MONIES MAY BE REQUESTED IN WRITING BY THE COMPANY.
- 8. ALL PRODUCTS MANUFACTURED BY THE COMPANY ARE GUARANTEED UNCONDITIONALLY AGAINST DEFECTIVE PARTS, MATERIALS AND WORKMANSHIP, WITH EXCEPTION OF INCANDESCENT AND FLUORESCENT LAMPS (AS THEY ARE NEVER GUARANTEED) FOR A PERIOD OF ONE YEAR. FOR THE NEXT YEAR, MATERIAL, WITH THE EXCEPTION OF LAMPS, WILL BE REPLACED AT NO COST TO THE BUYER. THE COST OF LABOR, HOWEVER, WILL BE CHARGED AT THE, THEN CURRENT, HOURLY RATES.

THIS PROPOSAL DOES NOT BECOME EFFECTIVE UNTIL SIGNED AND DATED BY THE COMPANY.

THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

SALESPERSON: _____

DATE: _____

ACCEPTED BY: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

COMPANY INITIALS _____

CUSTOMER INITIALS _____



**3707 ELECTRO WAY.
REDDING, CA 96002
(530) 223-2030
FAX (530) 223-2060**

DEPOSIT INVOICE

Invoice #: DP11374

Inv Date: 05/18/20
Customer #: 3379
Page: 3 of 3

SOLD TO:	JOB LOCATION:
HAMILTON UNIFIED SCHOOL DISTRICT 620 CANAL STREET PO BOX 488 HAMILTON CITY CA 95951	Hamilton Unified School District 620 Canal Street Hamilton City CA 95951

ORDERED BY	PO NUMBER	SALESPERSON	ORDER DATE	PAYMENT TERMS	DUE DATE
		HOUSE ACCOUNT	05/18/20	30.0% Due Upon Receipt	05/28/20

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #25163 Provide parts and labor (tax included) to fabricate and install (1) 12' OAH double sided pole sign with 3'x7' 19mm electronic message centers illuminated top cabinet to read "Hamilton High School" and illuminated logo on pole cover	\$34,842.97	\$34,842.97
	TOTAL PROPOSAL AMOUNT *** FINAL INVOICE AMOUNT MAY VARY UPON COMPLETION ***		----- \$34,842.97

PLEASE PAY THIS DEPOSIT AMOUNT:	\$10,452.89
----------------------------------------	--------------------

BOARD AGENDA ITEM

**APPROVAL OF CONTRACT FOR FACILITY CONSULTING SERVICES WITH
EDUCATIONAL FACILITIES PROGRAM MANAGEMENT, LLC (EFPM/LLC)**

For the last two years, the District has been negotiating the purchase of approximately 45 acres of land adjacent to the existing Hamilton High School, for an expansion and reconfiguration of the existing High School. As a part of that process, the District has, as part of its due diligence, been completing the necessary studies needed to permit the site as a school, subject to the requirements of the California Department of Education (CDE). The District for that period has retained Educational Facilities Program Management, LLC (EFPM) to assist in meeting the CDE site permitting requirements, including completion of necessary California Environmental Quality Act (CEQA), Department of Toxic Substances Control (DTSC), and Title 5 Reports (see HHS Expansion Site Permitting Update item). The District is now in the process of completing the final requirements, including Williamson Act filings; Geohazard studies; educational Specifications; and Glenn County Planning Commission submittals. EFPM is currently assisting the District in completing these requirements.

EFPM has worked with the District to complete the CDE permitting process for this site, as well as prior project permitting for Hamilton Elementary School, and numerous sites at other Districts during the last eight years. The firm is experienced and knowledgeable in the CDE site permitting process, and is well able to assist the District in completing this complex process. EFPM has proposed a contract for the fiscal 2020-2021 Year in an amount not to exceed \$22,400.00. The contract would be funded from Capital Facilities Funds (Fund 21).

District staff recommends approval.

AGREEMENT

Between

Hamilton Unified School District

And

Educational Facilities Program Management, LLC

For

Program Management Services

**California Department of Education
Facilities Permitting Services**

DOCUMENTS BOUND HEREWITH

Agreement Form

Exhibit A: Program Manager's Basic Services

HAMILTON UNIFIED SCHOOL DISTRICT
Agreement for Program Management Services

Table of Contents

ARTICLE 1. DEFINITIONS.....2

ARTICLE 2: RELATIONSHIP OF THE PARTIES2

ARTICLE 3: PROGRAM MANAGER’S BASIC SERVICES.....3

ARTICLE 4: DURATION OF THE PROGRAM MANAGER'S SERVICES.....3

**ARTICLE 5: CHANGES IN THE PROGRAM MANAGER'S BASIC SERVICES
AND ADDITIONAL COMPENSATION.....3**

ARTICLE 6: DISTRICT RESPONSIBILITIES4

ARTICLE 7: COMPENSATION AND PAYMENT5

ARTICLE 8: INSURANCE AND MUTUAL INDEMNITY6

ARTICLE 9: TERMINATION AND SUSPENSION.....7

ARTICLE 10. ADDITIONAL PROVISIONS8

EXHIBIT "A": PROGRAM MANAGER'S BASIC SERVICES10

HAMILTON UNIFIED SCHOOL DISTRICT

Agreement for Program Management Services

THIS AGREEMENT, made in three originals on the 1st day of June, 2019 by and between the **HAMILTON UNIFIED SCHOOL DISTRICT**, hereinafter called **DISTRICT**, and **EDUCATIONAL FACILITIES PROGRAM MANAGEMENT, LLC**, hereinafter called **EFPM** - which is used to include Program Management, as defined in the Scope of Work.

DISTRICT desires to retain EFPM to provide program management services in connection with Facilities Program Approvals by the California Department of Education (CDE) for the expansion of Hamilton High School in the DISTRICT.

ARTICLE 1: DEFINITIONS

DESIGN PROFESSIONAL: Those licensed Architects, Professional Engineers and/or Landscape Architects retained by DISTRICT to provide design and construction oversight services for this Project.

DISTRICT: Hamilton Unified School District

ARCHITECT-ENGINEER (A/E): The organization or individual providing those professional design services associated with construction, alteration, or repair of real property.

DISTRICT'S PROGRAM MANAGER (EFPM): The agent as DISTRICT's representative to provide program and project management services.

PROJECT BUDGET: The total available funding as set forth by DISTRICT and approved to be used for the acquisition of the Project. It is the intent of DISTRICT that the Project Budget include all costs for acquisition, permitting, design, project contingencies, and such administrative costs as DISTRICT shall deem appropriate.

ARTICLE 2: RELATIONSHIP OF THE PARTIES

- A. DISTRICT and Program Manager: The Program Manager, hereinafter referred to as EFPM, shall be DISTRICT's agent in providing the Program Manager's Services described in Article 3 and Exhibit "A" of this Agreement. The EFPM and DISTRICT shall perform as stated in this Agreement and EFPM and DISTRICT accept the relationship of trust and confidence between them, which is established herein.
- B. DISTRICT and Design Professional: DISTRICT may enter into a separate agreement with one or more Design Professionals to provide architectural and engineering design for the Project.

- C. Relationship of the EFPM to Other Project Participants: In providing the Program Manager's Services described in this Agreement, EFPM shall endeavor to maintain a working relationship with all other parties on behalf of DISTRICT. However, nothing in this Agreement shall be construed to mean that EFPM assumes any of the responsibilities or duties of any of the other parties. There are no third-party beneficiaries of this DISTRICT-EFPM agreement and no one except the parties to the EFPM agreement may seek to enforce its terms.
- D. EFPM affirms that, to the best of its knowledge, there exists no actual or potential conflict between family, business, or financial interests of EFPM and performance of its services under this Agreement. In the event of change in either interests or services under this Agreement, EFPM affirms that it will immediately notify DISTRICT any question regarding possible conflict of interest that may arise as a result of such change.
- E. At its sole cost and expense, EFPM shall give all notices and comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority directly bearing on the performance of EFPM's work, including those relating to safety, hazardous materials, and equal employment opportunities; obtain all permits and licenses necessary for performance of EFPM's work; pay all local, state, and federal taxes associated with its work; and pay all benefits, workers' compensation insurance, taxes, and contributions for Social Security and Unemployment which are measured by wages, salaries, or other remuneration paid to EFPM's employees. Upon DISTRICT'S request, EFPM shall furnish evidence satisfactory to Foundation that any or all of the foregoing obligations have been fulfilled.
- F. EFPM accepts the relationship of trust and confidence established between Foundation and EFPM by this agreement. EFPM covenants with DISTRICT to furnish its skill and judgment with due care and in accordance with applicable federal, state and local laws and regulations in carrying out its responsibilities defined in Article 3 of this contract.

ARTICLE 3: PROGRAM MANAGER'S BASIC SERVICES

Program Manager's Basic Services are included as Exhibit "A".

ARTICLE 4: DURATION OF THE PROGRAM MANAGER'S SERVICES

- A. The duration of the EFPM's Basic Services under this Agreement shall be from July 1, 2019 through June 30, 2020.
- B. Extensions to duration of the EFPM's basic services shall be dealt with as outlined in Article 5.

ARTICLE 5: CHANGES IN THE PROGRAM MANAGER'S BASIC SERVICES AND ADDITIONAL COMPENSATION

- A. DISTRICT, without invalidating this Agreement, may make changes in EFPM's Basic Services specified in Article 3 of this Agreement. EFPM shall promptly notify DISTRICT of changes that increase or decrease EFPM's compensation or the duration of EFPM's Basic Services or both.
- B. Additional Compensation and Changes in Duration: EFPM shall be entitled to receive additional compensation when the scope of Basic Services is significantly increased or extended through no fault of EFPM. A written request for additional compensation shall be given by EFPM to DISTRICT describing the circumstances or event precipitating the additional work. In no event will EFPM begin additional work without prior written approval by DISTRICT.
- C. Changes in EFPM's Basic Services: Upon mutual agreement between DISTRICT and EFPM, changes in the EFPM's Basic Services or duration of the Agreement, and entitlement to additional compensation, shall be made by a written Amendment to this Agreement. The Amendment shall be executed by DISTRICT and EFPM prior to EFPM performing the Services required by the Amendment. EFPM shall proceed to perform the Services required by the Amendment only after receiving written notice directing EFPM to proceed.
- D. Payment of Additional Compensation: EFPM shall submit invoices for additional compensation with its invoice for Basic Services and payment shall be made pursuant to the provisions of Article 7 of this Agreement.

ARTICLE 6: DISTRICT'S RESPONSIBILITIES

- A. DISTRICT shall provide to EFPM all necessary information regarding DISTRICT's requirements for the Program.
- B. DISTRICT shall examine information submitted by EFPM and shall render decisions pertaining thereto promptly.
- C. DISTRICT shall furnish legal, accounting, contract review and insurance counseling services as may be necessary for the Program.
- D. DISTRICT shall furnish insurance for the Program as specified in Article 8.
- E. If DISTRICT observes or otherwise becomes aware of any fault or defect in the Program or EFPM's services, or any nonconformity with the Contract Documents, DISTRICT shall give prompt written notice thereof to EFPM.
- F. DISTRICT shall furnish required information and approvals and perform its responsibilities and activities in a timely manner to facilitate orderly progress of the work in cooperation with EFPM, consistent with this Agreement and in accordance with the planning and scheduling requirements and budgetary constraints of the Project.

- G. DISTRICT may retain other parties to assist in this Program, whose services, duties and responsibilities will be described in written agreements between DISTRICT and these other parties. The services, duties and responsibilities set out in the agreement between DISTRICT and other parties shall be compatible and consistent with this Agreement.
- H. DISTRICT shall, in a timely manner secure, submit and pay for necessary approvals, easements, assessments, permits and charges required for the construction, use or occupancy of permanent structures or for permanent changes in existing facilities.
- I. DISTRICT shall designate an officer, employee or other authorized representatives to act in DISTRICT's behalf with respect to the Program. The DISTRICT'S representative shall be Dr. Jeremy Powell, Superintendent. This representative shall be available as often as may be reasonably required to render decisions and to furnish information in a timely manner.

ARTICLE 7: COMPENSATION AND PAYMENT

A. Compensation for Basic Services

DISTRICT shall compensate EFPM's for performing the Basic Services described in Article 3, within timeframes established in Exhibit C as follows:

The fee shall be based upon EFPM' estimate of One Hundred and Sixty Hours (160) Hours to complete the Basic Services noted in Exhibit C, compensated at a rate of One Hundred and Forty Dollars (\$140.00) per hour. EFPM's fee shall not exceed **Twenty Two Thousand Four Hundred Dollars (\$22,400.00)** for work associated with the basic Scope of Work of the Program, without the prior written consent of the DISTRICT.

EFPM will not accept any additional fees for this Project without amendment to this Agreement. DISTRICT will not reimburse EFPM for any expenses unless mutually agreed to in writing prior to incursion of the expense.

EFPM will invoice monthly indicating the project worked, time spent on the job and the phase of planning.

B. Payment:

Payment shall be made monthly by DISTRICT to EFPM for basic services covered in Exhibit C as submitted by EFPM and approved by DISTRICT. Invoices submitted by EFPM shall be based upon actual hours completed as outlined in Exhibit C. Additional services shall be paid for as invoiced by EFPM and approved by DISTRICT.

EFPM will submit an invoice monthly to DISTRICT. DISTRICT shall make payment to the EFPM of one hundred percent (100%) of DISTRICT-approved invoiced amount within forty-five (45) days of DISTRICT's receipt of the invoice.

C. Accounting Records

Record of EFPM's personnel expense, consultant fees and direct expenses pertaining to the Program shall be maintained on the basis of generally accepted accounting practices and shall be available for inspection by DISTRICT or DISTRICT's representative at mutually convenient times for a period from the date of this Agreement through two years after completion of the contracted Services.

D. Compensation for Additional Services

If DISTRICT and EFPM agree to additional services in writing, EFPM shall be compensated and payments shall be made for performing Additional Services in the same manner as provided in Article 7 for Basic Services. There shall be an increase in the fee set out in Paragraph 7A in an amount which is mutually agreed upon in writing between DISTRICT and EFPM. EFPM shall receive all such written agreements in advance of performing extra duties.

ARTICLE 8: INSURANCE AND MUTUAL INDEMNITY

- A. EFPM shall as necessary procure and maintain insurance on all of its operations during the progress of its work on the Project, with reliable insurance companies, on forms acceptable to Foundation, for the following minimum insurance coverage:
1. Workers' Compensation insurance and occupational disease insurance, as required by law, and employer's liability insurance, with minimum limits of \$500,000, covering all workplaces involved in this Agreement.
 2. Commercial general liability insurance, with limits of not less than as indicated in either (1) or (2) as follows: (1) Bodily Injury Liability - \$500,000 each person, \$500,000 each occurrence; Property Damage Liability - \$500,000 each occurrence, \$500,000 aggregate; (2) A single limit for Bodily Injury Liability and Property Damage Liability Combined of \$500,000 each occurrence and \$500,000 aggregate. Insurance is to be placed with insurers admitted by the State of California Department of Insurance and with a Bests' rating of no less than (A) Level VII.
 3. EFPM shall provide Certificates of Insurance, or other evidence of insurance, to DISTRICT within thirty (30) days after receipt by EFPM of a signed version of this Agreement. The certificates shall provide that there will be no cancellation, reduction, or modification of coverage without ten (10) days' prior written notice to Foundation.

B. Indemnity

1. EFPM shall indemnify and hold harmless DISTRICT and its employees, agents and representative from and against any and all claims, demands, suits and damages for bodily injury and property damage for which the EFPM is liable that arise out of the solely negligent acts or omissions of EFPM in performing the Project Manager's Services under this Agreement.
2. DISTRICT shall indemnify and hold harmless EFPM and its employees, agents and representative from and against any and all claims, demands, suits and damages for bodily injury and property damage for which DISTRICT is liable that arise out of the solely negligent acts or omissions of DISTRICT in connection with the performance of the Project Manager's Services under this Agreement.

ARTICLE 9: TERMINATION AND SUSPENSION

A. Termination

1. This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party; providing that no such termination may be effected unless the other party is given:
 - a) Written notification (delivered by certified mail) that the other party is in material breach of the contract and the notification specify the circumstances of the breach.
 - b) Ten (10) calendar days to cure the breach.
 - c) An opportunity for consultation with the terminating party prior to the termination.
 - d) Termination notification (delivered by certified mail) that the breach has not been cured and providing an additional seven (7) calendar days prior to termination.
2. This Agreement may be terminated in whole or in part in writing by DISTRICT for its convenience without cause; provided EFPM is given (i) not less than thirty (30) days written notice (delivered by certified mail) of intent to terminate and (ii) an opportunity for consultation with DISTRICT prior to termination. In the event of notice of termination, EFPM shall take reasonable measures to mitigate termination expenses.

3. If termination pursuant to Subparagraph 9.A.1 is effected by DISTRICT, EFPM will be paid for work actually performed to the date of last service as specified in the termination notice.
4. Upon receipt of a termination notice pursuant to Paragraph 9.A.1 or 9.A.2, EFPM shall (i) promptly discontinue all services affected (unless the notice directs otherwise), and (ii) within 10 days deliver or otherwise make available to DISTRICT all data, documents, procedures, reports, estimates, summaries, and such other information and materials as may have been accumulated by EFPM in performing this Agreement, whether completed or in process.

B. Suspension

DISTRICT may in writing order EFPM to suspend all or any part of the Program Manager's Services for the Project for the convenience of DISTRICT. If the performance of all or any part of the Services for the project is so suspended, an adjustment in EFPM's compensation shall be made for the increase, if any, in the cost of EFPM's performance of this Agreement caused by such suspension. Upon mutual agreement the compensation shall be modified in writing accordingly.

ARTICLE 10: ADDITIONAL PROVISIONS

A. Confidentiality

EFPM shall not disclose or permit the disclosure of any confidential information, except to its agents, employees and other consultants who need such confidential information in order to properly perform their duties relative to this Agreement.

B. Limitations and Assignment

1. DISTRICT and EFPM each bind themselves, their successors, assigns and legal representatives to the terms of this Agreement.
2. Neither DISTRICT nor EFPM shall assign or transfer its interest in this Agreement without the written consent of the other.

C. Governing Law

Unless otherwise provided, the laws of the State of California shall govern this Agreement.

D. Extent of Agreement

This Agreement represents the entire and integrated agreement between DISTRICT and EFPM and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both DISTRICT and EFPM. Nothing contained in this Agreement is

intended to benefit any third party. The Contractors and Design Professionals are not intended third party beneficiaries of this Agreement.

E. Severability

If any portion of this Agreement is held as a matter of law to be unenforceable, the remainder of this Agreement shall be enforceable without such provisions.

F. Meaning of Terms

References made in the singular shall include the plural and the masculine shall include the feminine or the neuter.

G. Notices

All Notices required by this Agreement or other communications to either party by the other shall be deemed given when made in writing and deposited in the United States Mail, first class, postage prepaid, addressed as follows:

To DISTRICT:

Dr. Jeremy Powell, Superintendent
Hamilton Unified School District
P.O. Box 488
Hamilton City, CA 95951

To EFPM:

Michael S. Cannon, Principal
Educational Facilities Program Management, LLC
129 Rideout Way
Marysville, CA 95901

This Agreement is executed as of the day and year first written above.

By: Dr. Jeremy Powell Superintendent
Hamilton Unified School District

By: Michael S. Cannon, Principal
Educational Facilities Program Management, LLC

EXHIBIT “A”: PROGRAM MANAGER’S BASIC SERVICES:

EFPM shall perform the Basic Services described in this Article. It is not required that the Basic Services be performed in the sequence in which they are described.

CALIFORNIA DEPARTMENT OF EDUCATION FACILITIES CERTIFICATION

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CERTIFICATION

EFPM shall assist the DISTRICT in obtaining California Environmental Quality Act (CEQA) clearance by completing a Mitigated Negative Declaration for the Hamilton High School Site Expansion project, including defining project scope; selecting a Project Consultant; overseeing and coordinating the necessary work of the Project as needed; and assisting the District with the Final Certification of the Project.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC) CERTIFICATION

EFPM will assist the District in completing a Preliminary Environmental Assessment (PEA) for the Hamilton High School Site Expansion project, including selection and oversight of necessary consultants

TITLE 5 REGULATORY CERTIFICATION

EFPM will assist the District as needed in completing necessary studies and certifications to meet Title 5 requirements for the Hamilton High School Site Expansion project, including as needed selection of professional consultants; oversight of the study process; and assistance in final certification to the California Department of Education.

GEOTECHNICAL/GEOHAZARDS REPORTS

EFPM will assist the District as needed in completing necessary studies and certifications to meet Geotechnical & Geohazard requirements for the Hamilton High School Site Expansion project, including as needed selection of professional consultants; oversight of the study process; and assistance in final certification to the California Department of Education.

EDUCATIONAL SPECIFICATIONS

EFPM will assist the District in completing Educational Specifications requirements for the Hamilton High School Site Expansion project, including defining the Project Scope; selecting and contracting for Educational Specifications Study Services; and overseeing the Educational Specifications study process to ensure that DISTRICT goals and needs are met.

WILLIAMSON ACT SUBMITTALS

EFPM will assist the District developing such information as required by statute for removing the Williamson Act contract for the High School Expansion site being purchased by the District, including drafting all necessary notices and correspondence the the State Department of Conservation and the Glenn County Planning Commission.

COUNTY PLANNING COMMISSION SUBMITTALS

EFPM will assist the District in filing notices to the Glenn County Planning Commission, per Section 21151.2. of the Public Resources Code, for the County's comment on conformance of the District's High School Expansion project with County Zoning requirements.

OTHER SERVICES

EFPM may assist the DISTRICT, at the request of the DISTRICT, with such other matters pertaining to the Program, including selection of Architectural and Engineering Design Services, as both Parties may agree to.

BOARD AGENDA ITEM

**APPROVAL OF CONTRACT FOR SURVEYING SERVICES WITH
ROBERTSON ERIKSON CIVIL ENGINEERING & SURVEYING**

As a final step in completing and recording the purchase of the property needed for the expansion of Hamilton High School, the District will require a final boundary survey and parcel map. The final survey and map would be submitted to the Glenn County Engineering & Survey department for technical review; corrected as necessary; and submitted to the County Recorder for recordation. This is a shorter process than that used by private parties, because the District is considered a State governmental entity, and has exempted itself by Board Resolution (#19/24/2019) from local planning and zoning requirements.

Robertson-Erikson has submitted a proposal to complete the final map and submittal to the Glenn County Surveyor and Recorder, for a time and materials basis not to exceed \$9,000.00. Funding would be provided through the Capital Facilities Fund (Fund 21). The firm has previously completed the ALTA survey of the proposed site acquisition which the District and owner have been using as the basis of negotiation.

District staff recommends approval.



June 10, 2020

Dr. Jeremy Powell, Superintendent
Hamilton Unified School District
620 Canal Street
P.O. Box 488
Hamilton City, CA 95951

Dear Dr. Powell,

At the request of Mr. Mike Cannon, I am forwarding you this proposal for surveying services to provide a parcel map for the new 45-acre parcel north of the existing Hamilton High School property. As I understand it the scope of services that you will require of Robertson Erickson (RE) is as follows.

Parcel Map

1. Perform boundary survey to support parcel map creation.
2. Working with the owner of the property, prepare a tentative parcel map for review by project team.
3. Following the approved tentative map by project team. Provide final map for review.
4. Prepare a package to be submitted to the Glenn County Surveyor for review. This includes final map with easements plotted plus boundary closure calculations.
5. Correct or adjust any technical items requested by County Surveyor
6. Set new boundary and/or witness corners in field.
7. Prepare final map for recordation.
8. Submit final map package to County Recorder
9. Obtain copy of final recorded map and forward copy to client.

We will perform the above described services on a time and materials basis not to exceed \$9,000.

ASSUMPTIONS AND EXCLUSIONS

1. Preparation of easement plats and/or legal descriptions is not included, it is assumed new easements can be shown on map.
2. All reimbursable costs such as reproduction and postage shall be additional charges.
3. It is assumed that a current title report regarding the subject property will be provided to RE at no expense to RE in a timely manner. If one is not available, we can purchase one at a local title company. We would pass along the title fee charge for the report plus 15%.
4. All additional services requested by the Client/Owner, not described in the above scope of work will be billed according to our current schedule of rates or at an agreed price.
5. It is assumed we will have full access to the property during normal business hours without pets or animals threatening the work of the field crew.

Either party can terminate this contract with a 7-day written notice with fees paid to date. We have the right to charge a late fee of 1.5% per month for invoices not paid within 30 days. We have the right to stop work if invoices are not paid within 30 days of invoice date.

Please contact me with any questions or concerns regarding this proposal.

We can start the survey within 18 days of your acceptance of this contract. We anticipate that we can have a draft parcel map for your review within 2 after our field survey is completed of your acceptance of this contract.

Sincerely,



Russ Erickson, P.E.
Principal Civil Engineer

Accepted by: _____

Printed Name: _____

Date: _____

Robertson Erickson Schedule of Rates 2020

FIELD CREWS

2 Man Survey Crew_____	\$185.00/Hour.
3 Man Survey Crew_____	\$235.00/Hour
Quad ATV_____	\$110.00/Day
One Man and Truck_____	\$140.00/Hour

Note: Minimum Field Crew Charge of two (2) Hours

OFFICE

Principal Engineer_____	\$175.00/Hour
Principal Surveyor_____	\$175.00/Hour
Professional Engineers/Surveyor _____	\$135.00/Hour
Qualified SWPPP Developer _____	\$135.00/Hour
Civil Engineering/Surveying Technician IV_____	\$120.00/Hour
Civil Engineering/Surveying Technician III _____	\$110.00/Hour
Civil Engineering/Surveying Technician II_____	\$100.00/Hour
Civil Engineering/Surveying Technician I _____	\$90.00/Hour
Clerical_____	\$55.00/Hour

OUTSIDE SERVICES

Actual costs plus 15%

BLACK-LINE PRINTS

30" X 42"_____	\$3.00 EA
24" X 36"_____	\$2.50 EA.
18" X 24"_____	\$2.00 EA.
Photo Copies_____	\$0.15 EA.
Mylars_____	\$15.00 EA

Travel/Per Diem

\$ 0.60 per mile

Welcome to STEMscopes!

Dear Parents,

We have recently chosen STEMscopes, an online science curriculum from Accelerate Learning, as our primary instructional resource for teaching science in grade 8.



Why STEMscopes?

STEMscopes is built on an instructional philosophy that centers on students learning the California Next Generation Science Standards (CA NGSS) through hands-on exploration and inquiry. Each lesson includes a series of investigations and activities to bring science to life for our students so that they can “learn by doing” and fully engage in the scientific process.

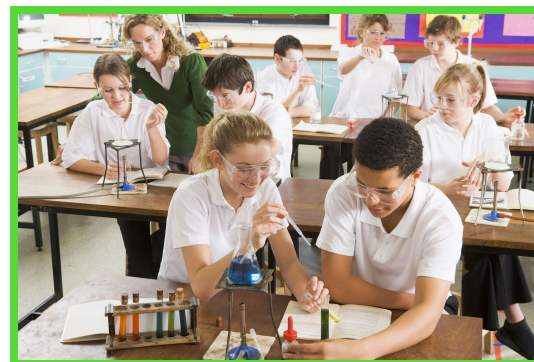
In inquiry-based instruction, students form a deeper understanding of each learning objective as the teacher guides them through their discovery experience.

Who developed STEMscopes?

STEMscopes was developed in partnership with Rice University. The program has been utilized since 2007 and is used by schools and school districts across the country. STEMscopes lessons are designed by teams of talented, experienced classroom teachers.

What are the California Next Generation Science Standards (CA NGSS)?

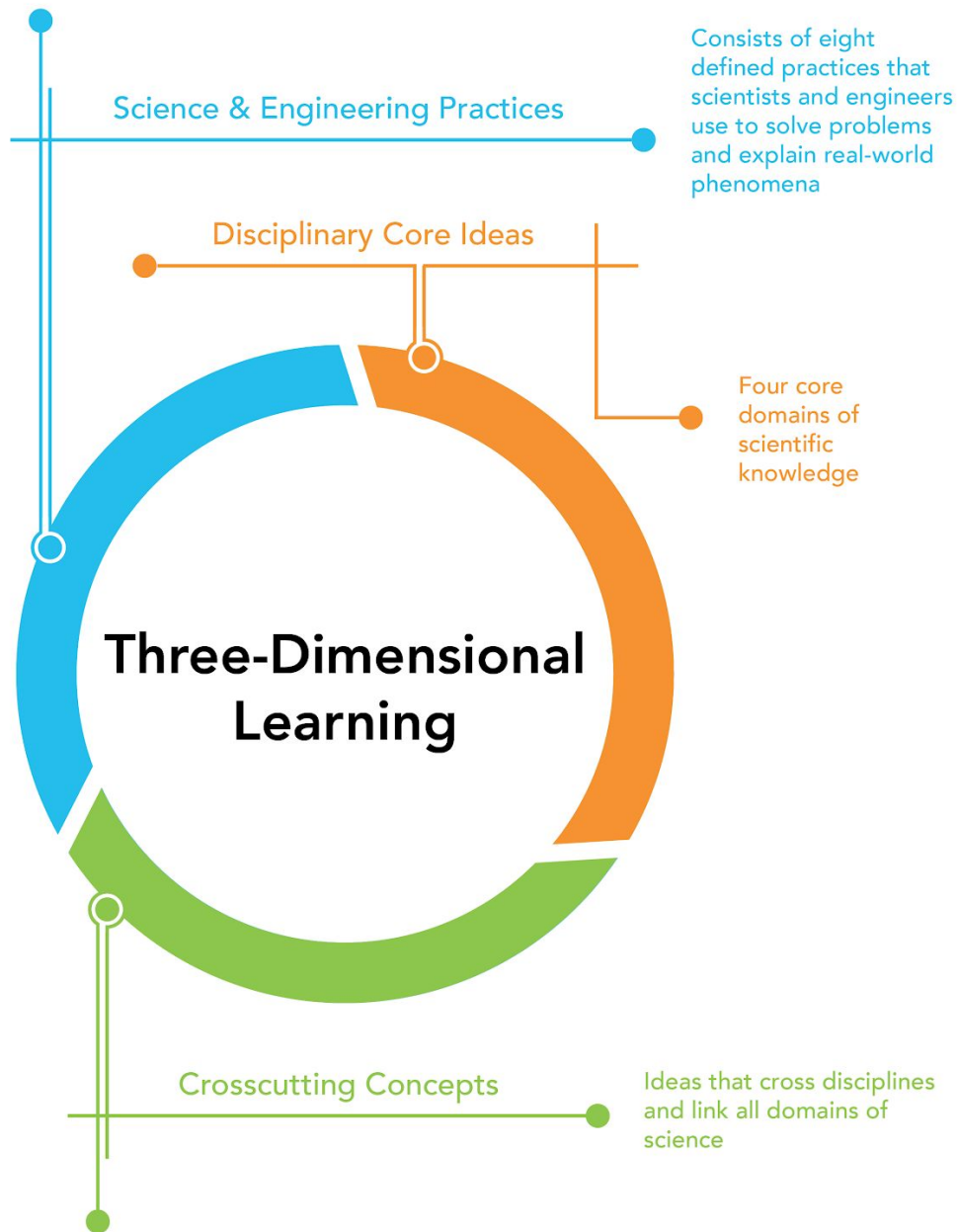
The students of today must be prepared to compete with their peers on a global scale. The CA NGSS is a framework of Kindergarten–12th grade learning objectives that were carefully selected as being those most important to ensure the success of American students in the fields of professional science, technology, engineering, and math. The CA NGSS were designed by a collaborative team of professional scientists and experts in education and business. The CA NGSS are rich in both content and practice and arranged in a logical manner to help students build a clear and coherent foundation of science knowledge and skills. The CA NGSS are the driving objectives at the core of the STEMscopes curriculum.



A high-quality education in science, technology, engineering, and math is essential to a student’s success in our modern, technology-driven world.

A 3D Approach

The CA NGSS are designed to help students build a cohesive understanding of STEM concepts. Students learn to see the connections between all concepts and content areas. In the CA NGSS, three “dimensions” of learning are combined in order to create a more powerful learning experience.



What if my child needs extra help?

Intervention activities are included in every teacher’s STEMscopes toolkit. These pieces include extended practice activities, modified reading passages, and modified math connections.

What if my child needs a bigger challenge?

Acceleration activities are provided for students who excel and need a bigger challenge to meet their full potential.

STEMscopes resources are designed to make it easy for teachers to meet the needs of all students because every student deserves to receive all the instruction they need to meet their full potential.

How can STEMscopes help me support my child’s learning?

Each student will receive login credentials to access the program that features some always-available resources that can be browsed at home, including a video glossary and a reference resource called *STEMscopedia*. Each *STEMscopedia* reading passage includes a hands-on activity and a “Connecting with Your Child” piece to encourage scientific dialogue at home.



We are eager to implement this resource and encourage your involvement. The STEMscopes team is receptive to and values your feedback. If you have any questions, please contact _____ or your student’s teacher.

Overview of what your child will learn this year:

Preferred Integrated 8th

The DCI's are addressed in the corresponding scopes.

Your students will be learning content this year from the following DCI's

Disciplinary Core Ideas

- Heredity: Inheritance and Variation of Traits
 - Genes and Proteins
 - Mutations
- Biological Evolution: Unity and Diversity
 - Fossil Record
 - Evolutionary History and Relationships
 - Embryonic Similarities
 - Natural Selection
 - Artificial Selection
- Motion and Stability: Forces and Interactions
 - Newton's Third Law of Motion
 - Changes in Force and Motion
 - Electric and Magnetic Forces
 - Gravitational Forces
- Energy
 - Kinetic Energy
 - Potential Energy
- Waves and Their Applications in Technologies for Information Transfer
 - Introduction to Properties of Waves
 - Modeling Waves through Various Mediums
 - Properties of Visible Light
 - Modeling Light Waves
 - Digital vs. Analog Signals
- Earth's Place in the Universe
 - Earth, Sun, and Moon System
 - Formation and Motion of Galaxies
 - The Solar System
 - Geologic History of Earth
- Earth and Human Activity
 - Human Impact on the Environment
- Engineering Design
 - Integration of traditional science content and engineering design where appropriate

Your students will be engaging in the following SEP's while they acquire their new science knowledge.

Science and Engineering Practices

- Developing and Using Models
- Analyzing and Interpreting Data
- Constructing Explanations and Designing Solutions
- Planning and Carrying Out Investigations
- Asking Questions and Defining Problems
- Engaging in Argument from Evidence
- Obtaining, Evaluating, and Communicating Information
- Using Mathematics and Computational Thinking

Your student will be learning how the following CCC's are intertwined throughout the content.

Crosscutting Concepts

- Patterns
- Scale, Proportion, and Quantity
- System and System Models
- Cause and Effect
- Energy and Matter
- Stability and Change
- Structure and Function

STEMscopes Research Summary

With the passage of the Every Student Succeeds Act (ESSA) in 2015, districts and schools are required to use evidence to evaluate the programs, interventions, and curricula that they use. Many ESSA programs require schools or districts to evaluate the evidence of curricula in producing desired outcomes, most notably improving student achievement. Given the ever-changing nature of the classroom and available resources, ESSA has identified [four tiers](#) of evidence that districts can use to evaluate the strength of the evidence based on the research that has been conducted. The tiers range from Tier 1 (strong evidence where a randomized control trial has demonstrated effects on student achievement) to Tier 4 (demonstrates a rationale where there is a well-designed logic model but no research evidence).

Since its inception at Rice University, STEMscopes has conducted research to inform product development and to evaluate the effectiveness of STEMscopes on teachers and students. Based on this research conducted over several years, the evidence of STEMscopes effectiveness is solidly in Tier 2 (moderate evidence). In other words, there is moderate evidence of STEMscopes' effectiveness based on several high quality quasi-experimental studies. Below, we have highlighted several studies, including quasi-experimental studies as well as case-studies. Detailed study reports as well as additional research can be found at www.stemscopes.com/case_studies.

Texas – 5th Grade

For the fourth year in a row, STEMscopes district-users in the state of Texas had higher 5th grade passing rates than districts that do not use STEMscopes. Of the 1,148 districts (serving 399,250 5th grade students) included in the study, 559 districts used STEMscopes curriculum, while the remaining 589 districts used a district-created curriculum or purchased a different science curriculum. The study found that districts using the STEMscopes curriculum had higher average proficiency rates than non-STEMscopes districts for all students and for students identified as economically disadvantaged. Analyses that accounted for important demographic variables that influence achievement revealed that districts that used STEMscopes continued to have significantly higher overall STAAR passing rates compared to districts that did not use STEMscopes. See the full study [here](#).

Texas – High School Biology

In the 2017-2018 school year, districts that used STEMscopes for Biology had higher rates of students who met and mastered proficiency on the Biology EOC STAAR assessment than districts that did not use STEMscopes, controlling for previous year achievement and several important demographic variables. Specifically, using the STEMscopes curriculum was associated with an increase of 1.7% of students who met proficiency and 1.3% of students who mastered proficiency. These results translate to approximately 4,480 additional students meeting proficiency and an additional 3,426 students mastering proficiency in districts that used STEMscopes. See the full study [here](#).

Florida

A 2018 study conducted in Florida examined the relationship of using STEMscopes and student achievement on the Florida Statewide Science Assessment (SSA). In Florida, elementary students are assessed on the SSA in the 5th grade year. Utilizing data from both school performance and STEMscopes analytics, the research team found a positive association between teachers' use of STEMscopes and academic achievement on the SSA. Schools that used STEMscopes more frequently were more likely to experience gains in science proficiency. In the 2017-2018 school year, schools that used STEMscopes improved their science proficiency by 3% on average. Furthermore, high frequency users of STEMscopes saw an average increase of 6% proficiency from 2017 to 2018 (higher than the state average of 4%). See the full study [here](#).

Alabama

During the 2016-2017 school year, 16 Alabama districts used STEMscopes Alabama in their elementary schools, and 14 districts used STEMscopes in their middle schools. The 2017 ACT Aspire science results show that the STEMscopes districts outperformed the state average in the percentage of students defined as “Exceeding” grade-level mastery in science in fifth grade and seventh grade. In addition, compared to 2015-2016, STEMscopes districts increased their Exceeding proficiency rates at a higher rate than the state average. Specifically, STEMscopes districts increased their proficiency rate by 1.7 percent in elementary school and 1.0 percent in middle school, compared to state's respective increases of 0.9 percent and 0.5 percent. See the full study [here](#).

Rhode Island

During the 2016-2017 school year, five public school districts in Rhode Island used the STEMscopes NGSS digital science curriculum in their elementary schools. The 2017 results from the New England Common Assessment Program (NECAP) Science Assessment show that these districts outperformed the rest of the state on their fourth grade proficiency rates in science. Specifically, the five STEMscopes districts had an average science proficiency rate of 54.1 percent, and the state of Rhode Island had an average science proficiency rate of 40.6 percent. See the full study [here](#).

Oregon

Districts in Oregon that used STEMscopes had higher 5th grade proficiency rates than districts that did not use STEMscopes, controlling for previous year achievement and several important demographic variables. The 4-point increase in proficiency rates associated with STEMscopes translates to an additional 371 5th grade students considered proficient in science. While the Oregon science assessment is based on previous science standards, these results provide promising evidence for the effectiveness of STEMscopes NGSS. See the full study [here](#).

Magnolia ISD, Texas

From 2016 to 2017, the average statewide passing rate on the STAAR Grade 5 Science Assessment declined by 2%, dropping from 75 to 73%. Magnolia Independent School District bucked this trend, raising its passing rate by 4%, with gains for students who are economically disadvantaged and English language learners (ELLs) as well. According to Magnolia's Director of Science Sheri Gallemore, students' growth was due to the diligent work of their teachers and the consistent use of the STEMscopes science curriculum. See the full study [here](#).

Miami-Dade County Public Schools, Florida – Ben Sheppard Elementary

Ben Sheppard Elementary STEM Magnet School, a Title I School, removed science textbooks from the classroom and implemented the STEMscopes™ digital STEM curriculum and hands-on exploration kits in kindergarten through fifth grade. From 2016 to 2017, the proficiency rate for Ben Sheppard Elementary on the Grade 5 Statewide Science Assessment rose from 38 percent to 49 percent — a gain of 11 percentage points. In contrast, the average proficiency rate for the state of Florida remained flat at 51 percent. See the full study [here](#).

Broward County Public Schools, Florida – Horizon Elementary

Horizon Elementary, a Title I school in Broward County Public Schools, dramatically improved fifth-grade student science outcomes in a single year. The school transitioned to STEMscopes Florida digital curriculum for the 2016-17 academic year. When students took the Florida Grade 5 Statewide Science Assessment in 2017, the pass rate increased by 21 percent. See the full study [here](#).

Monterey County Office of Education, California

The Monterey County Office of Education (MCOE) Migrant Education Program Region 16 is California's largest migrant region with more than 12,850 migrant students identified. To support migrant students in achieving academic success, several school districts in Region 16 used STEMscopes as the central curriculum in their Migrant Education Summer Academies. Students who use the online, comprehensive science curriculum have improved their content knowledge and skills — and developed a love for science. See the full study [here](#).

Columbia County School District, Georgia

In the first year that Columbia County School District (CCSD) used the STEMscopes Georgia curriculum, the percentage of fifth graders scoring at the proficient level and above on the Georgia Milestones Science End-of-Grade (EOG) assessment increased from 52 percent in 2017 to 56 percent in 2018. By moving from textbooks to the online, comprehensive science curriculum, CCSD achieved its vision for hands-on STEM learning — and posted its best results in science since the Georgia Milestones Assessment System began in 2014-15. See the full study [here](#).

Implementing Four - Ten Hour Work Weeks During Summer and Non-Student Work Weeks. Proposal

To: Hamilton Unified School Board
From: Administrative Assistants/Confidential Employees
Date: June 2020

The conversation to have the ability to work four - ten-hour work days during the summer school days and non-student work weeks has been discussed and highly desired by many administrative assistants/confidential employees that work during the summer and non-student work weeks.

By changing our summer and non-student weeks we will have the opportunity to use this time to schedule medical appointments for ourselves and our children. We will also be able to enjoy longer weekends to enjoy our families. Many schools in the surrounding towns, districts, colleges and universities have already adopted this concept and have been practicing it for many years. The bottom line is that working a schedule with more time off will translate into happier and more well-adjusted employees.

We ask that our administrative assistants/confidential employees have the option to work four 10-hour work days during the summer school days (June-Aug) as well as no-student weeks such as in the Spring and Winter Breaks. Due to the fact that the schools in our district run on skeleton crews during these breaks, we do not anticipate a decrease in productivity, or impact to the families that we serve. Furthermore, each school will work closely with their immediate supervisor to create a schedule that will work for the school that they serve. As well as fully informing our parents of our seasonal office hours.

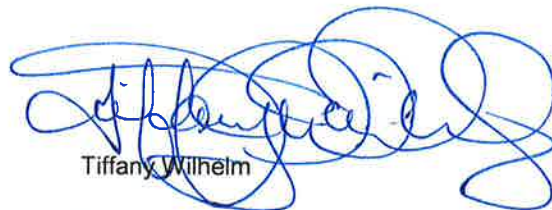
We acknowledge the importance of serving our students, families and community and will have an administrative assistant/confidential employee available throughout the entire summer at the district office and in the schools when summer schools are in session.

In conclusion, we thank you for your time and consideration of this proposal and encourage you to approve this for our hardworking administrative assistants and confidential employees.

Sincerely,



Cristina Rios



Tiffany Wilhelm



Martha Jaeger



Jazmin Martinez

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

<i>Name</i>	<i>Signature</i>	<i>Title</i>
<i>Fax Number</i>	<i>Telephone Number</i>	<i>Date</i>
<i>Mailing Address</i>		
<i>E-Mail Address</i>		

► *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
CLAD/English Learner Authorization (applicant already holds teaching credential)	_____
Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization: _____	
Resource Specialist	_____
Teacher Librarian Services	_____

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	
TOTAL	

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes No

If no, explain. _____

Does your agency participate in a Commission-approved college or university internship program? Yes No

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an internship program.

If no, explain why you do not participate in an internship program.

HAMILTON UNIFIED SCHOOL DISTRICT

Summary of 2020-21 Budget

Presented at the June 10th, 2020 Special Board Meeting



Prepared by Kristen Hamman

2020-21 Budget

General Fund Revenues

2019-20 Estimated Actuals

Revenues	Unrestricted/ Restricted
LCFF Sources	7,833,272
Federal Revenue	332,568
Other State Revenue	518,023
Other Local Revenue	109,577
Total Revenues	8,793,440

2020-21 Budget

Revenues	Unrestricted/ Restricted
LCFF Sources	7,197,888
Federal Revenue	252,770
Other State Revenue	483,279
Other Local Revenue	74,840
Total Revenues	8,008,777

Estimated Funded ADA for 2019-20: 687.87
(based on 2018-19 P-2 ADA)

Estimated Funded ADA for 2020-21: 688.32
(based on estimated P-2 ADA for 2020-21)

2020-21 Budget

General Fund Expenditures

2019-20 Estimated Actuals

Expenditures	Unrestricted/ Restricted
Certificated Salaries	3,470,915
Classified Salaries	1,196,522
Employee Benefits	1,986,270
Books & Supplies	486,374
Services & Other	890,003
Capital Outlay	472,555
Other Outgo (no IC*)	826,351
Other Outgo (IC*)	(17,786)
Total Expenditures	9,311,204

2020-21 Budget

Expenditures	Unrestricted/ Restricted
Certificated Salaries	2,944,886
Classified Salaries	947,558
Employee Benefits	1,658,150
Books & Supplies	414,755
Services & Other	896,133
Capital Outlay	306,728
Other Outgo (no IC*)	900,372
Other Outgo (IC*)	(17,786)
Total Expenditures	8,050,796

2020-21 Budget

General Fund changes in Fund Balance

2019-20 Estimated Actuals

Change in Fund Balance	Unrestricted/ Restricted
Beginning Fund Bal.	1,258,543
Revenues	8,793,440
Expenditures	(9,311,204)
Interfund Transfers	(53,000)
Increase (Decrease) in Fund Bal.	(570,764)
Ending Fund Bal.	687,779

2020-21 Budget

Change in Fund Balance	Unrestricted/ Restricted
Beginning Fund Bal.	687,779
Revenues	8,008,777
Expenditures	(8,050,796)
Interfund Transfers	(25,000)
Increase (Decrease) in Fund Bal.	(67,019)
Ending Fund Bal.	620,760

2020-21 Budget

General Fund Multiyear Projections

Description	2020-21 Budget	2021-22 Projection	2022-23 Projection
Beginning Fund Bal.	687,779	620,760	408,744
Revenues	8,008,777	7,686,244	7,498,823
Expenditures	(8,050,796)	(7,873,260)	(8,028,301)
Interfund Transfers	(25,000)	(25,000)	(25,000)
Increase (Decrease) in Fund Bal.	(67,019)	(212,016)	(554,478)
Ending Fund Bal.	620,760	408,744	(145,734)

Other District Funds

2020-21 Projected Ending Fund Balances

• Fund 11, Adult Education (pg 31)	\$ 94,996
• Fund 12, Child Development (pg 43)	\$ 2,159
• Fund 13, Cafeteria Special Revenue (pg 53)	\$ 88,403
• Fund 14, Deferred Maintenance (pg 63)	\$ 41,968
• Fund 17, Other Than Capital Outlay Projects (pg 73)	\$ 392,419
• Fund 20, Postemployment Benefits (pg 81)	\$ 218,795
• Fund 21, Building - Bond (pg 89)	\$1,452,597
• Fund 25, Capital Facilities (pg 100)	\$ 183,582
• Fund 51, Bond Interest & Redemption (pg 121)	\$ 323,467

ANNUAL BUDGET REPORT:
July 1, 2020 Budget Adoption

Insert "X" in applicable boxes:

This budget was developed using the state-adopted Criteria and Standards. It includes the expenditures necessary to implement the Local Control and Accountability Plan (LCAP) or annual update to the LCAP that will be effective for the budget year. The budget was filed and adopted subsequent to a public hearing by the governing board of the school district pursuant to Education Code sections 33129, 42127, 52060, 52061, and 52062.

If the budget includes a combined assigned and unassigned ending fund balance above the minimum recommended reserve for economic uncertainties, at its public hearing, the school district complied with the requirements of subparagraphs (B) and (C) of paragraph (2) of subdivision (a) of Education Code Section 42127.

Budget available for inspection at:

Public Hearing:

Place: Hamilton Unified School District Office
Date: June 05, 2020

Place: Virtual
Date: June 10, 2020
Time: 06:00 PM

Adoption Date: June 24, 2020

Signed: _____
Clerk/Secretary of the Governing Board
(Original signature required)

Contact person for additional information on the budget reports:

Name: Kristen Hamman

Telephone: 530-826-3261

Title: Chief Business Official

E-mail: khamman@husdschools.org

Criteria and Standards Review Summary

The following summary is automatically completed based on data provided in the Criteria and Standards Review (Form 01CS). Criteria and standards that are "Not Met," and supplemental information and additional fiscal indicators that are "Yes," may indicate areas of potential concern for fiscal solvency purposes and should be carefully reviewed.

CRITERIA AND STANDARDS			Met	Not Met
1	Average Daily Attendance	Budgeted (funded) ADA has not been overestimated by more than the standard for the prior fiscal year, or two or more of the previous three fiscal years.	X	

ANNUAL CERTIFICATION REGARDING SELF-INSURED WORKERS' COMPENSATION CLAIMS

Pursuant to EC Section 42141, if a school district, either individually or as a member of a joint powers agency, is self-insured for workers' compensation claims, the superintendent of the school district annually shall provide information to the governing board of the school district regarding the estimated accrued but unfunded cost of those claims. The governing board annually shall certify to the county superintendent of schools the amount of money, if any, that it has decided to reserve in its budget for the cost of those claims.

To the County Superintendent of Schools:

() Our district is self-insured for workers' compensation claims as defined in Education Code Section 42141(a):

Total liabilities actuarially determined:	\$	_____
Less: Amount of total liabilities reserved in budget:	\$	_____
Estimated accrued but unfunded liabilities:	\$	_____ 0.00

() This school district is self-insured for workers' compensation claims through a JPA, and offers the following information:
Golden State Risk Management Authority

() This school district is not self-insured for workers' compensation claims.

Signed _____
Clerk/Secretary of the Governing Board
(Original signature required)

Date of Meeting: Jun 24, 2020

For additional information on this certification, please contact:

Name: Kristen Hamman

Title: Chief Business Official

Telephone: 530-826-3261

E-mail: khamman@husdschools.org

COVID-19 Operations Written Report

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone	Date of Adoption
Hamilton Unified School District	Jeremy Powell, Ed.D	(530) 826-3261	June 24, 2020

Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broader understanding of the changes your LEA has put in place. LEAs are strongly encouraged to provide descriptions that do not exceed 300 words.

Provide an overview explaining the changes to program offerings that the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of the closures on students and families.

In response to school closures to address the COVID-19 emergency, the Hamilton Unified School District adopted utilized a remote/distance learning strategy to provide ongoing academic and social/emotional support. The goal is to provide a robust and engaging, remote learning education for the students of Hamilton Unified School District. The primary focus was to provide Social/Emotional Support for our students and their families with academic support and instruction following. Academically, our focus has been to build towards mastery in ELA and Math Common Core State Standards; the secondary focus is to master the Next Generation Science Standards and Social Studies Standards. We also worked to ensure all A-G requirements for our high school students remained in place.

Anticipating the statewide closures, the District was in continual contact with school sites including administration, certificated, and classified staff. On Monday, March 16th, District and school administration met with all site employees to discuss the closure all campuses in the Hamilton Unified School District effective March 17th. During these meetings, staff was informed of the allowance of time to take care of their own needs and then create work for students to pick up on Monday, March 23rd. This was done for two purposes, to allow 1) a continuation of educational services for all students and 2) this allowed the District time to do a needs assessment for technology needs for our staff and students. Weekly meetings were held with staff that included trainings on Zoom, Google Classroom, and other remote learning applications that were being utilized throughout the district. Once the District was able to meet the technology needs of all staff and students, each campus transitioned to a Distance Learning Model that was primarily online.

To provide ongoing support for all students and families of the Hamilton Unified School District, administrators and staff have made personal contact with all students on a weekly basis checking in on their academic progress, and also, their overall well-being. As needed, families were provided with additional emotional and psychological supports through district and county agencies as needed.

Provide a description of how the LEA is meeting the needs of its English learners, foster youth and low-income students.

The Hamilton Unified School District has continued to provide English Language learners and low-income students with targeted instruction and support services to ensure that these students are meeting and exceeding the State Standard.

Provide a description of the steps that have been taken by the LEA to continue delivering high-quality distance learning opportunities.

The Hamilton Unified School District teachers have delivered high-quality distance learning opportunities to each of their students by maintaining personal and individualized contact with each child and providing a comprehensive learning experience. Teachers have quickly adapted to the use of technology for instruction, have blended the educational activities, and have continuously assessed and provided feedback to each student. Teachers are effectively utilizing Zoom Conferencing, Google Classroom, and various other platforms to impart instruction.

Provide a description of the steps that have been taken by the LEA to provide school meals while maintaining social distancing practices.

The Hamilton Unified School District has continued to provide meals to the community through a Grab-and-Go Drive-thru model at Hamilton Elementary School providing Breakfast and Lunch to students daily since our first day of closure on March 17.

Provide a description of the steps that have been taken by the LEA to arrange for supervision of students during ordinary school hours.

Due to the COVID-19 emergency closure, the Hamilton Unified School District did not find it practicable to provide supervision of students during ordinary school hours.



DANNIS WOLIVER KELLEY

Attorneys at Law

MATTHEW P. JUHL-DARLINGTON

Attorney at Law

mdarlington@DWKesq.com

Chico

May 18, 2020

Dr. Jeremy Powell
Superintendent
Hamilton Unified School District
P.O. Box 488
Hamilton, CA 95951

Re: 2020-21 Agreement for Professional Services

Dear Dr. Powell:

Thank you for the opportunity to provide legal advice and counseling services to the Hamilton Unified School District. It has been our honor for over four decades to be vital, participating partners with California school and community college districts in their mission to educate and prepare all children and young adults to be responsible, mindful citizens in the global marketplace of ideas. We remain your steadfast allies and will support you with our full range of expertise as you meet new challenges and overcome extraordinary hurdles in your continuing efforts to provide quality education programs to millions of California students.

Attached is our Agreement for Professional Services for 2020-21. In light of the economic uncertainty confronting us all, no changes have been made to the billing ranges. While our ranges remain unchanged, the rates for some individuals who perform work on your matters may increase within the existing ranges.

We will continue to offer the District efficient and prompt service and the highest quality legal advice and counsel you have come to expect.

We look forward to serving the District in the coming school year and continuing our mutually rewarding partnership. Please sign the attached Agreement, insert the date of Board approval, and return to the undersigned via email.

Best regards,

DANNIS WOLIVER KELLEY

Matthew P. Juhl-Darlington

MJD:mea

SAN FRANCISCO
275 Battery Street
Suite 1150
San Francisco, CA 94111
TEL 415.543.4111
FAX 415.543.4384

LONG BEACH
115 Pine Avenue
Suite 500
Long Beach, CA 90802
TEL 562.366.8500
FAX 562.366.8505

SAN DIEGO
750 B Street
Suite 2310
San Diego, CA 92101
TEL 619.595.0202
FAX 619.702.6202

SAN RAFAEL
4040 Civic Center Drive
Suite 200
San Rafael, CA 94903
TEL 415.543.4111
FAX 415.543.4384

CHICO
2485 Notre Dame Boulevard
Suite 370-A
Chico, CA 95928
TEL 530.343.3334
FAX 530.924.4784

SACRAMENTO
555 Capitol Mall
Suite 645
Sacramento, CA 95814
TEL 916.978.4040
FAX 916.978.4039

SAN LUIS OBISPO
1065 Higuera Street
Suite 301
San Luis Obispo, CA 93401
TEL 805.980.7900
FAX 916.978.4039

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into on May 18, 2020, by and between the Hamilton Unified School District, hereinafter referred to as District, and Dannis Woliver Kelley, a professional corporation, hereinafter referred to as Attorney.

In consideration of the promises and the mutual agreements hereinafter contained, District and Attorney agree as follows:

SCOPE OF SERVICES. District appoints Attorney to represent, advise, and counsel it from July 01, 2020, through and including June 30, 2021, and continuing thereafter as approved. Any services performed during the period between the above commencement date and the date of Board action approving this Agreement are hereby ratified by said Board approval. Attorney agrees to prepare periodic reviews of relevant court decisions, legislation, and other legal issues. Attorney agrees to keep current and in force at all times a policy covering incidents of legal malpractice.

CLIENT DUTIES. District shall be truthful with Attorney, cooperate with Attorney, keep Attorney informed of developments, ensure access for Attorney to communicate with the District's governing board as appropriate, perform the obligations it has agreed to perform under this Agreement and pay Attorney bills in a timely manner.

FEES AND BILLING PRACTICES. Except as hereinafter provided, District agrees to pay Attorney two hundred sixty-five dollars (\$265) to three hundred sixty dollars (\$360) per hour for Shareholders and Of Counsel; two hundred forty-five dollars (\$245) to two hundred ninety-five dollars (\$295) for Special Counsel; one hundred ninety-five dollars (\$195) to two hundred sixty dollars (\$260) per hour for Associates; and one hundred thirty dollars (\$130) to one hundred eighty dollars (\$180) per hour for Paralegals and Law Clerks. The rate for Gregory J. Dannis will be four hundred dollars (\$400) per hour. Rates for individual attorneys may vary within the above ranges depending on the level of experience and qualifications and the nature of the legal services provided. Agreements for legal fees at other than the hourly rate set forth above may be made by mutual agreement for special projects, particular scopes of work, or for attorneys with specialized skills. The rates specified in this agreement are subject to change at any time by Attorney by written notice to Client and shall apply to all services rendered after such notice is given. Substantive communications advice (telephone, voice-mail, e-mail) is billed in a minimum increment of one-tenth (.1) of an hour, except for the first such advice in any business day, which is charged in a minimum of three-tenths (.3) of an hour. Actual travel time is charged at the rates above. In the course of travel it may be necessary for Attorney to work for and bill other clients while in transit. If, during the course of representation of District, an insurance or other entity assumes responsibility for payment of all or partial fees of Attorney on a particular case or matter, District shall remain responsible for the difference between fees paid by the other entity and Attorney's hourly rates as specified in this Agreement unless otherwise agreed by the parties.

OTHER CHARGES. District further agrees to reimburse Attorney for actual and necessary expenses and costs with respect to providing the above services, including support services such as copying charges (charged at \$0.10 per page), postage (only charged if in excess of \$1.00), and computerized legal research (i.e. Westlaw). Any discount received on computerized legal research is passed along to Client by Attorney. District agrees that such actual and necessary expenses may vary according to special circumstances necessitated by request of District or emergency conditions which occasionally arise. Such expenses shall be provided at cost unless otherwise specified.

District further agrees to pay third parties, directly or indirectly through Attorney, for major costs and expenses including, but not limited to, costs of serving pleadings, filing fees and other charges assessed by courts and other public agencies, arbitrators' fees, court reporters' fees, jury fees, witness fees, investigation expenses, consultants' fees, and expert witness fees. Upon mutual consent of District and Attorney, District may either advance or reimburse Attorney for such costs and expenses.

Occasionally Attorney may provide District officials and/or employees with food or meals at Attorney-sponsored trainings or when working with District officials and/or employees. Attorney may provide such food or meals without additional charge in exchange for the consideration provided by the District under this Agreement.

BILLING STATEMENT. Attorney shall send District a statement for fees and costs incurred every calendar month. Attorney's statements shall clearly state the basis thereof, including the amount, rate and basis for calculations or other methods of determination of Attorney's fees. Upon District office's request for additional statement information, Attorney shall provide a bill to District no later than ten (10) days following the request. District is entitled to make subsequent requests for bills at intervals of no less than thirty (30) days following the initial request. District shall pay Attorney's statements within thirty (30) days after each statement's date.

INDEPENDENT CONTRACTOR. It is expressly understood and agreed to by both parties that Attorney, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the District.

CONFLICT OF INTEREST. In some situations, where Attorney has relationships with other entities, the Rules of Professional Conduct may require Attorney to provide disclosure or to obtain informed written consent before it can provide legal services for a client. Attorney represents many school and community college districts, county offices of education, joint powers authorities, SELPAs and other entities throughout California. The statutory and regulatory structure of the provision of education services results in many ways in which these entities interact which could result in a conflict between the interests of more than one of Attorney's clients. If Attorney becomes aware of a specific conflict of interest involving District, Attorney will comply with the legal and ethical requirements to fulfill its duties of loyalty and confidentiality to District. If District has any question about whether Attorney has a conflict of interest in its representation of District in any matter, it may contact Attorney or other legal counsel for clarification.

TERMINATION OF CONTRACT. District or Attorney may terminate this Agreement by giving reasonable written notice of termination to the other party.

COUNTERPARTS. This Agreement may be executed in duplicate originals, including facsimiles, each of which shall fully bind each party as if all had signed the same copy. Electronic copies of signatures shall be treated as originals for all purposes.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement for Professional Services.

HAMILTON UNIFIED SCHOOL DISTRICT

Dr. Jeremy Powell
Superintendent

Date

DANNIS WOLIVER KELLEY



Matthew P. Juhl-Darlington
Attorney at Law

5/18/2020

Date

At its public meeting of _____, 2020, the Board approved this Agreement and authorized the Board President, Superintendent or Designee to execute this Agreement.



HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street
P.O. Box 488, Hamilton City, CA 95951
TEL 530-826-3261 | FAX 530-826-0440

Jeremy Powell, Ed. D.
Superintendent

TO: Governing Board and District Staff

FROM: Dr. Jeremy Powell

SUBJECT: Annual District Designees

DATE: June 24, 2019

Annually, the Superintendent appoints the succession of District Authority in the absence of the Superintendent.

For the 2020-21 school year, the designees are as follows:

Primary: Mrs. Kristen Hamman, Chief Business Official

Secondary: Mr. Cris Oseguera, Hamilton High School Principal

Tertiary: Mrs. Kathryn Thomas, Hamilton Elementary School Principal

This annual notification of designees will be adopted at the June 24, 2020 Board Meeting.

BOARD OF TRUSTEES

Gabriel Leal, President | Hubert "Wendall" Lower, Clerk
Rod Boone, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee



HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street
P.O. Box 488, Hamilton City, CA 95951
TEL 530-826-3261 | FAX 530-826-0440

Jeremy Powell, Ed. D.
Superintendent

TO: Glenn County Office of Education Business Department

FROM: Hamilton Unified School District

SUBJECT: Annual District Designees

DATE: June 24, 2020

The following persons are authorized, as required by Education Code 42632 and 42633, to sign vendor warrant registers, payroll registers, and budget transfers to be submitted to the Glenn County Schools Office for payment of vendors, employees and transfers of budgeted funds for the fiscal year 2020-2021.

1. Kristen Hamman _____

2. Dr. Jeremy Powell _____

3. Cris Oseguera _____

4. Kathryn Thomas _____

BOARD OF TRUSTEES

Gabriel Leal, President | Hubert "Wendall" Lower, Clerk
Rod Boone, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee



Financial Hardship Waiver (CIF Bylaw 207):

Due to the impact of the COVID-19 virus, and the resulting financial impact on many families, a waiver of Bylaw 207 may be granted for a student who transfers to a new school during the first semester of the 2020-2021 school year when there is a demonstrated and verifiable hardship condition due to financial difficulties.* In assessing whether a financial hardship will be granted, the family must provide evidence of an unforeseeable, unavoidable and uncorrectable act, condition, or event resulting from the COVID 19 virus that necessitated the transfer of schools. As verification of the financial hardship, the Section will require a statement from the family which outlines the unforeseeable, unavoidable and uncorrectable act, condition or event resulting from the COVID 19 virus that necessitated the transfer of schools along with the following documentary evidence:

- A letter from the employer/former employer stating that the parent/guardian/caregiver was employed during California's Shelter in Place Order and that the parent/guardian/caregiver was either laid-off, received a reduction in salary, or was terminated from their position due to circumstances related to COVID-19.
- In the case of a transfer from a private school, documentation from the administration of the private school demonstrating the family's efforts to obtain financial assistance from the private school and that aid or assistance offered by the private school was insufficient or denied.

In addition to the above listed documents, the Section Commissioner may request additional documentation deemed necessary by the Commissioner to verify the financial hardship. Once the above documentation is submitted to the Section, a determination will be made by the Section Commissioner within twenty (20) business days as to whether a hardship waiver will be granted. The decision of the Section Commissioner is final and may not be appealed as is the case with all hardship requests.

Please be advised that all other CIF Bylaws still apply when requesting a transfer based on a financial hardship, including the other provisions of Bylaw 207.

*Note: At its discretion, the CIF may extend the application period for the filing of a financial hardship beyond the first semester of 2020-2021.



RONALD W. NOCETTI, EXECUTIVE DIRECTOR

CALIFORNIA INTERSCHOLASTIC FEDERATION

CIF STATE OFFICE • 4658 DUCKHORN DRIVE • SACRAMENTO, CA 95834 • (916) 239-4477 • CIFSTATE.ORG

Physical Examination Waiver (CIF Bylaw 503.G.):

In order to address the impact that the COVID-19 virus and school closures have had on students, and in recognition that families may experience delays in obtaining appointments for their student for a Preparticipation Physical Examination, governing boards of school districts and private schools may elect to provide a one-time, temporary waiver of Bylaw 503.G. that must be signed by the student athlete's parent/legal guardian and submitted to the high school administration before the student may tryout, practice or participate in interscholastic athletic competition. This waiver will allow the student athlete to participate in athletics for a maximum of thirty (30) calendar days from their school's first day of practice in that sport. This waiver only applies to CIF sanctioned Fall 2020 sports. Further, a waiver may only be obtained if the high school has a Preparticipation Physical Examination for the 2019-2020 on file for the student athlete or, in the event the high school does not have on file the student's 2019-2020 Preparticipation Physical Examination, the parent/legal guardian may provide a copy of the student athlete's 2019-2020 Preparticipation Physical Examination to the school administration. This waiver also applies to incoming 9th graders and transfer students. An incoming 9th grader may request a waiver if they are able to provide a copy of a 2019-2020 Preparticipation Physical Examination or Well Child Check. An incoming transfer student may request a waiver if they are able to provide a copy of a 2019-2020 Preparticipation Physical Examination. After termination of the temporary thirty (30) day waiver period, the student athlete must submit a current 2020-2021 Preparticipation Physical Examination in order to continue participating in interscholastic athletics.

In order to be granted a temporary waiver of the Pre-Participation Physical Examination (Bylaw 503.G.), the parent/legal guardian and student MUST complete, sign and submit to their school administration the required 503.G. Waiver and Release of Liability Form.

In addition to the requirements discussed above, a student athlete requesting a temporary waiver must submit to the school administration a student Health Screening Form completed and signed by the student's parent/legal guardian prior to participating in tryouts, practice or interscholastic athletic competition.

These documents will be posted on the CIF website in the coming weeks (www.cifstate.org).

HES Schedule | 2020-2021 STAFF CALENDAR

Notes:

Full Staff Development Days- No students.

Saturday School

Holiday

Half days

Staff Meetings

JULY 2020						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JANUARY 2021						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- 1-8 Winter Break
- 12 PTO Meeting
- 13 Coffee chat
- 14 Parent Workshop
- 15 Staff Meeting
- 18 M.L. King Day
- 20 Morning Coffee with Principal/HULC Meeting
- 27 Board Meeting

- 11 First Day of School
- 11 PTO Meeting
- 20 Back to School Night(K-5)
- 25 Back to School Night(6-8)
- 26 Board Meeting
- 26 Grading window opens

AUGUST 2020						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY 2021						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

- 3 SST meetings/Grading Window Opens
- 5 Staff Meeting
- 9 SSC & PTO Meeting
- 10 Coffee chat/Grading Window Closes
- 11 Parent workshop/Progress Report Mailed
- 12 Lincoln's Birthday
- 15 President's Day
- 17 Morning Coffee with the Principal/HULC Meeting
- 24 Board Meeting
- 25 Student recognition (6-8)
- 26 Student recognition (TK-5)
- 27 Saturday School

- 2 SST meetings/Grading window closes
- 3 Picture Day
- 4 Staff Meeting/Progress Reports Mailed
- 7 Labor Day
- 8 SSC & PTO Meeting
- 9 Coffee chat
- 10 Parent Workshop
- 16 Morning Coffee with Principal/HULC Meeting
- 21 Non - School Day
- 23 Board Meeting/LCAP
- 24 Student recognition (6-8)
- 25 Student recognition (TK-5)
- 26 Saturday School
- 30 Picture Make-up

SEPTEMBER 2020						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

MARCH 2021						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- 2- Parent Conferences 6-8th grade
- 3- Parent Conferences K-5th grade
- 5 Staff Meeting
- 9 SSC & PTO Meeting
- 10 SST meetings/Coffee chat/LCAP Stakeholder mtg
- 11 Parent workshop
- 17 Morning Coffee with Principal/Grading Window Opens/HULC Meeting
- 18 End of 3rd Quarter
- 19 Non - School Day
- 24 Board Meeting/Grading Window Closes
- 26 Report Cards Mailed
- 31 Spring Concert

- 2 Staff Meeting
- 7 SST meetings/Grading window opens
- 8 Parent Workshop
- 9 End of 1st Quarter
- 12 DELAC/LCAP Meeting
- 13 PTO Meeting
- 14 Coffee chat/Grading window closes
- 16 Report Cards Mailed
- 20th- Parent Conferences 6th-8th grade
- 21st-22nd-Parent Conferences TK-5th grade
- 21 Morning Coffee with Principal/HULC Meeting/Board Meeting
- 28 Grading window opens
- 30 Halloween Carnival

OCTOBER 2020						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL 2021						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- 2 Good Friday
- 5-9 Spring Break
- 13 PTO Meeting
- 14 SST meetings/Coffee chat
- 15 Parent workshop
- 16 Staff Meeting
- 21 Grading Window Opens/Morning Coffee with Principal/HULC Meeting
- 28 Board Meeting/LCAP/Grading Window Closes
- 29 Student recognition (6-8)
- 30 Student recognition (TK-5)
- 30 El Dia del Niño/Progress Reports Mailed

- 4 SST meetings/Grading window closes
- 6 Staff Meeting/Progress Report Mailed
- 10 SSC & PTO Meeting
- 11 Veterans Day
- 12 Coffee chat/Parent Workshop
- 18 Morning Coffee with the principal/HULC Meeting
- 19 Student recognition (6-8)
- 20 Student recognition (TK-5)
- 25-29 Thanksgiving Break

NOVEMBER 2020						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY 2021						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- 6 May Dance Festival
- 7 Staff Meeting
- 11 SSC & PTO Meeting
- 11 Kinder Grad/8th grade promotion pictures
- 12 Coffee chat
- 19-21 Fair Week (half day for MS only the 19th -20th)
- 19 Morning Coffee with Principal
- 21 Parent Appreciation Breakfast
- 22 Saturday School
- 26 Board Meeting/HULC
- 27 6th-8th End of Year Awards
- 28 TK-5 End of Year Awards/Grading window opens
- 31 Memorial Day

- 2 SST meetings/Winter Concert
- 3 Christmas Program
- 5 Saturday School
- 4 Staff Meeting
- 8 PTO Meeting
- 9 Coffee chat/Board Meeting/LCAP
- 10 Parent Breakfast/ELAC
- 14 Grading window opens
- 16 Morning Coffee with the Principal/HULC Meeting
- 18 End of 2nd Quarter
- 21-31 Winter Break
- 23 Grading window closes
- 30 Report cards mailed

DECEMBER 2020						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE 2021						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

- 3 8th grade promotion/Minimum Day
- 4 Kinder Graduation
- 4 Last Day of School
- 4 End of 4th Quarter
- 9 Grading window closes
- 11 Report Cards Mailed
- 9 Budget & LCAP/Board Meeting
- 23 Budget & LCAP Adoption/Board Meeting

Hamilton High School- Home of the Braves
Cris Oseguera, Principal

2020-21 HHS SITE MASTER CALENDAR

AUGUST 2020 Student Days: Stu Days 15 (15 total)	M T W T F 03 04 05 06 07 [10] (11) 12 13 [14] 17 18 19 20 [21] 24 25 26 27 [28] 31	04 (11) 18 19	HHS Frosh Orientation- 9am-12noon First Day of School-Full Day; Start of 1st Semester HHS Back-To-School Night- 6:00pm HHS Picture Day	Grade Eligible/Ineligible Date- August 13, 2020
SEPTEMBER 2020 Stu Days 20 (35 total)	M T W T F 01 02 03 [04] 07 08 09 10 [11] 14 15 16 [17] [18] [21] 22 23 24 [25] 28 29 30	02 04 07 09 17 [21]	Progress Reports Due (Teachers) Progress Reports Mailed Labor Day Holiday- No School HHS College and Scholarship Parent Info Night-6:00pm HHS Minimum Day-HHS Parent/Teacher Conferences (2-7pm) (Student Non-Attendance Day)	
OCTOBER 2020 Stu Days 22 (57 total)	M T W T F 01 [02] 05 06 07 08 [09] 12 13 14 15 [16] 19 20 21 22 [23] 26 27 28 29 [30]	09 14 16	1st Quarter Ends 1 st Quarter Grades Due (Teachers) 1 st Quarter Report Cards Mailed	Grade Eligible/Ineligible Date- October 21, 2020
NOVEMBER 2020 Stu Days 15 (72 total)	M T W T F 02 03 04 05 [06] 09 10 11 12 [13] 16 17 18 19 [20] 23 24 25 26 27 30	04 06 11 23-27	Progress Reports Due (Teachers) Progress Reports Mailed Veterans Day Holiday Observed- No School Thanksgiving Break (11/23/20-11/27/20)- No School	
DECEMBER 2020 Stu Days 14 (86 total) (1 st Sem = 86 days)	M T W T F 01 02 03 [04] 07 08 09 10 [11] 14 15 16 17 [18] 21 22 23 24 25 28 29 30 31	02 03 [18] 21-31 23 30	Winter Concert-HHS Gym-6:00pm Elementary Christmas Program HHS Gym End of 1st Semester Winter Break (12/21/20- 1/08/21)- No School 1 st Semester Grades Due (Teachers) 1 st Semester Report Cards Mailed	
JANUARY 2021 Stu Days 14 (100 total)	M T W T F 01 04 05 06 07 08 [11] 12 13 14 [15] [18] 19 20 21 [22] 25 26 27 28 [29]	01-08 11 18	Winter Break- No School School Resumes-Start of 2nd Semester Dr. Martin Luther King Day Holiday Observed-No School	Grade Eligible/Ineligible Date- January 13, 2021
FEBRUARY 2021 Stu Days 18 (118 total)	M T W T F 01 02 03 04 [05] 08 09 10 11 12 15 16 17 18 [19] 22 23 24 [25] [26]	10 11 12 15 [25]	Progress Reports Due (Teachers) Progress Reports Mailed Lincoln's Birthday Holiday Observed- No School President's Day Holiday- No School HHS Minimum Day-HHS Parent/Teacher Conferences (2-7pm)	
MARCH 2021 Stu Days 22 (140 total)	M T W T F 01 02 03 04 [05] 08 09 10 11 [12] 15 16 17 18 [19] 22 23 24 25 [26] 29 30 31	18 [19] 24 25 26 29	3rd Quarter Ends (Student Non-Attendance Day) 3 rd Quarter Grades Due (Teachers) HHS Open House- 6:00pm Report Cards Mailed Opening of HHS CAASPP Testing Window	Grade Eligible/Ineligible Date- March 31, 2021
APRIL 2021 Stu Days 16 (156 total)	M T W T F 01 02 05 06 07 08 09 12 13 14 15 [16] 19 20 21 22 [23] 26 27 28 29 [30]	02-09 28 30	Spring Break (Good Friday Observed April 02; Easter is April 4th)- No School Progress Reports Due (Teachers) Progress Reports Mailed	
MAY 2021 Stu Days 20 (176 total)	M T W T F 03 04 05 06 [07] 10 11 12 13 [14] 17 18 [19] [20] [21] 24 25 26 27 [28] [31]	13 [19-21] 25 31	HHS Senior Project Presentations- 6:00pm HHS Minimum Days for Glenn County Fair HHS Awards Night-7pm Memorial Day Holiday-No School	
JUNE 2021 Stu Days 4 (180 total) (2 nd Sem = 94 days)	M T W T F 01 02 [03] [04] 07 08 09 10 11 14 15 16 17 18 21 22 23 24 25 28 29 30	01-03 [03-04] 04 16 18 10	HHS Finals HHS/HUSD Minimum Days Last Day of School/ End of 2nd Semester/ High School Commencement at 8:00 PM 2nd Semester Grades Due (Teachers) Second Semester Report Cards Mailed HHS Summer School begins (Session: June 10-June 30, 2021)-TBD	

School Starts/Ends ()

Staff Development- No Students

School Holiday

[HHS Minimum Day]

All Regular School Days – 8:10am to 3:15pm / All Minimum Days Dismissed at 12:30 p.m.

All Fridays: Minimum Days for Teacher Collaboration/Teacher Staff Development (1:05 p.m. to 3:15 p.m.; as directed)

Student Days: 180

Teacher Staff Development Days: 1

Total Days: 181

Hamilton Unified School District 2020-2021

Fall 2020

July 2020						
Su	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
						0

August 2020						
Su	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					15

September 2020						
Su	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
						35

October 2020						
Su	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
						57

November 2020						
Su	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
						72

December 2020						
Su	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
						86

Spring 2021

January 2021						
Su	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						100

February 2021						
Su	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						
						118

March 2021						
Su	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
						140

April 2021						
Su	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
						156

May 2021						
Su	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					176

June 2021						
Su	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
						180

Holidays/Breaks:	7/4 4th of July, 9/7 Labor Day, 9/21 No School, 11/11 Veterans Day, 11/23-11/27 Thanksgiving Break, 12/21-1/8 Winter Break, 1/18 Martin Luther King Jr. Day, 2/12 Lincoln's Birthday (observed), 2/15 President's Day, 3/19 No School, 4/2 Good Friday, 4/5-4/9 Spring Break, 5/31 Memorial Day
1st/Last Day of School	8/11 1st Day of School, 6/4 Last Day of School
Board Meetings	7/22, 8/26, 9/23, 10/21, 12/9, 1/27, 2/24, 3/24, 4/28, 5/26, 6/9, 6/23
HULC Meetings	9/16, 10/21, 11/18, 12/16, 1/20, 2/17, 3/17, 4/21, 5/26
End of Quarter Dates	1st Quarter 10/9, 2nd Quarter 12/18, 3rd Quarter 3/18, 4th Quarter 6/4
Teacher/District In Service:	8/10 (District Wide - No Student Attendance)
Student Min Days	8/14, 8/21 8/28, 9/4, 9/11, 9/18, 9/24, 10/2, 10/9, 10/16, 10/23, 11/6, 11/20, 12/4, 12/11, 12/18, 1/15, 1/22, 1/29, 2/5, 2/19, 2/26, 3/5, 3/12, 3/26, 4/16, 4/23, 4/30, 5/7, 5/21, 5/28 5/19-5/21 (Glenn County Fair), 6/3 (8th Grade Promotion 7:00pm, HHS Stadium/Teacher Prep), 6/4 (HHS Grad 8:00pm, HHS Stadium/Teacher Prep)

HHS Scheduled Activities
HHS Back to School Night: 8/18
HHS Parent Conference Day: 9/17 & 2/25
Winter Concert (HHS Gym): 12/2
Opening of CAASPP Testing Window: 3/29
HHS Open House: 3/25
Spring Concert: TBD
HHS Awards Night: 5/25

HES Scheduled Activities
HES Back to School Night: 8/20 (K-5), 8/25 (6-8)
HES Parent Conferences (Min. Day): 10/20 = 6th - 8th Grade ONLY 1:00 p.m. to 5:30 p.m. 10/21-10/22 = K - 5th Grade ONLY 1:00 p.m. 5:30 p.m.
HES Halloween Carnival: 10/30
Winter Concert (HHS Gym): 12/2
Elementary Christmas Program (HHS Gym): 12/3
HES Parent Conferences (Min. Day): 3/2 = 6th - 8th Grade ONLY 1:00 p.m. to 5:30 p.m. 3/3 = K - 5th Grade ONLY 1:00 p.m. to 5:30 p.m.
Opening of CAASPP Testing Window: 3/29
HES May Dance Festival: 5/6

Public Meetings	Student Days
LCAP Meeting: 9/23 - 6:00 p.m.	180
DELAC/LCAP Meeting: 10/12 - 6:00 p.m.	
LCAP Meeting: 12/9 - 6:00 p.m.	Teacher Staff Dev. Days
LCAP Stakeholder Meeting: 3/10 - 6:00 p.m.	
LCAP Meeting: 4/28 - 6:00 p.m.	1
LCAP Draft Review (Public Comment & Questions to Supt.: 4/28 - 6:00 p.m.	Total Days
Budget & LCAP Public Hearing: 6/9	
Budget & LCAP Public Hearing: 6/23	
	181

Classified Holidays
4th of July: Observed on 7/3 Labor Day: 9/7
Veterans Day: 11/11 Thanksgiving: 11/25-27
Winter Break: 12/23-25, 31 & 1/1 MLK Jr.: 1/18
Lincoln's Birthday: 2/12 President's Day: 2/15
Good Friday: 4/2 Memorial Day: 5/31

**HAMILTON UNIFIED SCHOOL DISTRICT
BOARD MEETING
MINUTES
Hamilton High School Library
Wednesday, May 20, 2020**

5:30 p.m. Public session for purposes of opening the meeting only via Zoom:
5:30 p.m. Closed session to discuss closed session items listed below via Zoom (For Board Only)
6:00 p.m. Reconvene to open session no **later** than 6:30 p.m. via Facebook Live or Zoom (see below)

As authorized by the Governor's Emergency Executive Orders issued on March 12 and 17, 2020, the Hamilton Unified School District Board of Education will conduct Board of Education meetings by video conference until further notice. Please join the meeting by attending the livestream via Facebook Live on the District's Facebook page or through the below Zoom link or dial by phone as listed below:

<https://us02web.zoom.us/j/82132865952?pwd=VzFRUzJ3YzBjQ1RwRFcvQlArTG1VZz09>

Meeting ID: 821 3286 5952

Password: 9tf1Nb

One tap mobile

+13017158592,,82132865952#,,1#,576914# US (Germantown)

+13126266799,,82132865952#,,1#,576914# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 821 3286 5952

Password: 576914

1.0 OPENING BUSINESS:

- a. Call to order and roll call at 5:30 p.m.

 Gabriel Leal, President

 Hubert "Wendall" Lower, Clerk

 Rod Boone

 Genaro Reyes

 Ray Odom

2.0 IDENTIFY CLOSED SESSION ITEMS:

3.0 PUBLIC COMMENT ON CLOSED SESSION ITEMS: Public comment will be heard on any closed session items. The board may limit comments to no more than three minutes per speaker and 15 minutes per item. **None**

4.0 ADJOURN TO CLOSED SESSION: To consider qualified matters.

- a. Government Code Section 54957 (b), Personnel Issue. To consider the employment, evaluation, reassignment, resignation, dismissal, or discipline of a classified and certificated employees.
- b. Government Code Section 54957.6, Labor Negotiations. To confer with the District's Labor Negotiator, Superintendent Jeremy Powell regarding HTA and CSEA negotiations.
- c. Government Code Section 54956.9, Subdivision (a), Existing litigation. Name of case: Crews v. Hamilton Unified School District, Glenn County Superior Court, Case No. 15CV01394.
- d. Government Code Section 54956.9, Subdivision (a), Pending litigation. Name of case: Goodwin v. Hamilton Unified School District, Glenn County Superior Court, Case No. 19CV02117
- e. *Conference with Real Property Negotiators.* Property: Westermann property north of Hamilton High School, approximately located at 500 Sixth Street, Hamilton City, CA 95951 (APN: 032-230-015-000). Agency Negotiator: Jeremy Powell, Superintendent; Matt Juhl-Darlington, Attorney for District. Negotiating Parties: Westermann Family and Hamilton Unified School District. Under negotiation: Price and terms of payment.

Report out action taken in closed session. The board gave direction to the superintendent regarding Real Property negotiations.

5.0 PUBLIC SESSION/FLAG SALUTE: lead by Mr Boone.

6.0 ADOPT THE AGENDA: (M)

- a. Dr. Powell pulled item 13.0 h from the agenda
- b. Dr. Powell handed out an item to go with item 11.0 d

Motion to adopt the agenda by Mr. Lower 2nd by Mr. Boone.

Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

7.0 COMMUNICATIONS/REPORTS:

- a. Board Member Comments/Reports.
 - i. Mr. Reyes thanked the staff involved in the May Festival Parade.
- b. District Reports (written)
 - i. Technology Report by Frank James & Derek Hawley (p. 4)
 - ii. Nutrition Services Report by Sean Montgomery (p. 5)
 - iii. Operations Report by Alan Joksch (p. 6)
- c. Principal and Dean of Student Reports (written)
 - i. Kathy Thomas, Hamilton Elementary School Principal (p. 7)
 - ii. Maria Reyes, District Dean of Students (p. 8)
 - iii. Cris Oseguera, Hamilton High School Principal (p. 9)
 - iv. Sylvia Robles, Adult School (p. 10)
- d. Chief Business Official Report by Kristen Hamman (p. 11)
 - i. Ms. Hamman explained that her report as of this time shows a net increase but that is just due to the timing. She does not see us having an increase at the end of June. At this time we had an increase in received income but we do expect more expenditures to come in before the end of June.
- e. Superintendent Report by Jeremy Powell (p. 12)
 - i. Dr. Powell reviewed the budget workshop handout.
 - ii. The budget for the board in June will look at a worst case scenario with negative funing.
 - iii. We won't know the actual budget in August.

8.0 PRESENTATIONS:

- a. None

9.0 CORRESPONDENCE:

- a. None

10.0 INFORMATIONAL ITEMS:

- a. HHS Golden State Merit Seal Diploma Recipients Class of 2020 (p. 14)
 - i. Mr. Oseguera explained the Golden State Merit Seal Diploma and announced that we have 10 recipients this year.
- b. HHS Seal of Biliteracy Recipients Class of 2020 (p. 15)
 - i. Mr. Oseguera explained that we have one recipient of the Seal of Biliteracy but that there are potentially two others who will be taking the A.P. Spanish test Friday. Their results will be available in late June or early July.
- c. HHS Valedictorian/Salutatorians Class of 2020 (p. 16)
 - i. Mr. Oseguera announced the recipients, including Morgin Avrit who attended the board meeting via zoom.
- d. HUSD Enrollment History for 5 years (p. 17)
- e. Bond Satus (Fund 21) Update (p. 18)
- f. Williamson Act Filings & Process HHS Site Expansion – Mike Cannon (p. 20)
 - i. Mike Cannon reviewed with Williamson Act Filings and process

11.0 DISCUSSION ITEMS:

- a. HHS Site Expansion Permitting Status Update – Mike Cannon (p. 28)
 - i. Mike Cannon explained that DTSC requirements are now met.
 - ii. Public comment period for CEQA has ended. The final adoption will be at the regular June meeting.
 - iii. Is the property being purchased as one parcel, pieces of a parcel or expanding the existing parcel? Mike Cannon to check usage and tax implications.
- b. STEM Scope Curriculum Review for Adoption at next meeting (p. 32)
 - i. You may also use the Username: HUSD , password: Husd789 and the following link to access and review the Accelerate Learning STEMscopes curriculum:
<https://n11055d17030.acceleratelearning.com/login>
 - 1. Dr. Powell explained that we have gone through the year-long adoption period for K-8 and that it is within our budget and highly supported by the teachers.
- c. Strategic Planning/LCAP
 - i. Dr. Powell explained the updated handout that identified needs, grouped them together into categories and added notes and costs.
- d. Spenddown plan for CTEIG funds (p. 39)
 - i. Dr. Powell reviewed the plan and updated handout.
 - ii. Mr. Boone requested that the structure be called the Roy Boone Memorial barn or show barn but not sheep barn. He thanked us for keeping the name Roy Boone Memorial on the structure.

12.0 PUBLIC COMMENT: Public comment on any item of interest to the public that is within the Board’s jurisdiction will be heard (agenda and non-agenda items). The Board may limit comments to no more than three minutes per speaker and 15 minutes per topic. Public comment will also be allowed on each specific action item prior to board action thereon.

- a. Dianna Camarena and Maggie Sawyer congratulated Elia Mendez, Valedictorian and Breanna Reyes, Salutatorian for the 8th grade class.

13.0 ACTION ITEMS:

- a. Approval of Ag Incentive Grant (p. 40)
 - i. Janice Lohse explained that this grant may be eliminated for next year but that we need to submit the application now.

Motion to approve Ag Incentive Grant by Mr. Odom 2nd by Mr. Lower. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

- b. Approve HUSD-PG&E License Agreement for Public Safety Power Shutoffs (p. 48)

Motion to approve HUSD-PG&E License Agreement by Mr. Lower 2nd by Mr. Boone. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

- c. Approval of COVID-19 Grading Conventions (p. 55)
 - i. Mr. Oseguera explained that this is important as the next 3 to 4 years will refer back to these.
 - ii. Grades cannot go down below a 3rd Quarter grade and credit/no credit option available.
 - iii. Been in communication with families so all students can improve their grades.

Motion to approve COVID-19 Grading Conventions by Mr. Reyes 2nd by Mr. Lower. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

- d. Review and approve revised high school graduation date
 - i. Dr. Powell reviewed the updated guidance from Glenn County Office of Public Health regarding graduation ceremonies.
 - ii. We’ve kept High School graduation ceremony on the calendar.
 - iii. Would like to discuss alternative high school graduation date
 - iv. Mr. Oseguera outlined a proposed plan for the High School Graduation

- v. Morgan Avrit commented that students and families have been told June 5th graduation date since their freshmen year. Some classmates can't make a later date.
- vi. Dr. Powell clarified that we would maintain the June 5th graduation date but also have June 19th as an alternative date in case restrictions change.
- vii. There was a discussion regarding the length of the ceremony.
- viii. Mr. Odom questioned the shortening of the ceremony, limiting speeches.
- ix. Mr. Oseguera explained the timing of the ceremony.
- x. Erin Johnson asked if the June 5th date would work where we are now.
- xi. Dr. Powell replied yes.
- xii. Erin Johnson expressed concern of June 19th being Father's Day weekend and that graduation parties are already scheduled.
- xiii. Mr. Lower thanked Mr. Oseguera and everyone for coming up with a plan and noted that these are not laws, just recommendations.
- xiv. Mr. Boone commented that he supports the June 5th date and that a short ceremony is fair but would not like to have a pre-recorded speech. Wants to see short speeches from actual students.

Mr. Lower made a motion to fully approve the graduating class of 2020 ceremony for June 5th with those parameters.
Mr. Reyes 2nd. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

Mr. Boone motioned to review and approve the revised high school graduation date to June 19th if necessary. Mr. Odom 2nd. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

e. Approval of HHS Class of 2020 Tentative Graduates (p. 56)

- i. Mr. Oseguera congratulated the students, teachers and Sylvia Robles.

Mr. Boone motioned to approve the HHS Class of 2020 Tentative Graduates. Mr. Lower 2nd. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

f. Approval of EBHS Class of 2020 Tentative Graduates (p. 57)

Mr. Boone motioned to approve the EBHS Class of 2020 Tentative Graduates. Mr. Reyes 2nd. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

g. MOU with GCOE - Tech Department 2020-21 school year (p. 58)

- i. Mr. Odom asked if there would be any gap in service.
- ii. Dr. Powell replied that there would be no gap, that there is transition plan in place.
- iii. Mr. Conwell asked what is happening with the guys in the tech department now.
- iv. Dr. Powell stated that they will be supported in their endeavors.

Mr. Boone motioned to approve the MOU with GCOE for the Tech Department for 2020-21 school year. Mr. Odom 2nd. Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

~~h. MOU 3 day reduction HTA/CSEA Management Classified/Confidential 2020-21 school year~~

- ~~i. Dr. Powell struck this item from the agenda~~

- i. Reduction 5 days Superintendent 2020-21 school year (P. 60)
 - i. Mr. Odom clarified that the driving force behind this reduction was not to reduce the work load of the Superintendent but to reduce the financial liability of the District. He commended and appreciated Dr. Powell for volunteering this.

Mr. Odom motioned to reduce the Superintendent by 5 days for the 2020-21 school year. Mr. Boone 2nd.
Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

- j. CSBA Policies Review 2nd Reading Guide Sheet (P. 61)
 - i. Board Policy and Administrative Regulation (Revised) 0420.4: Charter School Authorization
 - ii. Board Policy and Exhibit (Revised) 0420.41: Charter School Oversight
 - iii. Board Policy (Revised) 0420.42: Charter School Renewal
 - iv. Board Policy (Revised) 0420.43: Charter School Revocation
 - v. Board Policy (Added) 3471: Parcel Taxes
 - vi. Board Policy and Administrative Regulation (Revised) 3551: Food Service Operations/Cafeteria Fund
 - 1. Dr. Powell recommends Option 2.
 - vii. Board Policy (Revised) 4112.2: Certification
 - viii. Exhibit (Revised) 4112.9/4212.9/4312.9: Employee Notification
 - ix. Board Policy and Administrative Regulation (Revised) 5141.52: Suicide Prevention
 - x. Board Policy and Administrative Regulation (Revised) 5144.1: Suspension and Expulsion/Due Process
 - xi. Board Policy and Administrative Regulation (Revised) 6172.1: Concurrent Enrollment in College Classes

Mr. Lower moved to approve CSBA 2nd Readings i-xi with vi being the 2nd option. Mr. Reyes 2nd.
Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

- xii.
- k. CSBA COVID-19 Special Release Policy Guide Sheet (p. 64)
 - i. Board Policy (Added) 4113.5/4213.5/4313.5: Working Remotely
 - 1. Dr. Powell recommends to strike the first sentence.
 - ii. Board Policy (Added) 6157: Distance Learning

Mr. Lower moved to approve CSBA 2nd COVID-19 special policies with the first sentence of BP 4113.5/4213.5/4313.5 struck. Mr. Boone 2nd.
Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

14.0 **CONSENT AGENDA:** Items in the consent agenda are considered routine and are acted upon by the Board in one motion. There is no discussion of these items prior to the Board vote and unless a member of the Board, staff, or public request specific items be discussed and/or removed from the consent agenda. Each item on the consent agenda approved by the Board shall be deemed to have been considered in full and adopted as recommended.

- a. Williams Quarterly April 2020 (p. 65)
- b. 2020-2021 Designation of CIF Representatives to League (p. 66)
- c. Warrants and Expenditures (p. 67)
- d. Minutes from Regular Board Meeting on April 22, 2020 (p. 81)
- e. Minutes from Special Board Meeting on April 28, 2020 (p. 86)
- f. Interdistrict Transfers (new only; elementary students reapply annually).
 - i. Out
 - 1. Hamilton Elementary School
 - a. none
 - 2. Hamilton High School
 - a. none
 - ii. In
 - 1. Hamilton Elementary School

- a. none
- 2. Hamilton High School
 - a. none
- g. Personnel Actions as Presented:
 - i. New hires:
 - 1. None
 - ii. Resignations/Retirement:
 - 1. None

Mr. Lower moved to approve the consent agenda. Mr. Reyes 2nd.

Motion Carried 5-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: AYE
Odom: AYE	

15.0 ADJOURNMENT: at 7:37 p.m. in memory of Mr. Jesus Puente and Ted Pata.

**HAMILTON UNIFIED SCHOOL DISTRICT
SPECIAL BOARD MEETING & PUBLIC HEARING
MINUTES**

Wednesday, June 10, 2020

5:30 p.m. Public session for purposes of opening the meeting only via Zoom:
 5:30 p.m. Closed session to discuss closed session items listed below via Zoom (For Board Only)
 6:00 p.m. Reconvene to open session no **later** than 6:30 p.m. via Facebook Live or Zoom (see below)

As authorized by the Governor’s Emergency Executive Orders issued on March 12 and 17, 2020, the Hamilton Unified School District Board of Education will conduct Board of Education meetings by video conference until further notice. Please join the meeting by attending the livestream via Facebook Live on the District’s Facebook page or through the below Zoom link or dial by phone as listed below:

Join Zoom Meeting

<https://us02web.zoom.us/j/84814290530?pwd=cXd1Wi9JTHZVNm91aVJJWG9XNWNnZz09>

Meeting ID: 848 1429 0530

Password: 8X8AuD

Or Dial by phone: +1 312 626 6799

Meeting ID: 848 1429 0530

Password: 016839

1.0 OPENING BUSINESS: 5:30 p.m.

- a. Call to order and roll call

Gabriel Leal, President

Hubert “Wendall” Lower, Clerk

Rod Boone

Genaro Reyes

Ray Odom

2.0 IDENTIFY CLOSED SESSION ITEMS:

3.0 PUBLIC COMMENT ON CLOSED SESSION ITEMS: Public comment will be heard on any closed session items. The board may limit comments to no more than three minutes per speaker and 15 minutes per item.

4.0 ADJOURN TO CLOSED SESSION: To consider qualified matters

- a. *Conference with Real Property Negotiators.* Property: Westermann property north of Hamilton High School, approximately located at 500 Sixth Street, Hamilton City, CA 95951 (APN: 032-230-015-000). Agency Negotiator: Jeremy Powell, Superintendent; Matt Juhl-Darlington, Attorney for District. Negotiating Parties: Westermann Family and Hamilton Unified School District. Under negotiation: Price and terms of payment.

Report out action taken in closed session. [The board gave direction to the superintendent to enter into draft agreement with Westermann Family.](#)

5.0 PUBLIC SESSION/FLAG SALUTE: *lead by Mr Reyes.*

6.0 ADOPT THE AGENDA: (M)

Motion to adopt the agenda by Mr. Boone 2nd by Mr. Reyes.

Motion Carried 4-0

Leal: AYE	Lower: Absent
Boone: AYE	Reyes: AYE
Odom: AYE	

7.0 PUBLIC COMMENT: Public comment on any item of interest to the public that is within the Board’s jurisdiction will be heard (agenda and non-agenda items). The Board may limit comments to no more than three minutes p-er speaker and 15 minutes per topic. Public comment will also be allowed on each specific action item prior to board action thereon.

No public comments.

8.0 ACTION ITEMS:

a. Resolution 19-20-109: 2024 ASB Funds Transfer (page 2)

- i. Dr. Powell explained funds transfer due to students being unable to take their 8th grade class trip.

Motion to adopt Resolution 19-20-109 by Mr. Reyes 2nd by Mr. Odom.

Motion Carried 4-0

Leal: AYE	Lower: Absent
Boone: AYE	Reyes: AYE
Odom: AYE	

b. Resolution 19-20-110: 2020 Senior Class ASB Funds Transfer (page 3)

- i. Mr. Oseguera explained that due to COVID-19 the seniors were unable to use this money for their usual activities. This resolution will return the money to the students equally.
- ii. Dr. Powell explained that normally ASB funds would not be disbursed to students directly. But due to the unusual circumstances this year, we worked with our auditors and attorneys to make sure that we could legally do with with board authorization.
- iii. Mr. Odom asked if all the 12th grade students graduated. Are there any non-grads?
- iv. Mr. Oseguera explained that while not everyone chose to participate in the ceremony, everyone did graduate.

Motion to adopt Resolution 19-20-110 by Mr. Boone 2nd by Mr. Reyes.

Motion Carried 4-0

Leal: AYE	Lower: Absent
Boone: AYE	Reyes: AYE
Odom: AYE	

9.0 OPEN PUBLIC HEARING: Opened at 6:02 p.m.

a. 2020-2021 Local Control Accountability Plan – COVID-19 Emergency Response (page 5)

- i. Dr. Powell explained that usually at this meeting we would have our first readings of LCAP and budget which we would move to approve at our next regular meeting in June.
- ii. This year we do not have our full LCAP. Due to COVID-19 we were given an extension until December 15, 2020 by the State.
- iii. This report reflects what our school has done since the COVID closure to support our students, parents and community.
- iv. We will have an LCAP public hearing in November and then the actual LCAP at December meeting.
- v. We are not asking for approval tonight, this is public hearing. We'll ask for approval at our June regular board meeting. But we are keeping procedural context by presenting at this board meeting.

b. 2020-2021 District Budget (Summary page 7)

- i. Dr. Powell acknowledged all the hard work that Ms. Hamman has put into this budget.
- ii. This report is based on the May revised budget proposed by the Governor.
- iii. The Legislature and the Governor are still trying to figure out what the final budget is going to look like.
- iv. What we are bringing you today may look very different from what we bring back to you in August. That's when we expect to have a much better idea.
- v. Ms. Hamman reviewed 2020-21 budget beginning with the summary.

10.0 ADJOURNMENT: 6:35 p.m.

- i. In closing, Mr. Leal congratulated the Elementary and High School Staff for their successful graduation ceremonies.

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
000478/00	4IMPRINT								
200423	PO-020505 05/21/2020	8304766-GEARUP TAPE MEASURE	1	01-9812-0-1110-1000-4300-000-000-00000	NN F			139.45	139.45
		TOTAL PAYMENT AMOUNT						139.45 *	139.45
000884/00	AERIES SOFTWARE INC								
200169	PO-020236 06/08/2020	CLOSE BAL	1	01-0000-0-1110-1000-5890-000-000-00000	NY C			1,000.00	0.00
200415	PO-020499 06/04/2020	RW-13454-TW CALPADS 2-3	1	01-0000-0-0000-2700-5200-000-000-00000	NY P			100.00	100.00
200415	PO-020499 06/04/2020	RW-13423 TW CALPADS STATS	1	01-0000-0-0000-2700-5200-000-000-00000	NY P			100.00	100.00
		TOTAL PAYMENT AMOUNT						200.00 *	200.00
002070/00	BRENDEN STEVENS	622541706							
200370	PO-020456 05/30/2020	INV#140;REPAIRS FOR INSTRUM	1	01-0000-0-1110-1000-5630-000-013-00000	NY F			805.00	870.00
		TOTAL PAYMENT AMOUNT						870.00 *	870.00
000053/00	CALIFORNIA WATER SERVICE CO								
	PO-000422 05/26/2020	JUNE 3624177777	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	13.38
	PO-000422 05/26/2020	JUNE 4328876467	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	154.77
	PO-000422 05/26/2020	JUNE 0669843652	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	1,121.77
	PO-000422 05/26/2020	JUNE 7314177777	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	976.78
	PO-000422 05/26/2020	JUNE 6314177777	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	165.13
		TOTAL PAYMENT AMOUNT						2,431.83 *	2,431.83
002024/00	CHICO PRINTING								
200206	PO-020320 06/04/2020	26945-HS GRAD PROGRAMS	3	01-0000-0-1110-1000-4300-100-000-00000	NN F			368.67	368.67
		TOTAL PAYMENT AMOUNT						368.67 *	368.67
001161/00	CHICO SPRINKLER INC								
200445	PO-020528 05/28/2020	INV#103677	1	01-8150-0-0000-8100-4300-000-000-00000	NN F			193.50	193.50
		TOTAL PAYMENT AMOUNT						193.50 *	193.50
000642/00	CLAUDIA RODRIGUEZ-MOJICA PhD	567751205							
200163	PO-020229 06/05/2020	JUNE 1-4 LANGUAGE ZOOM	1	01-4203-0-1110-1000-5890-000-000-00000	NY F			2,424.00	2,424.00
		TOTAL PAYMENT AMOUNT						2,424.00 *	2,424.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount

000762/00	CRYSTAL CREAMERY								
PO-000445	04/30/2020	18355662	1	13	5310-0-0000-3700-4700-000-000-000000	NN	P	0.00	327.20
PO-000445	05/07/2020	18374633	1	13	5310-0-0000-3700-4700-000-000-000000	NN	P	0.00	371.31
PO-000445	05/14/2020	18395544	1	13	5310-0-0000-3700-4700-000-000-000000	NN	P	0.00	427.47
PO-000445	05/21/2020	18399919	1	13	5310-0-0000-3700-4700-000-000-000000	NN	P	0.00	541.69
TOTAL PAYMENT AMOUNT								1,667.67 *	1,667.67
000506/00	CVS PHARMACY INC								
200251	PO-020330	06/02/2020	PHOTO PROCESSING	1	12-6105-0-1110-1000-4300-000-000-000000	NN	P	15.39	15.39
200251	PO-020330	06/02/2020	PHOTO PROCESSING	1	12-6105-0-1110-1000-4300-000-000-000000	NN	P	3.00	3.00
TOTAL PAYMENT AMOUNT								18.39 *	18.39
000764/00	DANIELSON CO								
PO-000425	06/02/2020	228442	6	01-7388-0-0000-3700-4300-000-055-000000	NN	P	0.00	247.86	
PO-000425	06/02/2020	228442	2	13-5310-0-0000-3700-4700-000-000-000000	NN	P	0.00	674.26	
TOTAL PAYMENT AMOUNT								922.12 *	922.12
001042/00	EDUCATIONAL FACILITIES PROGRAM 050597395								
200118	PO-020219	06/02/2020	INV#10:2018 BOND PROJ	2	21-0000-0-0000-8500-5890-000-000-000000	NY	P	4,200.00	4,200.00
TOTAL PAYMENT AMOUNT								4,200.00 *	4,200.00
000209/00	GOLD STAR FOODS								
PO-000415	05/27/2020	3341432-MAR PROC STATE FEE	3	13-5310-0-0000-3700-5890-000-000-000000	NN	P	0.00	6.30	
PO-000415	05/27/2020	3341061-MAR BROWN BOX FEE	3	13-5310-0-0000-3700-5890-000-000-000000	NN	P	0.00	6.30	
PO-000415	06/02/2020	3346746-MAY STORAGE FEES	3	13-5310-0-0000-3700-5890-000-000-000000	NN	P	0.00	84.55	
TOTAL PAYMENT AMOUNT								97.15 *	97.15
000162/00	GRAINGER								
PO-000409	05/20/2020	9537338213-MOVING BOXES	2	01-8150-0-0000-8100-4300-000-000-000000	NN	P	0.00	27.03	
200253	PO-020340	06/08/2020	PAID ON 409 IN ERROR	1	01-0000-0-1110-1000-4300-100-000-000000	NN	C	77.22	0.00
TOTAL PAYMENT AMOUNT								27.03 *	27.03

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
001414/00	HOLDREGE & KULL	680368331							
PO-019397	06/08/2020	166179-EXPAN PROJ USD-PEA	3	21-0000-0-0000-8500-5890-000-000-00000	NY P			1,366.98	1,366.98
		TOTAL PAYMENT AMOUNT						1,366.98 *	1,366.98
000801/00	HUNT & SONS INC	942209320							
PO-000400	05/19/2020	521707	1	01-0000-0-0000-3600-4392-000-000-00000	NN P			0.00	511.23
		TOTAL PAYMENT AMOUNT						511.23 *	511.23
000973/00	JIVE COMMUNICATIONS INC	020783048							
PO-000442	06/01/2020	JUNE 2020;IN6000762010	1	01-0000-0-0000-2700-5990-000-000-00000	NN P			0.00	1,754.90
		TOTAL PAYMENT AMOUNT						1,754.90 *	1,754.90
001248/00	KNOX COMPANY	000000000							
200381 PO-020494	06/02/2020	KNOXBOX FIRE KEY	1	01-8150-0-0000-8100-4300-000-000-00000	NN F			2,526.61	2,526.61
		TOTAL PAYMENT AMOUNT						2,526.61 *	2,526.61
000964/00	LILIANA MALAGON								
PV-000117	06/02/2020	REIMB KINDER GRAD PICS	01-3210-0-1110-1000-4300-000-000-00000	NN					74.91
		TOTAL PAYMENT AMOUNT							74.91
001176/00	MARISA SANDQUIST	624842120							
200416 PO-020511	06/08/2020	HHS LOGO; INV#31	1	01-1100-0-1110-1000-5890-000-000-00000	NY F			150.00	150.00
		TOTAL PAYMENT AMOUNT						150.00 *	150.00
000524/00	MJB WELDING SUPPLY								
200142 PO-020205	05/31/2020	1297277	2	01-0350-0-6000-1000-5890-000-053-00000	NN P			9.50	9.50
		TOTAL PAYMENT AMOUNT						9.50 *	9.50
002073/00	ODYSSEY TEAMS INC	931107417							
200443 PO-020526	06/02/2020	HS GRAD VIDEOGRAPHER	1	01-7388-0-1110-1000-5890-000-055-00000	NY F			1,500.00	1,500.00
		TOTAL PAYMENT AMOUNT						1,500.00 *	1,500.00

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
000027/00	ORLAND HARDWARE								
PO-000417	06/08/2020	433168	1	01-8150-0-0000-8100-4300-000-000-00000	NN P			0.00	74.15
PO-000417	06/08/2020	434387	1	01-8150-0-0000-8100-4300-000-000-00000	NN P			0.00	26.22
PO-000417	06/08/2020	435110	1	01-8150-0-0000-8100-4300-000-000-00000	NN P			0.00	49.11
200153	PO-020220	06/08/2020	433312	2	01-0350-0-6000-1000-4300-000-052-00000	NN F		200.00	13.88
TOTAL PAYMENT AMOUNT								163.36 *	163.36
000131/00	ORLAND MEAT PROCESSORS								
200367	PO-020455	06/08/2020	CLOSE/CANCEL COVID	1	01-0000-0-1110-1000-4300-100-000-00000	NN C		200.00	0.00
TOTAL PAYMENT AMOUNT								0.00 *	0.00
000084/00	PG&E								
PO-000416	05/29/2020	MAY ELEM 3699672995-4	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	2,094.27
TOTAL PAYMENT AMOUNT								2,094.27 *	2,094.27
000850/00	PLACEWORKS INC	952975827							
PO-019515	03/31/2020	71809;HASD-02.0	2	21-0000-0-0000-8500-5890-000-000-00000	NY P			15,933.69	15,933.69
TOTAL PAYMENT AMOUNT								15,933.69 *	15,933.69
000763/00	PROPACIFIC FRESH								
PO-000407	06/01/2020	6792863	1	13-5310-0-0000-3700-4700-000-000-00000	NN P			0.00	440.81
TOTAL PAYMENT AMOUNT								440.81 *	440.81
000134/00	QUILL CORPORATION								
CM-000017	10/18/2020	2038192-GLUE STICK CREDIT		01-0000-0-1110-1000-4300-800-000-00000	NN				-3.72
CM-000018	10/18/2020	1708055-CREDIT INDEX CARDS		01-0000-0-1110-1000-4300-800-000-00000	NN				-1.07
200252	PO-020331	10/18/2020	2038192	1	01-0000-0-1110-1000-4300-800-000-00000	NN F		79.45	83.17
TOTAL PAYMENT AMOUNT								78.38 *	78.38
000454/00	SCHOLASTIC CLASS MAGAZINES								
200432	PO-020515	06/02/2020	M6955390 7	1	01-0000-0-1110-1000-4300-000-008-00000	YN F		261.80	261.80
TOTAL PAYMENT AMOUNT								261.80 *	261.80
TOTAL USE TAX AMOUNT									18.98

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount

002012/00	SMART FOODSERVICE								
	PO-000438	06/01/2020	565054-CAFE PAK-N-GO MEALS	5	01-7388-0-0000-3700-4300-000-055-00000	NN	P	0.00	96.37
			TOTAL PAYMENT AMOUNT						96.37 *

001093/00	SYLVIA ROBLES								
	PV-000118	06/02/2020	REIMB COVID SUPPLIES		01-3210-0-1110-1000-4300-000-000-00000	NN			75.03
			TOTAL PAYMENT AMOUNT						75.03 *

001382/00	U S BANK CORPORATE									
	200345	PO-020435	06/08/2020	CLOSE-BOONE CANCELED	1	01-0000-0-0000-7110-5200-000-000-00000	NN	C	210.11	0.00
	200366	PO-020454	06/08/2020	CLOSE/CANCEL COVID	1	01-0000-0-1110-1000-4300-100-000-00000	NN	C	446.00	0.00
				TOTAL PAYMENT AMOUNT					0.00 *	0.00

TOTAL BATCH PAYMENT	40,597.65 ***	0.00	40,597.65
TOTAL USE TAX AMOUNT			18.98
TOTAL DISTRICT PAYMENT	40,597.65 ****	0.00	40,597.65
TOTAL USE TAX AMOUNT			18.98
TOTAL FOR ALL DISTRICTS:	40,597.65 ****	0.00	40,597.65
TOTAL USE TAX AMOUNT			18.98

Number of checks to be printed: 29, not counting voids due to stub overflows.
 Number of zero dollar checks: 2, will be skipped.

Printed: 06/10/2020 10:32:21

<i>Chris Torres</i>	6/8/20
Prepared by	Date
Authorized by	Date

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef		
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount	
000053/00	CALIFORNIA WATER SERVICE CO									
PO-000422	04/27/2020	MAY 0669843652	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	1,440.05	
PO-000422	04/27/2020	MAY 7314177777	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	578.66	
PO-000422	04/27/2020	MAY 6314177777	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	271.71	
PO-000422	04/27/2020	MAY 3624177777	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	10.75	
PO-000422	04/27/2020	MAY 4328876467	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	478.64	
PO-000422	04/27/2020	MAY 3141117777	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	51.63	
PO-000422	04/27/2020	MAY 4141117777	1	01-0000-0-0000-8100-5590-000-000-000000	NN P			0.00	51.63	
			TOTAL PAYMENT AMOUNT						2,883.07 *	2,883.07
002024/00	CHICO PRINTING									
200177	PO-020245	05/06/2020	CLOSE BAL-JM	1	01-0000-0-1110-1000-4300-800-000-000000	NN C		178.25	0.00	
			TOTAL PAYMENT AMOUNT					0.00 *	0.00	0.00
001161/00	CHICO SPRINKLER INC									
200414	PO-020498	05/06/2020	101989	1	01-8150-0-0000-8100-4300-000-000-000000	NN P		54.76	314.88	
200414	PO-020498	04/28/2020	101009	1	01-8150-0-0000-8100-4300-000-000-000000	NN F		0.00	54.76	
			TOTAL PAYMENT AMOUNT					369.64 *	369.64	
000099/00	CREATIVE COMPOSITION INC									
200409	PO-020491	03/23/2020	8494-ELEM CUM FOLDERS	1	01-0000-0-1110-1000-4300-800-000-000000	NN F		334.37	314.37	
			TOTAL PAYMENT AMOUNT					314.37 *	314.37	
000762/00	CRYSTAL CREAMERY									
PO-000445	03/30/2020	18292375	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	427.85	
PO-000445	04/02/2020	18292377	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	114.60	
PO-000445	04/06/2020	18304012	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	540.55	
PO-000445	04/09/2020	18304019	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	341.52	
PO-000445	04/16/2020	18313010	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	383.93	
PO-000445	04/23/2020	18333743	1	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	341.52	
			TOTAL PAYMENT AMOUNT					2,149.97 *	2,149.97	
000764/00	DANIELSON CO									
PO-000425	05/05/2020	226837	6	01-7388-0-0000-3700-4300-000-055-000000	NN P			0.00	98.88	
PO-000425	05/05/2020	226837	2	13-5310-0-0000-3700-4700-000-000-000000	NN P			0.00	1,444.75	
			TOTAL PAYMENT AMOUNT					1,543.63 *	1,543.63	

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
001042/00	EDUCATIONAL FACILITIES PROGRAM	050597395							
200118	PO-020219	05/03/2020	INV#9;2018 BOND PROJ	2	21-0000-0-0000-8500-5890-000-000-00000	NY	P	3,920.00	3,920.00
			TOTAL PAYMENT AMOUNT					3,920.00 *	3,920.00
000415/00	EMPLOYMENT DEVELOPMENT DEPT								
	PV-000111	05/07/2020	L1270294240		01-0000-0-1110-1000-3501-000-000-00000	NN			86.89
			TOTAL PAYMENT AMOUNT					86.89 *	86.89
000460/00	FLORA FRESH								
200205	PO-020280	05/06/2020	00132020-FLORAL CLASS	1	01-0350-0-6000-1000-4300-000-052-00000	NN	P	0.00	410.66
200205	PO-020280	05/06/2020	00918788-STUDENT ARRANGEMENTS	1	01-0350-0-6000-1000-4300-000-052-00000	NN	P	0.00	212.89
			TOTAL PAYMENT AMOUNT					623.55 *	623.55
000176/00	GLENN CO ENVIRONMENTAL HEALTH	946000691							
200418	PO-020500	05/04/2020	IN0006768-CAFE LIC RENEWAL	1	13-5310-0-0000-3700-5890-000-000-00000	NN	F	219.83	219.83
			TOTAL PAYMENT AMOUNT					219.83 *	219.83
000113/00	HAMILTON CITY COMMUNITY SVC								
	PO-000414	05/02/2020	MAY-JUNE HUHS2	1	01-0000-0-0000-8100-5590-000-000-00000	NN	P	0.00	642.86
	PO-000414	05/02/2020	MAY-JUNE HUHS2	2	01-0000-0-0000-8100-5590-100-000-00000	NN	P	0.00	964.27
	PO-000414	05/02/2020	MAY-JUNE HAMIE	3	01-0000-0-0000-8100-5590-800-000-00000	NN	P	0.00	2,295.90
	PO-000414	05/02/2020	MAY-JUNE ELLAB HUHS4	4	01-0000-0-3200-8100-5590-000-000-00000	NN	P	0.00	76.53
	PO-000414	05/02/2020	MAY-JUNE ADULT ED HUHS1	5	11-6391-0-4110-8100-5590-000-000-00000	NN	P	0.00	76.53
	PO-000414	05/02/2020	MAY-JUNE PRESCH HUHS3	6	12-6105-0-1110-8100-5590-000-000-00000	NN	P	0.00	76.53
			TOTAL PAYMENT AMOUNT					4,132.62 *	4,132.62
000414/00	HERFF JONES LLC								
200376	PO-020462	05/04/2020	449806-VALE AWARDS	1	01-0000-0-1110-1000-4300-100-000-00000	YN	P	89.50	89.50
			TOTAL PAYMENT AMOUNT					89.50 *	89.50
			TOTAL USE TAX AMOUNT						6.49

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
001208/00	INKWELL	000000000							
200397 PO-020480	04/01/2020	27956-AD ED TABLE	1	11-6391-0-4110-1000-4400-000-000-00000	NN P			1,318.76	1,318.76
		TOTAL PAYMENT AMOUNT						1,318.76 *	1,318.76
001231/00	J SOON CONSULTING	046059402							
200027 PO-020118	04/05/2020	MAR-APR SERVICES	1	01-0000-0-1110-1000-5890-000-000-00000	NY P			1,500.00	1,500.00
200027 PO-020118	05/06/2020	MAY-JUNE SERVICES	1	01-0000-0-1110-1000-5890-000-000-00000	NY F			1,500.00	1,500.00
		TOTAL PAYMENT AMOUNT						3,000.00 *	3,000.00
001259/00	JOHANNA M CLAY	557451211							
200004 PO-020104	05/08/2020	101-4TH/FINAL THRU 6/30	1	01-0000-0-1110-1000-5890-000-000-00000	NY F			1,545.00	1,875.00
		TOTAL PAYMENT AMOUNT						1,875.00 *	1,875.00
000592/00	MISSION UNIFORM & LINEN								
	PO-000405	05/14/2020 512451074	1	13-5310-0-0000-3700-4300-000-000-00000	NN P			0.00	77.65
		TOTAL PAYMENT AMOUNT						77.65 *	77.65
000524/00	MJB WELDING SUPPLY								
200142 PO-020205	04/30/2020	01393578	2	01-0350-0-6000-1000-5890-000-053-00000	NN P			9.50	9.50
		TOTAL PAYMENT AMOUNT						9.50 *	9.50
000084/00	PG&E								
	PO-000416	04/29/2020 APRIL ELEM 3699672995-4	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	2,736.51
	PO-000416	04/27/2020 APRIL HS 9921774729-6	1	01-0000-0-0000-8100-5590-000-000-00000	NN P			0.00	5,520.81
		TOTAL PAYMENT AMOUNT						8,257.32 *	8,257.32
000763/00	PROPACIFIC FRESH								
	PO-000407	05/04/2020 6788315	1	13-5310-0-0000-3700-4700-000-000-00000	NN P			0.00	886.50
		TOTAL PAYMENT AMOUNT						886.50 *	886.50

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
000134/00	QUILL CORPORATION								
200137	PO-020230	05/06/2020	CLOSE BAL-JM	1	01-0000-0-1110-1000-4300-800-000-00000	NN C		230.26	0.00
200137	PO-020230	05/06/2020	CLOSE BAL-JM	2	01-0000-0-0000-2700-4300-800-000-00000	NN C		525.00	0.00
200137	PO-020230	05/06/2020	CLOSE BAL-JM	3	01-7388-0-1110-1000-4300-000-055-00000	NN C		0.00	0.00
TOTAL PAYMENT AMOUNT								0.00 *	0.00
001184/00	TEHAMA COUNTY DEPT OF ED								
200192	PO-020261	03/13/2020	INV20-00991	1	01-4035-0-1110-1000-5200-000-000-00000	NN F		2,600.00	2,000.00
TOTAL PAYMENT AMOUNT								2,000.00 *	2,000.00
001382/00	U S BANK CORPORATE								
200084	PO-020240	05/06/2020	REDUCE BAL-JM	1	01-0000-0-1110-1000-4300-800-000-00000	NN C		619.07	0.00
200084	PO-020240	05/06/2020	REDUCE BAL-JM	1	01-0000-0-1110-1000-4300-800-000-00000	NN O		-200.00	0.00
200312	PO-020390	05/06/2020	CLOSE BAL-JM	1	01-1100-0-1110-1000-4300-000-000-00000	NN C		83.22	0.00
TOTAL PAYMENT AMOUNT								0.00 *	0.00
TOTAL BATCH PAYMENT					33,757.80 ***		0.00	33,757.80	
TOTAL USE TAX AMOUNT								6.49	
TOTAL DISTRICT PAYMENT					33,757.80 ****		0.00	33,757.80	
TOTAL USE TAX AMOUNT								6.49	
TOTAL FOR ALL DISTRICTS:					33,757.80 ****		0.00	33,757.80	
TOTAL USE TAX AMOUNT								6.49	

Number of checks to be printed: 19, not counting voids due to stub overflows.
 Number of zero dollar checks: 3, will be skipped.

33,757.80

Printed: 05/19/2020 14:56:48

<i>Chris DeVries</i>	5/18/20
Prepared by	Date
Authorized by	Date

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount

002047/00	DANNIS WOLIVER KELLEY	943172834							
PO-000423	05/18/2020	DWK MARCH 2020 - 3407	1	01-0000-0-0000-7110-5815-000-000-00000	NE P			0.00	9,932.00
PO-000423	05/18/2020	DWK MARCH 2020 - 3407	2	21-0000-0-0000-8500-5815-000-000-00000	NE P			0.00	1,833.50
TOTAL PAYMENT AMOUNT									11,765.50 *

000584/00	STANDARD								
PO-000408	05/18/2020	MAY 2020	1	01-0000-0-0000-0000-9573-000-000-00000	NN P			0.00	353.16
TOTAL PAYMENT AMOUNT									353.16 *

TOTAL BATCH PAYMENT				12,118.66 ***			0.00		12,118.66
TOTAL DISTRICT PAYMENT				12,118.66 ****			0.00		12,118.66
TOTAL FOR ALL DISTRICTS:				12,118.66 ****			0.00		12,118.66

Number of checks to be printed: 2, not counting voids due to stub overflows. 12,118.66

<i>John T...</i>	5/18/2020
Prepared by	Date
Authorized by	Date

012 HAMILTON UNIFIED SCHOOL DIST. J24452
 BATCH 56: JUNE 24, 2020

ACCOUNTS PAYABLE PRELIST
 BATCH: 0056 BATCH 56: JUNE 24, 2020

APY500 L.00.18 05/19/20 09:37 PAGE 1
 << Open >>

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef			
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount	
000008/00	CALIFORNIA'S VALUED TRUST H/W											
PO-000444	05/19/2020	JUNE 2020	1	01-0000-0-0000-0000-9571-000-000-000000	NN	P				0.00	31,337.59	
PO-000444	05/19/2020	JUNE 2020	2	01-0000-0-0000-0000-9572-000-000-000000	NN	P			0.00	64,124.95		
PO-000444	05/19/2020	JUNE 2020	3	01-0000-0-0000-0000-9573-000-000-000000	NN	P			0.00	5,245.61		
TOTAL PAYMENT AMOUNT											100,708.15 *	
000522/00	LESLIE ANDERSON-MILLS 573472011											
PO-000433	05/19/2020	JUNE - CASH IN LIEU BEN	1	01-0000-0-1110-1000-3701-000-000-000000	NY	P				791.67	791.67	
TOTAL PAYMENT AMOUNT											791.67 *	
TOTAL BATCH PAYMENT										101,499.82 ***	0.00	101,499.82
TOTAL DISTRICT PAYMENT										101,499.82 ****	0.00	101,499.82
TOTAL FOR ALL DISTRICTS:										101,499.82 ****	0.00	101,499.82
Number of checks to be printed: 2, not counting voids due to stub overflows.												101,499.82

<i>John T...</i>	5/19/2020
Prepared by	Date
Authorized by	Date

Vendor/Addr	Remit name	Req Reference	Date	Description	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef
							Fd Res Y Goal Func Obj	Sit BqR DD T9MPS			Net Amount
000010/00	ALHAMBRA & SIERRA SPRINGS										
		PO-000406	01/27/2020	JAN HS 9858589 012720			1 01-0000-0-0000-2700-4300-100-000-00000	NN P			34.00
		PO-000406	02/27/2020	FEB HS 9858589 022720			1 01-0000-0-0000-2700-4300-100-000-00000	NN P	0.00		61.00
		PO-000406	03/27/2020	MARCH HS 9858589 032720			1 01-0000-0-0000-2700-4300-100-000-00000	NN P	0.00		70.00
		PO-000406	04/27/2020	APRIL HS 9858589 042720			1 01-0000-0-0000-2700-4300-100-000-00000	NN P	0.00		7.00
		PO-000406	05/27/2020	MAY HS 9858589 052720			1 01-0000-0-0000-2700-4300-100-000-00000	NN P	0.00		7.00
		PO-000406	01/27/2020	JAN MAINT 9858589 012720			2 01-8150-0-0000-8100-4300-000-000-00000	NN P	0.00		1.00
		PO-000406	02/27/2020	FEB MAINT 9858589 022720			2 01-8150-0-0000-8100-4300-000-000-00000	NN P	0.00		11.28
		PO-000406	03/27/2020	MARCH MAINT 9858589 032720			2 01-8150-0-0000-8100-4300-000-000-00000	NN P	0.00		16.00
		PO-000406	04/27/2020	APRIL MAINT 9858589 042720			2 01-8150-0-0000-8100-4300-000-000-00000	NN P	0.00		7.00
		PO-000406	05/27/2020	MAY MAINT 9858589 052720			2 01-8150-0-0000-8100-4300-000-000-00000	NN P	0.00		39.56
		PO-000406	01/27/2020	JAN ELLAB 9858589 012720			3 01-0000-0-3200-1000-4300-000-000-00000	NN P	0.00		9.00
		PO-000406	02/27/2020	FEB ELLAB 9858589 022720			3 01-0000-0-3200-1000-4300-000-000-00000	NN P	0.00		9.00
		PO-000406	03/27/2020	MAR ELLAB 9858589 032720			3 01-0000-0-3200-1000-4300-000-000-00000	NN P	0.00		36.00
		PO-000406	04/27/2020	APRIL ELLAB 9858589 042720			3 01-0000-0-3200-1000-4300-000-000-00000	NN P	0.00		0.00
		PO-000406	05/27/2020	MAY ELLAB 9858589 052720			3 01-0000-0-3200-1000-4300-000-000-00000	NN P	0.00		0.00
		PO-000406	01/27/2020	JAN ELEM 9858589 012720			4 01-0000-0-0000-2700-4300-800-000-00000	NN P	0.00		49.00
		PO-000406	02/27/2020	FEB ELEM 9858589 022720			4 01-0000-0-0000-2700-4300-800-000-00000	NN P	0.00		124.00
		PO-000406	03/27/2020	MARCH ELEM 9858589 032720			4 01-0000-0-0000-2700-4300-800-000-00000	NN P	0.00		157.00
		PO-000406	04/27/2020	APRIL ELEM 9858589 042720			4 01-0000-0-0000-2700-4300-800-000-00000	NN P	0.00		16.00
		PO-000406	05/27/2020	MAY ELEM 9858589 052720			4 01-0000-0-0000-2700-4300-800-000-00000	NN P	0.00		7.00
		PO-000406	01/27/2020	JAN ADULTED 9858589 012720			5 11-6391-0-4110-1000-4300-000-000-00000	NN P	0.00		16.50
		PO-000406	02/27/2020	FEB ADULTED 9858589 022720			5 11-6391-0-4110-1000-4300-000-000-00000	NN P	0.00		40.50
		PO-000406	03/27/2020	MARCH ADULTED 9858589 032720			5 11-6391-0-4110-1000-4300-000-000-00000	NN P	0.00		26.50
		PO-000406	04/27/2020	APRIL ADULTED 9858589 042720			5 11-6391-0-4110-1000-4300-000-000-00000	NN P	0.00		0.00
		PO-000406	05/27/2020	MAY ADULTED 9858589 052720			5 11-6391-0-4110-1000-4300-000-000-00000	NN P	0.00		0.00
		PV-000115	05/02/2020	9858589 042720 LATE FEE			01-0000-0-1110-1000-5890-000-000-00000	NN			10.00
				TOTAL PAYMENT AMOUNT				754.34 *			754.34
001075/00	AT&T										
		PO-000403	05/12/2020	MAY 14728626			1 01-0000-0-0000-2700-5990-000-000-00000	NN P	0.00		40.13
		PO-000403	05/12/2020	MAY 14727182			1 01-0000-0-0000-2700-5990-000-000-00000	NN P	0.00		114.15
				TOTAL PAYMENT AMOUNT				154.28 *			154.28
000613/00	COMCAST-INTERNET SERVICE										
		PO-000439	05/01/2020	MAY 100489997			1 01-0000-0-0000-2700-5990-000-000-00000	NN P	0.00		1,699.12
				TOTAL PAYMENT AMOUNT				1,699.12 *			1,699.12

Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef		
Req Reference	Date			Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount
000764/00	DANIELSON CO											
PO-000425	05/12/2020	227257		6	01-7388-0-0000-3700-4300-000-055-00000	NN P					0.00	324.29
PO-000425	05/19/2020	227720		6	01-7388-0-0000-3700-4300-000-055-00000	NN P					0.00	320.04
PO-000425	05/19/2020	227720		2	13-5310-0-0000-3700-4700-000-000-00000	NN P					0.00	1,646.89
PO-000425	05/12/2020	227257		2	13-5310-0-0000-3700-4700-000-000-00000	NN P					0.00	1,481.43
PO-000425	05/26/2020	228159		2	13-5310-0-0000-3700-4700-000-000-00000	NN P					0.00	1,502.73
TOTAL PAYMENT AMOUNT												5,275.38 *
001107/00	DEANNA CROSBY		559606276									
PV-000114	05/02/2020	5 FOOTBALL GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						185.00
TOTAL PAYMENT AMOUNT												185.00 *
001447/00	DGS											
PV-000112	05/02/2020	INV#1285813-ADMIN LAW JUDGE SE			01-0000-0-1110-1000-5890-000-000-00000	NN						425.00
TOTAL PAYMENT AMOUNT												425.00 *
001160/00	DONNA VIDAL		566556001									
PV-000113	05/02/2020	3 FOOTBALL GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						111.00
PV-000113	05/02/2020	9 VOLLEYBALL GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						270.00
PV-000113	05/02/2020	6-BOYS BBALL GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						180.00
PV-000113	05/02/2020	5-GIRLS BBALL GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						150.00
PV-000113	05/02/2020	3-MARATHON GATE			01-0000-0-1110-1000-5890-100-006-00000	NY						180.00
TOTAL PAYMENT AMOUNT												891.00 *
000320/00	GERLINGER STEEL & SUPPLY CO											
200147	PO-020210	05/14/2020	4171991		1	01-0350-0-6000-1000-4300-000-053-00000	NN F				100.00	468.63
TOTAL PAYMENT AMOUNT												468.63 *
000176/00	GLENN CO ENVIRONMENTAL HEALTH		946000691									
PV-000116	05/26/2020	INV0006766-ELEM CAFE ANNUAL LI			13-5310-0-0000-3700-5890-000-000-00000	NN						219.83
TOTAL PAYMENT AMOUNT												219.83 *

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef		
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount
000209/00	GOLD STAR FOODS										
PO-000415	05/18/2020	3327062	2	13-5310-0-0000-3700-4700-000-000-00000	NN	P				0.00	119.25
PO-000415	05/20/2020	3336301-QTR3 STATE FEE FEB	3	13-5310-0-0000-3700-5890-000-000-00000	NN	P				0.00	18.90
PO-000415	05/20/2020	3335922-FEB BB STATE FEE	3	13-5310-0-0000-3700-5890-000-000-00000	NN	P				0.00	8.10
TOTAL PAYMENT AMOUNT										146.25 *	146.25
000162/00	GRAINGER										
PO-000409	04/29/2020	9518258059	2	01-8150-0-0000-8100-4300-000-000-00000	NN	P				0.00	518.36
PO-000409	05/01/2020	9520244626	2	01-8150-0-0000-8100-4300-000-000-00000	NN	P				0.00	7.93
PO-000409	05/14/2020	9532981819	2	01-8150-0-0000-8100-4300-000-000-00000	NN	P				0.00	33.24
TOTAL PAYMENT AMOUNT										559.53 *	559.53
000414/00	HERFF JONES LLC										
200376	PO-020462	05/08/2020	1010448-ELLAB DIPLOMAS	1	01-0000-0-1110-1000-4300-100-000-00000	NN	P			13.52	16.63
200376	PO-020462	05/14/2020	1012269-ELLAB DIPLOMAS	1	01-0000-0-1110-1000-4300-100-000-00000	NN	P			0.00	27.91
TOTAL PAYMENT AMOUNT										44.54 *	44.54
000072/00	HILLYARD INC										
PO-000412	05/15/2020	603882121-GLOVES	2	01-7388-0-1110-1000-4300-000-055-00000	NN	P				0.00	88.59
TOTAL PAYMENT AMOUNT										88.59 *	88.59
001208/00	INKWELL		0000000000								
200397	PO-020480	05/13/2020	28073-TABLE WORK SURFACE	1	11-6391-0-4110-1000-4400-000-000-00000	NN	F			211.39	193.00
TOTAL PAYMENT AMOUNT										193.00 *	193.00
000723/00	JIMMY'S CUSTOM TROPHIES										
200403	PO-020485	05/20/2020	30468-PLAQUES & LT PASS	1	01-0000-0-1110-1000-4300-000-000-00000	NN	P			0.00	71.45
TOTAL PAYMENT AMOUNT										71.45 *	71.45
000079/00	LAKESHORE LEARNING										
200398	PO-020481	05/14/2020	3458370520	1	01-1100-0-1110-1000-4300-800-000-00000	NN	F			195.51	195.51
TOTAL PAYMENT AMOUNT										195.51 *	195.51

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef		
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount
001388/00	LARRY'S PEST & WEED CONTROL	141953612									
PO-000440	05/08/2020	MAY ALL SITES;W12351	1	01-0000-0-0000-8100-5590-000-000-000000	NY	P				0.00	540.00
PO-000440	06/08/2020	JUNE ALL SITES;W12460	1	01-0000-0-0000-8100-5590-000-000-000000	NY	P				0.00	540.00
TOTAL PAYMENT AMOUNT											1,080.00 *
000592/00	MISSION UNIFORM & LINEN										
PO-000405	04/30/2020	512359100	1	13-5310-0-0000-3700-4300-000-000-000000	NN	P				0.00	77.65
PO-000405	05/28/2020	512538205	1	13-5310-0-0000-3700-4300-000-000-000000	NN	P				0.00	77.65
TOTAL PAYMENT AMOUNT											155.30 *
000309/00	OFFICE DEPOT INC										
200085	PO-020225	05/01/2020	486451254001	1	01-0000-0-1110-1000-4300-800-000-000000	NN	P			1,000.71	82.88
200421	PO-020503	05/19/2020	494794104001	1	01-0350-0-6000-1000-4300-000-052-000000	NN	P			64.34	64.34
200421	PO-020503	05/19/2020	494794103001	1	01-0350-0-6000-1000-4300-000-052-000000	NN	P			950.81	950.81
200421	PO-020503	05/19/2020	494793869001	1	01-0350-0-6000-1000-4300-000-052-000000	NN	F			64.32	64.32
TOTAL PAYMENT AMOUNT											1,162.35 *
000805/00	OLSEN'S MEAT COMPANY	000000000									
200420	PO-020502	05/06/2020	159795-PROJ PIG KILL FEES	1	01-7010-0-3800-1000-5890-000-000-000000	NN	P			1,020.00	1,020.00
200420	PO-020502	05/06/2020	159797-PROJ PIG KILL FEES	1	01-7010-0-3800-1000-5890-000-000-000000	NN	F			630.00	960.00
TOTAL PAYMENT AMOUNT											1,980.00 *
000335/00	PEARSON EDUCATION										
200405	PO-020487	05/07/2020	7027102910-SITE ACCESS ONLY	1	01-1100-0-1110-1000-4100-000-000-000000	NN	F			1,198.56	1,198.56
TOTAL PAYMENT AMOUNT											1,198.56 *
000763/00	PROPACIFIC FRESH										
PO-000407	05/18/2020	6790653	5	01-7388-0-0000-3700-4300-000-055-000000	NN	P				0.00	33.93
PO-000407	05/18/2020	6790653	1	13-5310-0-0000-3700-4700-000-000-000000	NN	P				0.00	499.96
PO-000407	05/11/2020	6789661	1	13-5310-0-0000-3700-4700-000-000-000000	NN	P				0.00	926.30
PO-000407	05/26/2020	6791949	1	13-5310-0-0000-3700-4700-000-000-000000	NN	P				0.00	538.18
TOTAL PAYMENT AMOUNT											1,998.37 *

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef		
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount
000134/00	QUILL CORPORATION										
200425	PO-020506	05/18/2020	7025645-TI 30Xii	CALCULATORS	1	01-9812-0-1110-1000-4300-000-000-00000	NN	F		1,195.88	1,195.88
										TOTAL PAYMENT AMOUNT	1,195.88 *
000137/00	SCHOOL SERVICES OF CALIF INC										
	PO-000426	05/01/2020	0124955-IN;MAY 2020		1	01-0000-0-1110-1000-5890-000-000-00000	NN	P		0.00	305.00
										TOTAL PAYMENT AMOUNT	305.00 *
000377/00	WASTE MANAGEMENT										
	PO-000402	05/01/2020	MAY HS CAFE		1	01-0000-0-0000-8100-5590-000-000-00000	NN	P		0.00	265.38
	PO-000402	05/01/2020	MAY ELEM CAFE		1	01-0000-0-0000-8100-5590-000-000-00000	NN	P		0.00	265.38
	PO-000402	05/01/2020	MAY HS MAINT		1	01-0000-0-0000-8100-5590-000-000-00000	NN	P		0.00	1,061.52
	PO-000402	05/01/2020	MAY ELEM MAINT		1	01-0000-0-0000-8100-5590-000-000-00000	NN	P		0.00	204.92
										TOTAL PAYMENT AMOUNT	1,797.20 *

TOTAL BATCH PAYMENT	22,244.11 ***	0.00	22,244.11
TOTAL DISTRICT PAYMENT	22,244.11 ****	0.00	22,244.11
TOTAL FOR ALL DISTRICTS:	22,244.11 ****	0.00	22,244.11

Number of checks to be printed: 25, not counting voids due to stub overflows. 22,244.11

Printed: 06/04/2020 14:11:07

<i>Chris L. Pries</i>	06/2/20
Prepared by	Date
Authorized by	Date

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef	
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount
000005/00	ACSA								
200360	PO-020446	12/17/2019	MSAWYER COACHING CACP	1	01-1100-0-1110-1000-5890-000-000-00000	NN F		3,750.00	3,750.00
			TOTAL PAYMENT AMOUNT					3,750.00 *	3,750.00
000762/00	CRYSTAL CREAMERY								
	PO-000445	01/23/2020	18121799	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	100.25
	PO-000445	01/13/2020	18091848	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	313.06
	PO-000445	01/16/2020	18091932	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	303.00
	PO-000445	01/20/2020	18121513	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	228.84
	PO-000445	01/23/2020	18121797	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	142.41
	PO-000445	01/23/2020	18121797	2	13-5320-0-0000-3700-4700-000-049-00000	NN P		0.00	71.00
	PO-000445	01/20/2020	18121513	2	13-5320-0-0000-3700-4700-000-049-00000	NN P		0.00	113.10
	PO-000445	01/16/2020	18091932	2	13-5320-0-0000-3700-4700-000-049-00000	NN P		0.00	151.28
	PO-000445	01/13/2020	18091848	2	13-5320-0-0000-3700-4700-000-049-00000	NN P		0.00	156.80
	PO-000445	01/13/2020	18091851	1	13-5310-0-0000-3700-4700-000-000-00000	NN P		0.00	142.68
			TOTAL PAYMENT AMOUNT					1,722.42 *	1,722.42
001456/00	DALLAS DEATHERAGE								
	PV-000094	01/13/2020	REIMB MEALS;WRESTLING CHAMP		01-0000-0-1110-1000-5200-100-006-00000	NN			130.00
			TOTAL PAYMENT AMOUNT					130.00 *	130.00
000424/00	DELL MARKETING		742616805						
200350	PO-020433	02/03/2020	2008087589140	1	01-9150-0-0000-2420-5890-000-000-00000	NN F		167.44	167.44
			TOTAL PAYMENT AMOUNT					167.44 *	167.44
000338/00	GLENN COUNTY OFFICE OF ED		946002753						
200357	PO-020444	02/05/2020	6039;PRINT KINDER FLYER	1	01-1100-0-1110-1000-5890-000-000-00000	NY F		292.91	292.91
			TOTAL PAYMENT AMOUNT					292.91 *	292.91
000162/00	GRAINGER								
	PO-000409	02/03/2020	9431753053	2	01-8150-0-0000-8100-4300-000-000-00000	NN P		0.00	409.47
			TOTAL PAYMENT AMOUNT					409.47 *	409.47

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-Term	E-ExtRef			
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit	BdR	DD	T9MPS	Liq Amt	Net Amount	
000114/00	HAMILTON UNIFIED REVOLVING FND											
	PV-000093	02/07/2020	CK#1665		01-0000-0-1110-1000-5890-800-006-00000	NN					47.00	
	PV-000093	02/07/2020	CK#1666		01-0000-0-1110-1000-5890-800-006-00000	NN					42.00	
	PV-000093	02/07/2020	POSTAGE FOR ELEM KINDER MAILER		01-0000-0-0000-2700-5990-000-000-00000	NN					167.70	
	TOTAL PAYMENT AMOUNT										256.70 *	256.70
001102/00	HARRIS SCHOOL SOLUTIONS											
	200337	PO-020422	01/30/2020	XT00000746		1	01-0000-0-0000-7300-5200-000-000-00000	NN	F	250.00	250.00	
	TOTAL PAYMENT AMOUNT										250.00 *	250.00
000072/00	HILLYARD INC											
		PO-000412	02/05/2020	603749893		1	01-8150-0-0000-8100-4300-000-000-00000	NN	P	0.00	1,188.12	
	TOTAL PAYMENT AMOUNT										1,188.12 *	1,188.12
000973/00	JIVE COMMUNICATIONS INC 020783048											
		PO-000442	02/01/2020	FEB 2020; IN6000587915		1	01-0000-0-0000-2700-5990-000-000-00000	NN	P	0.00	1,758.93	
	TOTAL PAYMENT AMOUNT										1,758.93 *	1,758.93
001388/00	LARRY'S PEST & WEED CONTROL 141953612											
		PO-000440	01/08/2020	JAN ALL SITES; W11932		1	01-0000-0-0000-8100-5590-000-000-00000	NY	P	0.00	540.00	
	TOTAL PAYMENT AMOUNT										540.00 *	540.00
001449/00	LOVE AND LOGIC INSTITUTE											
		200343	PO-020428	02/03/2020	SMR000000176190		1	12-6105-0-1110-1000-5200-000-000-00000	NN	F	109.00	109.00
	TOTAL PAYMENT AMOUNT										109.00 *	109.00
000592/00	MISSION UNIFORM & LINEN											
		PO-000405	02/06/2020	511787105		1	13-5310-0-0000-3700-4300-000-000-00000	NN	P	0.00	47.56	
		PO-000405	02/06/2020	511787106		1	13-5310-0-0000-3700-4300-000-000-00000	NN	P	0.00	77.65	
	TOTAL PAYMENT AMOUNT										125.21 *	125.21

Vendor/Addr	Remit name	Tax ID num	Deposit type	ABA num	Account num	EE ES	E-Term	E-ExtRef		
Req Reference	Date	Description	Fd Res	Y Goal	Func Obj	Sit Bdr DD	T9MPS	Liq Amt	Net Amount	
000524/00	MJB WELDING SUPPLY									
200142	PO-020205	11/30/2019	1274481	2	01-0350-0-6000-1000-5890-000-053-00000	NN	P	19.00	19.00	
200142	PO-020205	01/31/2020	1282038	2	01-0350-0-6000-1000-5890-000-053-00000	NN	P	9.50	9.50	
TOTAL PAYMENT AMOUNT								28.50 *	28.50	
001407/00	PARAMEX SCREENING SERVICE	680179882								
	PO-000431	02/07/2020	CORE0010903	1	01-0000-0-0000-3600-5890-000-000-00000	NY	P	0.00	115.00	
TOTAL PAYMENT AMOUNT								115.00 *	115.00	
000902/00	PETERSON CAT									
200355	PO-020442	01/31/2020	PC210007133	1	01-8150-0-0000-8100-4300-000-000-00000	NN	F	45.50	45.50	
TOTAL PAYMENT AMOUNT								45.50 *	45.50	
000512/00	PLATT ELECTRIC SUPPLY INC									
	PO-000432	01/29/2020	OB46885	1	01-8150-0-0000-8100-4300-000-000-00000	NN	P	0.00	154.44	
TOTAL PAYMENT AMOUNT								154.44 *	154.44	
000137/00	SCHOOL SERVICES OF CALIF INC									
	PO-000426	02/01/2020	0123925-IN;FEBRUARY 2020	1	01-0000-0-1110-1000-5890-000-000-00000	NN	P	0.00	305.00	
TOTAL PAYMENT AMOUNT								305.00 *	305.00	
000191/00	SMALL SCHOOL DISTRICTS ASSN									
200344	PO-020434	02/07/2020	17-02646; R BOONE REGIST	1	01-0000-0-0000-7110-5200-000-000-00000	NN	P	395.00	395.00	
TOTAL PAYMENT AMOUNT								395.00 *	395.00	
TOTAL BATCH PAYMENT								11,743.64 ***	0.00	11,743.64
TOTAL DISTRICT PAYMENT								11,743.64 ****	0.00	11,743.64
TOTAL FOR ALL DISTRICTS:								11,743.64 ****	0.00	11,743.64

Number of checks to be printed: 19, not counting voids due to stub overflows.
 Printed: 06/10/2020 11:07:02

11,743.64

<i>Chris Jones</i>	<i>2/6/20</i>
Prepared by	Date
Authorized by	Date