

**HAMILTON UNIFIED SCHOOL DISTRICT  
REGULAR BOARD MEETING AGENDA  
Hamilton High School Library  
Wednesday, July 28, 2021**

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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)

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**1.0 OPENING BUSINESS:**

- a. Call to order and roll call

\_\_\_\_\_ Hubert "Wendell" Lower, President  
\_\_\_\_\_ Genaro Reyes

\_\_\_\_\_ Rod Boone, Clerk  
\_\_\_\_\_ Ray Odom

\_\_\_\_\_ Gabriel Leal

**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. Public Employee Performance Evaluation. Government Code section 54957, subdivision (b)(1). Superintendent.
- c. Government Code Section 54957.6, Labor Negotiations. To confer with the District's Labor Negotiator, Superintendent Jeremy Powell regarding HTA and CSEA negotiations.
- d. 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.
- e. Conference with labor Negotiator Gov. Code sec. 54957.6, subd. (a). Agency designated representative: Dr. Jeremy Powell; Employee Organization: Hamilton Teachers Association.

*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. 1)
  - ii. Operations Report by Alan Joksch (p.2)
- c. Principal and Dean of Student Reports (written)
  - i. Kathy Thomas, Hamilton Elementary School Principal (p. 3)
  - ii. Maria Reyes, District Dean of Students (p. 4)
  - iii. Cris Oseguera, Hamilton High School Principal (p. 5)
  - iv. Sylvia Robles, Adult School (p. 10)
- d. Chief Business Official Report by Kristen Hamman (written) (p. 11)
- e. Superintendent Report by Jeremy Powell (written) (p. 12)

**8.0 PRESENTATIONS:**

- a. None

**9.0 CORRESPONDENCE:**

- a. None

#### 10.0 INFORMATION ITEMS:

- a. HUSD Enrollment History for 5 years (p. 14)
- b. Bond Status (Fund 21) Update (p. 15)

#### 11.0 DISCUSSION ITEMS:

- a. HUSD 2021-22 Mask Mandate Letter to CDPH & Glenn County Representatives (p. 19)
- b. HUSD 2021-22 District Goals Update (Handout)
- c. CSBA Policies Review and Discussion 1<sup>st</sup> Readings (p. 21)
  - i. Administrative Regulation 1312.3: Uniform Complaint Procedures
  - ii. **New Board Policy 1313:** Civility
  - iii. Board Policy 3511.1 Integrated Waste Management
  - iv. Administrative Regulation 3511.1: Integrated Waste Management
  - v. ~~New Board Policy 3515.31: School Resource Officers~~
  - vi. Board Policy 4112.42/4212.42/4312.42: Drug and Alcohol Testing for School Bus Drivers
  - vii. Administrative Regulation 4112.42/4212.42/4312.42: Drug and Alcohol Testing for School Bus Drivers
  - viii. Board Policy 4141/4241: Collective Bargaining Agreement
  - ix. Board Policy 4158/4258/4358: Employee Security
  - x. Administrative Regulation 4158/4258/4358: Employee Security
  - xi. Board Policy 5141.4: Child Abuse Prevention and Reporting
  - xii. Administrative Regulation 5141.4: Child Abuse Prevention and Reporting
  - xiii. Board Policy 5141.52: Suicide Prevention
  - xiv. Administrative Regulation 5141.52: Suicide Prevention
  - xv. Board Policy 5142.2 Safe Routes to School Program
  - xvi. Administrative Regulation 5142.2 Safe Routes to School Program
  - xvii. Board Policy 5145.12: Search and Seizure
  - xviii. Board Policy 5145.9: Hate-Motivated Behavior
  - xix. Board Policy 5148: Child Care and Development
  - xx. Administrative Regulation 5148: Child Care and Development
  - xxi. Board Policy 6142.5: Environmental Education
  - xxii. Administrative Regulation 6162.51: State Academic Achievement Tests
  - xxiii. Board Policy 7211: Developer Fees
  - xxiv. Administrative Regulation 7211: Developer Fees
- d. CSBA AB130 Special Release Policies Review and Discussion 1<sup>st</sup> Readings (p. 193)
  - i. Board Policy 6157: Distance Learning
  - ii. Board Policy 6158: Independent Study
  - iii. Administrative Regulation 6158: Independent Study

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. Approve Other Duty (1% for Adult Ed Teacher 1 position only) 2020-21 salary schedule containing 1% retro (1% retro approved at 5/19/21 board meeting) (p. 231)
- b. Approve Other Duty 2021-22 salary schedule (p. 233)
- c. Approve Lee Ann Grigsby to serve on Citizens' Bond Oversight Committee (p. 235)
- d. Adopt Resolution# 21-22-101: Authorize designated personnel (Dr. Powell and Mrs. Hamman) to sign contract documents for fiscal year 2021-22 for child care and development services – CDE (p. 236)
- e. Approve Annual District Designees for Glenn County Office of Education 2021-22 (p. 244)
- f. Approve Annual District Designees District Authority 2021-22 (p. 246)
- g. Approve 2021-22 Educational Protection Account (EPA) Spending Plan (p. 248)
- h. HUSD 2021-22 Re-opening plan (p. 250 + handout)
- i. HUSD 2021-22 AB130 Independent Study Program Waiver (p. 251 + handout)

**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. Minutes from Regular Board Meeting on June 23, 2021 (p. 252)
- b. Hamilton Elementary School Site Staff Calendar 2021-22 Updated 4-5<sup>th</sup> grade parent conferences (p. 257)
- c. Hamilton Elementary School Updated 2021-22 Bell Schedule dismissal time change from 2:30 p.m. to 2:25 p.m. (p. 259-260)
- d. HUSD Consolidated Application (ConApp) Certification of Assurances 2021-22 (p. 261)
- e. HUSD Consolidated Application (ConApp) Expenditure Report 2020-21 (p. 269)
- f. Warrants and Expenditures (p. 274)
- g. 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. 9<sup>th</sup> x 2

h. Personnel Actions as Presented:

i. New hires:

Joshua Furtado	Temporary Middle School Math Teacher (starting 2021-22)	HES
Josefina Rosales Ramirez	Child Nutrition Assistant (5.5 hours per day)	HHS/HES

ii. Resignations/Retirement:

Derek Nall	JV Girls Basketball Coach	HHS
Derek Ahlswede	Football Coach	HHS
Dallas Deatherage	District Universal – Maintenance & Transportation	HUSD

**15.0 ADJOURNMENT:**



## Technology Report

Board Meeting on July 28, 2021

Frank James, Director of Technology

Derek Hawley, Information Systems Technician

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### Completed and in Progress Tasks – July 2021

- **Chromebook Preparation:** Chromebook are currently being sort and set up for the new year. We are on track to be ready for the start of school.
- **Dell Server:** Configuration of Setup of our new Server is completed. All the Virtual Machines have been moved onto it and are running. We are in the process of racking the unit and also pulling old equipment out.
- **APC Project:** APC have been installed in both Server Room as well as in all IDFs. We have a few more to go but this project has also moved along nicely.
- **Vape Detector Project:** All vape detectors have been installed in the HUSD bathrooms. They should be up and running prior to the start of school.
- **New Year:** We have shifted to starting all the new year rollover projects. This will take place over the next few weeks.

## HUSD Maintenance Report

Board Meeting on July 28, 2021

Alan Joksch, Director of Maintenance and Transportation

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### Custodial:

- Carpets, district wide, (except a few rooms still in use) have been cleaned.
- Waxing of hard floors is progressing quickly.
- The Gym floor has been re-surfaces and the foyer floor has been waxed.
- We will begin bringing student desks back in so we can set up rooms to return to full capacity.
- All other deep cleaning has been completed as we quickly approach the return to school.

### Maintenance:

- The Elementary tree removal project is scheduled to begin the last week of the month, and will be cleaned up before the new school year begins.
- The exterior of the Gym at the High School is set to be painted before the students return.
- The high School Football field was mowed and painted for a 7-man practice game as the Football season is just around the corner.
- We are in the process of adding an overhead HVAC unit in room 203, HS AG.
- The upgraded Mini-Split units in both the HS and Elem are cooling the server rooms nicely on these hot days

### Transportation:

- The Buses have had the Emissions systems inspected and cleaned as we plan for a busy year of driving.
  - They are now in the process of yearly service and safety inspections.
  - We are also fixing a few issues that were noted during the last inspection by CHP.
- Other district vehicles are in the process of regular yearly service and inspection.
  - The windshield on the Fusion has been replaced after a rock chip turned into a large crack in the summer heat.

# HAMILTON ELEMENTARY SCHOOL

## Board Meeting on 7/28/2021

*Submitted by*

**Kathryn Thomas, Principal**

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**Summer Session Enrollment: 42**

### **Campus News:**

- Our summer session booted up on Monday, 7/19/21 with Pirate's Boot Camp and 100% attendance. This two-week session is in partnership with the Rainforest Art Project in Chico and our own Boys and Girls Club. History and ELA are focused on facts and opinions with supporting details, all centered on pirates and their history. Mr. Luke Widener and Ms. Blanca Godinez are leading the sessions for our 40 students. All students also have an art project, making a wood treasure chest, to take home at the end of the Pirate's Boot Camp.
- Stop by and check out our staff room which is receiving a major and much needed face lift. This is celebrating the start of our new school year — coming back full is something to definitely celebrate.
- Our orders are in for our Lobo Zen Den, a wellness room to support students who are dysregulated or need a reset break, and we hope to have this up and running ready for the start of school. The den and students in need will be supported by available paraprofessionals or by administration or other adult support. This room is modeled after the Castle Room at Millstreet Elementary School. This will be "open" for visits during our Back to School evenings.

### **Instructional News:**

- Teachers and administration have been busy this summer with many professional development opportunities: CIELO and CABE (both supporting improved instruction of our multilingual students), Glenn County Summer Workshops (from grading practices to cultural responsiveness), and UDL modules (a research-based framework design for lessons and instruction providing access to rigorous and challenging content for all students). The HES staff has demonstrated their commitment to fine-tuning instruction and in gaining resources and tools to support our students. They are commended for their dedication.
- Universal Design for Learning will be the focus for this next school year and will be supported with continued training and lesson studies.

### **Coming Up:**

- Kindergarten Meet and Greet: August 4th, 9:30-11:00
- APTT training/prep: August 4th, 11:30-3:30
- 6th grade ice cream welcome: Thursday, August 5th @ 5:00-6:00.
- First Day of School: Tuesday, August 10
- PTO meeting: Tuesday, August 10th @ 5:30-6:00
- Back to School Night K-5: Wednesday, August 18th @ 5:30
- Back to School Night 6-8: Tuesday, August 31st @ 5:30

**Alternative Education Report**

**Board Meeting on Wednesday July 28, 2021**

**Maria Reyes, Dean of Students**

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Greetings from Alternative Ed

We are excited to start a new school year and return to full in-person instruction. Students will continue to have instruction in certain classes from the high school staff. We continue to have support from the high school staff provide instruction in courses for English, Math, Social Studies, and Fine Art. We look forward to having an exciting and fun school year ahead.

As we prepare for the 21-22 school year, we will be reviewing students who will be beginning the 21-22 academic schoolyear at Ella Barkley, and those students who will be returning to Hamilton High School.

Projected Enrollment:

12 grade = 5

11 grade = 5

10 grade = 0

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TOTAL =10



Hamilton High School  
HUSD Board Report  
July 2021  
(created 6/19/21)

**\*\* Please read our HHS Summer Newsletter for a complete review of our summer activities, and upcoming school related events and dates!**

\*\*\*\*\*

1. HHS/EBHS Projected Enrollment for 2021-22: 9<sup>th</sup>=60; 10<sup>th</sup>=82; 11<sup>th</sup>= 71; 12<sup>th</sup>= 76. Total= 289 + 5 (EBHS)=294. This enrollment is approximate as of this date due to aeries system rollover not occurring until July 23. As well, adjustments to HH S enrollment will occur as students may be transferred to EBHS for credit deficiency. For 22-23, enrollment is projected to increase at HHS/EBHS to approximately 300-305.

2. HHS Schedules (bells/master): The 2021-22 HHS Bell schedule will be a modified creative schedule incorporating three 7 period days (Monday, Tuesday, Wednesday) and two block days (Thursday, Friday). This unique schedule will be implemented for a number of valid academic reasons. Among those is the necessity and request from HHS teachers to have more daily contact with students and acknowledging that attention spans have been affected and altered by increased use of technology. This will also assist with checking on social and emotional needs as they will be seeing students in class more often. At the same time, keeping two days of block classes (Thursday, Friday) will allow for labs, projects, and other elongated curriculum with depth possibilities. Special thanks to Kelly Langan and Maria Reyes for envisioning and developing this unique schedule for the benefit of our students and teachers, while also having to change the schedule (bell and master) in mid-June to accommodate a late request for a shared elective teacher at the middle school level.

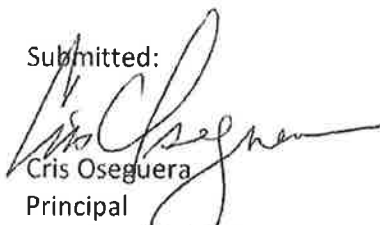
3. Teachers/Staff: We are pleased to welcome Taren Allen to HHS as our Art Teacher; Ashley Hautula as our Ag teacher; and Susan Song as our Science Teacher. We were fortunate to have Susan with us last school year and welcome her full-time for Science in 21-22. Ashley will be teaching Ag classes primarily at HHS and increases our Ag Dept to three people, although we have been asked to assist with another elective teacher and we were able to change the master schedule and bell schedule in June to accommodate that late request from HES. We are also pleased to add an in-schedule Band class and added a Chorus class which will be taught by Heather Knutson.

Please look for our August HHS newsletter for brief bios of each of our new staff.

**4. Upcoming Events:**

- b. Glenn Literacy Projects- July 16, July 22, August 5. HC Downtown Community Park
- c. Community BBQ, sponsored by local churches & HC Lions Club- July 24. HHS
- d. Frosh Orientation. August 3. HHS
- e. First Day of School. August 10. HHS

Submitted:

  
Cris Oseguera  
Principal  
Hamilton High School

# HAMILTON HIGH SCHOOL



Cris Oseguera, Principal & Boss  
Cristina Diaz-Rios, Editor & Chief

## School Community Newsletter

Summer Edition  
July 2021

### Amazing support from Rigo & Cynthia and NFL!!

Hamilton High School is very proud to share that Rigoberto Sanchez of the Colts has generously donated \$5,000 to our Athletic and PE Programs. Rigo, a 2012 HHS Grad, has continued to be involved with HHS and we graciously appreciate his interaction with students, school, & community. Rigo's donation also generates a \$5,000 match from the NFL which means our athletic programs will benefit \$10,000 and allow us to reach our goals!



Thank you Rigo and Cynthia, and the NFL for their support of Hamilton Braves athletics!



### NEW!!! Coming SOON!! ONLINE DATA CONFIRMATION

We are changing the process of back-to-school paperwork. We will no longer have packets to be picked up, it will all be done online. This will be Data Confirmation not for new enrollments. For new students to the district, you still have to contact the school and talk to the registrar. If you are an incoming 9th Grader from Hamilton Elementary School or have pre-enrolled with us during the 2020-21 school year, you will be able to do the online verification.

Parents will need to set up a Parent Portal. The information was sent via mail on how to create one if you don't have one already. If you did not receive it, please contact Cristina in the office.

**Data Confirmation will begin on July 27th.** Please do not try to confirm data in your Aeries Portal before this day. Thank you!!!!

### **Welcome 9th Graders!**

#### **Orientation – Tuesday August 3rd!**

Hamilton High Frosh Orientation will be held Tuesday August 3 at 9am. This brief orientation will allow our Frosh to meet each other, receive their schedules and school policy information, and also enjoy a BBQ lunch. Our Student Body will also provide games and mixers for our Frosh!

The orientation will be in in the HHS cafeteria and will include a brief school tour. While we would like every Frosh to attend, if you already have vacation plans, please do not alter them. We look forward to seeing each of you on Tuesday August 3 at 9am!

### **Summer Greetings from Hamilton High!**

I hope each of you is enjoying your summer with fun activities surrounded by family and friends. It has definitely been a very warm summer and I hope everyone has enjoyed the sunshine! For us, It has been a short summer respite filled with activities since graduation, with a successful summer school session, a great 4th of July fireworks booth for our Boosters, and many activities held just simply enjoying camaraderie and friendship.

With the school year beginning in about one full month (Tuesday August 10), I wanted to share this Summer Newsletter filled with updates on the past few weeks and with information about the upcoming school year and some activities prior to that. I will soon also be sending email/ phone communications as updates and our webpage also contains pertinent school information for your convenience. We are also starting a new process with Online Verification of our information beginning July 27th.

I am very excited for our school year, for our students to return in full and safe, and for all of us to continue to be united in purpose for the benefit of our students. I look forward to all of us working together, growing together and being together very soon!

Appreciatively,  
Cris Oseguera  
Principal



### Upcoming Dates:

- **July 27: AERIES Online Verification Begins**
- **August 2: Sports practices/tryouts can begin**
- **August 3: Frosh Orientation @9am**
- **August 10: First Day of School**
- **August 18: HHS School Picture Day**

**Enjoy the rest of your summer!!**

**See you soon!!!**

**mro\_hamiltonbraves**

**Follow us:**

**@MrO\_GoHamilton**

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# Home of the BRAVES

## In this Community, We Fight Together! Team Baby Roman

On Saturday, July 10th, the Hamilton City Community came together in a most amazing way Baby Roman and his parents, Mariela and Ricardo. Baby Roman has been fighting Leukemia for 6 months and had to undergo chemo and unfortunately his cancer returned. This means Baby Roman must undergo another round of chemo and bone marrow transplant. His parents are by his side and are unable to work at this time.

Thanks to organizational efforts of the Angela Ocampo and other amazing people (too many to mention) the event on Saturday was a great success. Our community came together and raised over \$15,000 for the family. There was a soccer tournament, games for the kid, amazing food, a raffle on site, and other raffles from local and surrounding businesses.

Our thoughts and prayers are with Baby Roman, Mariela, and Ricardo. Thank you Hamilton City and surrounding communities for your amazing support. **We all fight together!!!**



### Community BBQ

Come join us on Saturday, July 24, 2021 from 11:30am to 3:30pm on the Hamilton High School campus for a Community BBQ. There will be food, games for the kids, and live music. This event is **FREE** and everyone is invited to attend.

At 2pm, the 2021 graduates will be acknowledged. Grads, don't forget to bring your yearbook for friends and neighbors to sign. At the same time, the Capay Volunteer Fire Department (past and present members) will be acknowledged.

This event is sponsored by the churches in Capay (Country Bible, Assembly of God, and Friends), Hamilton City EV Free Church, Capay Rancho Women's Group, and HC Lions Club. The goal is to show friendship and love to our brothers and sisters. Grab your neighbor and come join the fun. Bring a chair or blanket for seating.



### COVID Fall Update

Hamilton High's 2021-22 school year begins Tuesday August 10 and we are excited to have a regular school year. Our schedule will be Monday thru Thursday from 8:10-3:15pm with every Friday being minimum day and dismissal at 12:30pm (daily schedule is included in this newsletter and on our webpage). We believe that full in person instruction with our dedicated staff is best academically, socially, and emotionally for our students and we are committed to continuing to keep our students and staff safe as the specter of Covid-19 remain.

Our district is closely monitoring and evaluating the recent state CDPH guidelines regarding safe return to school and will be sharing district information with all of our families in the next few weeks. Our district is committed to ensuring safe learning spaces for all while also being at the forefront of a full return to school.

### HHS Boosters Fireworks Fundraiser

We would like to thank everyone who volunteered in our Fireworks Booth. It was a lot of work and it takes good teamwork to get it done. We are lucky to have amazing coaches, parents, teachers, principal, and Booster board members who are willing to step up and help, even when it was 100+ degrees outside. We couldn't of done it without you.

Thanks to all your hard work, we raised about \$22,000!!! All the funds are used for our HHS Athletes.



### Join Boosters!!

We are hoping that this upcoming school year is back to normal regarding attending sporting events. We will again have the Booster Membership cards available for purchase for \$50 a person. This card will allow you to get in **FREE** to all Football, Basketball, and Volleyball home games. It does not include Playoff Games. Cards will be available for purchase at all home games and in the school office. If you are paying with a check, make it payable to Hamilton High Boosters.

We are hoping to have our 1st meeting again starting in September. Come join us and get involved. We meet the first Monday of the month at 6pm, usually in a classroom on campus. Please still keep in mind all current safety protocols.

Thanks again and we hope to see you soon!!!  
**GO BRAVES!!!**

 [mro\\_hamiltonbraves](https://www.instagram.com/mro_hamiltonbraves)

**Follow us:**

 [@MrO\\_GoHamilton](https://twitter.com/MrO_GoHamilton)

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# Home of the BRAVES

## New Bell Schedule for 2021-22 school year

For the 2021-22 school year, Hamilton High will have a new daily schedule. The schedule will have students meeting each class Monday thru Wednesday (Periods 1-7) with a block of classes for Thursday and Friday. Each class will have 4 sessions per week. This schedule will allow students and teachers to have more daily contact as well as still having block sessions for labs and projects. We believe this combination will allow for continued depth of courses while increasing the daily contact with students so that rapport and relationships are built upon. We will continue to have classes from 8:10-3:15 Monday thru Thursday with every Friday being a minimum day and students released at 12:30.

## HHS 2021-22 Bell Schedule

### MONDAY-TUESDAY-WEDNESDAY

Period	Time	Minutes
<b>1</b>	<b>8:10-9:00am</b>	<b>50</b>
passing	9:00-9:07am	7
<b>2</b>	<b>9:07-9:57am</b>	<b>50</b>
Nutrition Break/passing	9:57-10:14am	17
<b>3</b>	<b>10:14-11:03am</b>	<b>49</b>
passing	11:03-11:10am	7
<b>4</b>	<b>11:10-11:59am</b>	<b>49</b>
Lunch	11:59-12:34pm	35
<b>5</b>	<b>12:34-1:23pm</b>	<b>49</b>
passing	1:23-1:30pm	7
<b>6</b>	<b>1:30-2:19pm</b>	<b>49</b>
passing	2:19-2:26pm	7
<b>7</b>	<b>2:26-3:15pm</b>	<b>49</b>

### THURSDAY

Period	Time	Minutes
<b>1</b>	<b>8:10-9:28am</b>	<b>78</b>
Nutrition Break/passing	9:28-9:45am	17
<b>2</b>	<b>9:45-11:03am</b>	<b>78</b>
passing	11:03-11:10am	7
<b>6</b>	<b>11:10-12:29pm</b>	<b>79</b>
Lunch	12:29-1:04pm	35
<b>7</b>	<b>1:04-2:23pm</b>	<b>79</b>
passing	2:23-2:30pm	7
<b>BRAVES TIME</b>	<b>2:30-3:15pm</b>	<b>45</b>

### FRIDAY

Period	Time	Minutes
<b>3</b>	<b>8:10-9:29am</b>	<b>79</b>
Nutrition Break/passing	9:29-9:46am	17
<b>4</b>	<b>9:46-11:05am</b>	<b>79</b>
passing	11:05-11:12am	7
<b>5</b>	<b>11:12-12:30pm</b>	<b>78</b>
Lunch	12:30-1:05pm	35

Hamilton High School  
PO Box 488/620 Canal Street  
Hamilton City  
(530) 826-3261  
Mr. Oseguera, Principal



## Summer Athletic Information

**ALL ATHLETES:** All athletes must have the following information turned in to the office **BEFORE** official practice/tryouts begin on August 2:

\*\*\*SPORTS ELIGIBILITY FORMS are available on the school website under the Athletics tab and in the main office\*\*\*

1. Emergency Card for Athletics which includes;

-Insurance information (All athletes must have insurance in order to participate in athletics.) Insurance may be purchased through the school if you do not currently have insurance.

-Bee Sting/Allergy Information

2. **PRE-PARTICIPATION PHYSICAL** - available at AMPLA health at 278 Main Street, Hamilton City, CA 95951, 826-3694 (please call to schedule an appointment) Remember you must have a physical before you may participate in any practice or tryout!

3. Must have at least a 2.0 GPA, **AND** be on track to graduate with credits:

### Specific Sport Contact Information

#### FOOTBALL:

SUMMER BALL is MWF 4:30-6:30

First day of Official Tryouts is August 2nd, MANDATORY

Please contact Coach Elliott for more information 513-1781

#### CHEER:

The Cheer team has been selected

Cheer Camp is TBD

Please contact Coach Zuppan for more information 624-3470

#### CROSS COUNTRY:

First day of Official Tryout is August 2nd, 3:30pm - MANDATORY

PLEASE BRING A WATER BOTTLE AND TOWEL

Please contact AD Johnson for more information 570-4201

#### VOLLEYBALL:

OPEN GYM is TBD

First day of Official Tryout is Aug 2nd, 3:30/JV and 5:30/Varsity -

MANDATORY

Please contact AD Johnson for more information 570-4201

#### GIRLS BASKETBALL:

OPEN GYM is TBD for Girls Basketball

Contact AD Johnson 570-4201

#### BOYS BASKETBALL:

OPEN GYM is TBD

Contact Coach Wilkerson 514-8502

## GCOE Summer Reading for Kids!!

Glenn County Literacy Project is hosting Reading in the Park. Everyone is invited to come listen to a story at the Hamilton City Park (corner of 3rd and Broadway) on Friday, July 16th and Thursday, July 22nd @7pm.

Seating and snacks will be provided but feel free to bring your own!! Books are for approximately ages 4 through 10. See you there!!



[mro\\_hamiltonbraves](https://www.instagram.com/mro_hamiltonbraves)

Follow us:



[@MrO\\_GoHamilton](https://twitter.com/MrO_GoHamilton)

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# Home of the BRAVES

## 2021-22 HHS SITE MASTER CALENDAR

Month	M	T	W	T	F	Notes
<b>AUGUST 2021</b> Student Days: Stu Days 16 (16 total)	02 09 16 23 30	03 (10) 17 24 31	04 11 18 25	05 12 19 26	06 [13] [20] [27]	03 06-09 (10) 18 19  <b>Grade Eligible/Ineligible Date- August 12, 2021</b>
<b>SEPTEMBER 2021</b> Stu Days 20 (36 total)	06 13 20 27	07 14 21 28	08 15 22 29	09 16 23 30	[03] [10] [17] [24]	06 08 08 10 16 20 <b>Grade Eligible/Ineligible Date- October 20, 2021</b>
<b>OCTOBER 2021</b> Stu Days 21 (57 total)	04 11 18 25	05 12 19 26	06 13 20 27	07 14 21 28	[01] [08] [15] [22] [29]	08 13 14 15 <b>Grade Eligible/Ineligible Date- October 20, 2021</b>
<b>NOVEMBER 2021</b> Stu Days 16 (73 total)	01 08 15 22 29	02 09 16 23 30	03 10 17 24	04 11 18 25	[05] [12] [19] [26]	03 05 11 22-26 <b>Grade Eligible/Ineligible Date- October 20, 2021</b>
<b>DECEMBER 2021</b> Stu Days 13 (86 total) (1st Sem = 86 days)	06 13 20 27	07 14 21 28	08 15 22 29	09 16 23 30	[03] [10] [17] [24] [31]	01 02 17 20-31 23 30 <b>Grade Eligible/Ineligible Date- January 12, 2022</b>
<b>JANUARY 2021</b> Stu Days 15 (101 total)	03 10 17 24 31	04 11 18 25	05 12 19 26	06 13 20 27	07 [14] [21] [28]	03-07 10 17 <b>Grade Eligible/Ineligible Date- January 12, 2022</b>
<b>FEBRUARY 2022</b> Stu Days 18 (119 total)	07 14 21 28	08 15 22 29	09 16 23	10 17 24 [25]	[04] [11] [18] [25]	02 04 10 18 21 <b>Grade Eligible/Ineligible Date- March 30, 2022</b>
<b>MARCH 2022</b> Stu Days 22 (141 total)	07 14 21 28	08 15 22 29	09 16 23 30	10 17 24 31	[04] [11] [18] [25]	17 18 23 25 28 31 <b>Grade Eligible/Ineligible Date- March 30, 2022</b>
<b>APRIL 2022</b> Stu Days 15 (156 total)	04 11 18 25	05 12 19 26	06 13 20 27	07 14 21 28	[01] [08] [15] [22] [29]	13 15-22 28 30 <b>Grade Eligible/Ineligible Date- March 30, 2022</b>
<b>MAY 2022</b> Stu Days 21 (177 total)	02 09 16 23 30	03 10 17 24 31	04 11 18 25	05 12 19 26	[06] [13] [20] [27]	12 18-20 24 30 <b>Grade Eligible/Ineligible Date- March 30, 2022</b>
<b>JUNE 2022</b> Stu Days 3 (180 total) (2nd Sem = 94 days)	06 13 20 27	07 14 21 28	08 15 22 29	09 16 23 30	[02] [09] [16] [23]	[02-03] (03) 10 17 10 <b>Grade Eligible/Ineligible Date- March 30, 2022</b>

<b>School Starts/Ends ( )</b>	<b>Staff Development- No Students</b>	<b>School Holiday</b>	<b>[HHS Minimum Day]</b>
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: 4 Total Days: 184

**Hamilton Adult Education**  
**Board Meeting Report-July 28, 2021**

**Silvia Robles/Director**

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**Completed and in Progress Tasks – June, 2021**

1. Enrollment and students served to date for all 2020-2021 programs:

a. Citizenship.....	19
b. Computer Basics .....	17
c. CPR/First Aid .....	14
d. ESL.....	38
e. Floral Design.....	23
f. Forklift Training.....	42
g. High School Diploma.....	32
h. Job Readiness.....	11

**TOTAL: ..... 196**

2. Assist participants with the barriers and challenges of distance learning
3. Connecting with adult students who chose to continue with distance learning via Zoom or phone.
4. Virtual, Staff Professional Development Summer Institute
5. End of Year Data Report Due July 15, 2021 Submitted

Hamilton Union School District  
 General Fund - Unrestricted and Restricted  
 July 28, 2021 Board Report

	2021-22 Approved Budget	2021-22 Year To Date As of 7/12/21	2020-21 Approved Budget	2020-21 Year To Date As of 7/12/20
<b>Revenues</b>				
LCFF Sources	\$ 8,125,100	\$ -	\$ 7,197,888	\$ -
All Other Federal Revenue	\$ 236,750	\$ -	\$ 252,770	\$ -
Other State Revenue	\$ 553,175	\$ -	\$ 483,279	\$ -
Other Local Revenue	\$ 46,669	\$ -	\$ 74,840	\$ -
Other Financing Sources	\$ -	\$ -	\$ -	\$ -
<b>Total Revenues</b>	<b>\$ 8,961,694</b>	<b>\$ -</b>	<b>\$ 8,008,777</b>	<b>\$ -</b>
<b>Expenditures</b>				
Certificated Personnel Salaries	\$ 3,580,239	\$ -	\$ 2,944,886	\$ -
Classified Personnel Salaries	\$ 1,168,056	\$ -	\$ 947,558	\$ -
Employee Benefits	\$ 2,059,770	\$ -	\$ 1,658,150	\$ -
Books and Supplies	\$ 738,305	\$ 3,383	\$ 414,755	\$ -
Travel and Conferences	\$ 111,724	\$ -	\$ 113,556	\$ -
Dues and Memberships	\$ 14,850	\$ -	\$ 14,850	\$ -
Other Insurance	\$ 97,584	\$ -	\$ 93,766	\$ -
All Other Utilities	\$ 273,000	\$ -	\$ 275,450	\$ -
Rents/Leases/Repairs	\$ 72,245	\$ -	\$ 64,745	\$ -
Other Operating Expenditures	\$ 416,429	\$ 3,006	\$ 333,766	\$ -
Capital Outlay	\$ 405,000	\$ -	\$ 306,728	\$ -
Other Outgo	\$ 896,147	\$ -	\$ 907,586	\$ -
<b>Total Expenditures</b>	<b>\$ 9,833,349</b>	<b>\$ 6,389</b>	<b>\$ 8,075,796</b>	<b>\$ -</b>
<b>Net Increase (Decrease) in Fund</b>	<b>\$ (871,655)</b>	<b>\$ (6,389)</b>	<b>\$ (67,019)</b>	<b>\$ -</b>
Estimated Beginning Fund Balance at 7/1/21	\$ 2,195,525			
Projected Ending Fund Balance	\$ 1,323,870			

## HUSD Superintendent Report

Board Meeting on July 28, 2021

Jeremy Powell, Ed. D.

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The 2020-2021 school year will go down as one of the most unique in recent history. I am proud to report that our doors, although virtually, opened to students on August 11th. We were the first school in Glenn County to open and, because of the hard work of our teachers and school administrators, we were the first to successfully complete the school year and honor our graduates with a traditional graduation ceremony. As we look ahead to the 2021-2022 school year, new challenges are facing us, however, I am confident we will continue to respond appropriately and support our children and community effectively!

### District Highlights for June & July:

- End of 2021 Events:
  - The District was able to honor our 8th Graders and High School Seniors with a traditional Promotion and Graduation Ceremony. Families and staff were able to honor our graduates in two wonderful events!
- New Staff Members:
  - We have been able to add more staff members than usual this year to help support our efforts to provide a safe and effective learning environment for our students using various COVID-19 Funds Learning Loss Mitigation Funds. Taren Allen, Art Teacher - HHS
    - Ashley Hautala, Ag Teacher - HHS
    - Susan Song, Science Teacher - HHS
    - Joshua Furtado, Math Teacher - HES
    - Josefina (Josie) Rosales Ramirez, Child Nutrition Assistant - HES
    - Trevor Heyl, Multiple Subject Teacher - HES
    - Aaron Johnson, Middle School Science Teacher - HES
    - Derek Nall, Middle School PE Teacher - HES
- Summer Projects:
  - MT&O:
    - Our Maintenance department is busy cleaning and waxing all classrooms, gyms, and cafeterias in the district. They also are looking to repair broken fixtures and also to improve grounds and facilities. District Facilities,



## HUSD Superintendent Report

### Board Meeting on July 28, 2021

#### Jeremy Powell, Ed. D.

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Maintenance, and Grounds priority lists have been developed and we are looking forward to completing many projects with the additional staff we have hired.

- Our Gym will be painted in Early August and our tree work will be completed by the end of July.
- Technology:
  - We have deployed over 700 Chromebooks and 50 hotspots to our students during the 2020-2021 school year. We have prepared these devices for the 2021-2022 school year to help continue to meet the needs of our students and teachers.
- Nutrition Services:
  - The Nutrition Services Department continues to work on improving the selection and quality of food offered at the Elementary School. We are currently preparing Grab-and-Go meals.
- Make sure to Follow us on:
  - HUSD App: Download from App Store or our website
  - Instagram: HamiltonUnified
  - Twitter: @hamiltonunified
  - Facebook: HamiltonUnifiedSchool District

#### Upcoming Events:

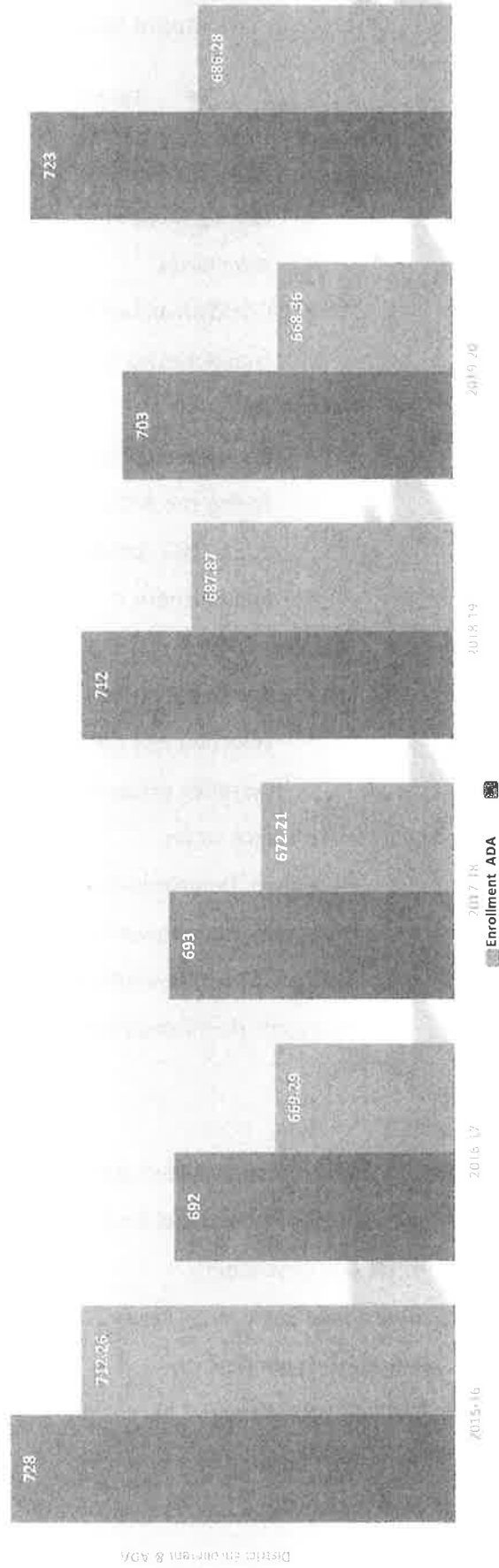
- August 6th: All Staff Professional Devl. Day
- August 9th: Certificated Professional Devl. Day
- August 10th: 1st Day of School!!
- August 25: Board Meeting in HHS Library
- Sept 6th: No School--Labor Day
- Sept 15th: HULC @ HHS Library
- Sept 17th: No School-Teacher In-Service Day
- Sept 22nd: Board Meeting at 5:30 in HHS Library

## HUSD ENROLLMENT OVER SIX YEARS 2015-2021

1	2	3	4	5	6
<b>2015-16</b> 304 HHS 9 EBHS 415 K-5 6-8	<b>2016-17</b> 264 HHS 14 EBHS 414 K-5 6-8	<b>2017-18</b> 269 HHS 12 EBHS 279 K-5 133 6-8	<b>2018-19</b> 286 HHS 9 EBHS 292 K-5 125 6-8	<b>2019-20</b> 265 HHS 13 EBHS 272 K-5 153 6-8	<b>2020-21</b> 295 HHS 11 EBHS 269 K-5 146 6-8
<b>728 ENROLLMENT</b>	<b>692 ENROLLMENT</b>	<b>693 ENROLLMENT</b>	<b>712 ENROLLMENT</b>	<b>703 ENROLLMENT</b>	<b>723 ENROLLMENT</b>
<b>712.26 ADA</b>	<b>669.29 ADA</b>	<b>672.21 ADA</b>	<b>687.87 ADA</b>	<b>668.36 ADA</b>	<b>686.28 ADA</b>

Enrollment and ADA totals above are based on P2 Data Reporting except current year based on current reporting  
 2020-21 ADA based on Month 11 report (5/17/2021-46/11/2021)

Enrollment & ADA by School Year



# HUSD ENROLLMENT OVER SIX YEARS 2015-2021

2020-21			ADA
8/11-8/17/20	#STU	GRADE	
13		TK	12.11
42		K	41.11
41		1	40.53
47		2	43.11
40		3	37.84
42		4	40.11
50		5	48.05
41		6	39.21
60		7	59.68
44		8	43.05
74		9	73.68
65		10	62.63
80		11	76.85
74		12	70.57
<b>713 TOTAL</b>			<b>688.53</b>

2020-21			ADA
8/05-8/30/20	#STU	GRADE	
13		TK	12.11
42		K	41.11
40		1	40.53
45		2	43.11
40		3	37.84
42		4	40.11
49		5	48.05
41		6	39.21
59		7	59.68
44		8	43.05
76		9	73.68
66		10	62.63
79		11	76.85
74		12	70.57
<b>710 TOTAL</b>			<b>688.53</b>

2020-21			ADA
09/07-10/02	#STU	GRADE	
13		TK	12.08
43		K	41.30
40		1	40.16
43		2	42.95
40		3	38.14
42		4	40.51
48		5	47.81
41		6	39.78
60		7	59.54
44		8	43.32
77		9	74.35
67		10	63.62
77		11	77.41
74		12	72.13
<b>709 TOTAL</b>			<b>693.1</b>

2020-21			ADA
11/2-11/27	#STU	GRADE	
13		TK	11.93
41		K	35.59
40		1	38.14
43		2	41.11
40		3	37.34
42		4	39.70
48		5	46.21
39		6	39.21
60		7	59.61
43		8	42.23
78		9	75.15
68		10	64.46
77		11	75.94
73		12	70.94
<b>705 TOTAL</b>			<b>677.56</b>

2020-21			ADA
11/2-12/25	#STU	GRADE	
13		TK	11.91
41		K	39.40
40		1	38.05
44		2	41.08
40		3	37.44
42		4	39.79
49		5	46.21
40		6	38.95
61		7	59.59
43		8	42.91
79		9	75.82
70		10	65.66
79		11	77.31
73		12	70.51
<b>714 TOTAL</b>			<b>684.63</b>

2020-21			ADA
12/28-1/22/2021	#STU	GRADE	
13		TK	11.96
40		K	39.29
41		1	37.97
42		2	41.13
39		3	37.38
41		4	39.68
48		5	46.2
41		6	38.87
61		7	59.43
44		8	42.74
80		9	75.69
70		10	65.17
73		11	73.67
74		12	72.92
<b>707 TOTAL</b>			<b>682.1</b>

2020-21			ADA
01/25-2/19/2021	#STU	GRADE	
14		TK	11.79
42		K	39.13
41		1	38.18
45		2	41.26
41		3	37.50
43		4	39.84
47		5	46.12
41		6	38.87
60		7	59.36
44		8	42.75
81		9	76.02
71		10	65.22
76		11	75.00
74		12	70.73
<b>720 TOTAL</b>			<b>681.77</b>

2020-21			ADA
3/22-4/16/2021	#STU	GRADE	
14		TK	12.14
42		K	39.39
42		1	38.48
46		2	41.74
41		3	37.87
42		4	40.10
47		5	46.03
42		6	39.16
60		7	59.14
44		8	42.51
84		9	76.52
71		10	65.35
78		11	75.57
74		12	73.23
<b>727 TOTAL</b>			<b>687.23</b>

2020-21			ADA
4/19-5/14/2021	#STU	GRADE	
14		TK	12.25
42		K	39.52
43		1	38.80
47		2	42.08
41		3	37.99
42		4	40.18
47		5	45.95
42		6	39.39
60		7	58.99
44		8	42.60
84		9	77.04
70		10	65.35
79		11	75.76
74		12	70.52
<b>729 TOTAL</b>			<b>686.42</b>

2020-21			ADA
5/17-6/11/2021	#STU	GRADE	
14		TK	12.33
42		K	39.60
43		1	38.96
47		2	42.36
41		3	38.11
42		4	40.21
47		5	45.88
42		6	39.51
60		7	59.03
44		8	42.73
83		9	77.07
68		10	64.82
77		11	75.12
73		12	70.55
<b>723 TOTAL</b>			<b>686.28</b>

**Building Fund 21 (BOR)      enditures for 2020-21  
For July 28, 2021 HJSD Board Meeting  
Total Expenditures through June 30, 2021**

PO #	Date	Vendor	Description	Amount	Reimbursable*
PV 1	7/22/2020	Bank of New York Mellon	Paying Agent Fee; RE: Election of 2018, GO Bonds, Series A	\$ 750.00	No
423	9/23/2020	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 490.50	Yes
423	10/21/2020	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 2,256.00	Yes
423	12/2/2020	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 90.00	Yes
423	12/9/2020	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 12,913.50	Yes
423	2/3/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 3,598.50	Yes
423	2/24/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 10,069.50	Yes
423	3/24/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 14,973.00	Yes
423	4/28/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 8,113.50	Yes
423	5/26/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 5,380.50	Yes
423	6/30/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 2,130.00	Yes
423	6/30/2021	Dannis Wolliver Kelley	Legal fees related to land acquisition	\$ 5,023.50	Yes
423	6/30/2021	Dannis Wolliver Kelley	Property purchase testing	\$ 577.58	Yes
PV 12	10/7/2020	Department of Toxic Substances Control - DTSC	Program Management Services	\$ 3,360.00	Yes
21-150	8/19/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 4,480.00	Yes
21-150	9/16/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 3,520.00	Yes
21-150	10/14/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 4,200.00	Yes
21-150	11/10/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 2,520.00	Yes
21-150	12/9/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 1,120.00	Yes
21-150	1/13/2021	Educational Facilities Program Management LLC	Program Management Services	\$ 1,120.00	Yes
21-150	2/10/2021	Educational Facilities Program Management LLC	Program Management Services	\$ 1,680.00	Yes
21-150	6/30/2021	Educational Facilities Program Management LLC	Program Management Services	\$ 1,136.00	No
PV 32	11/10/2020	Hamilton Unified Revolving Fund for Glenn County	File a parcel map in Glenn County	\$ 2,355.28	No
PV 91	6/2/2021	Hamilton Unified Revolving Fund for Glenn County	Timios Title - closing costs for purchase of property	\$ (1,136.00)	No
ER 5	6/30/2021	Revolving C# 1678 refund	refund - parcel map - See PV 32 dated 11/10/20	\$ 10,260.00	No
20-495	6/16/2021	Integrated Educational	Building/Expansion Project	\$ 2,097.38	Yes
19-515	11/10/2020	Placeworks Inc.	CEQA Study/Expansion	\$ 2,186.63	Yes
21-152	8/19/2020	Robertson Erickson Inc	CEQA Study/Expansion	\$ 1,650.00	Yes
21-152	10/21/2020	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 740.00	Yes
21-152	12/16/2020	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 540.00	Yes
21-152	12/16/2020	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 1,105.00	Yes
21-152	12/16/2020	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 180.00	Yes
21-152	2/3/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 740.00	Yes
21-152	2/24/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 1,225.00	Yes
21-152	6/23/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 82.00	Yes
448	9/2/2020	Sacramento Valley Mirror	Legal ad for public hearing related to high school expansion	\$ 50,000.00	Yes
TV 301	3/19/2021	Timios Escrow	Deposit into escrow for acquisition of property	\$ 1,073,500.00	Yes
TV 353	5/7/2021	Timios Escrow	Purchase of property	\$ 1,235,407.37	Yes

\* YES means the expenditure is eligible for state reimbursement using a formula depending on the type of expenditure.

\*\* Total expenditures through 6/30/21 before year-end closing entries.

FUND 21 Expenditures  
FY 2019-2020

PO #	Date	Vendor	Description	Amount	Reimbursable
423	9/27/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 802.00	Yes
423	10/30/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 1,126.00	Yes
423	11/13/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 165.00	Yes
423	12/11/2019	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 2,969.00	Yes
423	1/8/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518/1103	\$ 807.00	Yes
423	5/6/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 754.50	Yes
423	5/20/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 1,833.50	Yes
423	6/24/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 1,194.50	Yes
423	6/30/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 2,179.50	Yes
423	6/30/2020	Dannis Woliver Kelley	Legal Fees related to land acquisition - matter ending 518	\$ 9,317.00	Yes
19397	9/27/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,057.63	Yes
19397	9/27/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,445.00	Yes
19397	10/16/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 2,960.00	Yes
19397	10/23/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 171.62	Yes
19397	12/11/2019	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 12,940.58	Yes
19397	2/5/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 12,895.93	Yes
19397	2/5/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 560.00	Yes
19397	3/18/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 4,475.12	Yes
19397	3/18/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,252.38	Yes
19397	6/17/2020	Holdrege & Kull (NV5)	Prelim Assessment #032-230-015	\$ 1,366.98	Yes
19515	9/27/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 4,692.02	Yes
19515	11/20/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 5,009.48	Yes
19515	6/17/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 9,667.98	Yes
19515	6/30/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 14,715.59	Yes
19515	6/30/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 430.49	Yes
19515	6/30/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 9,341.19	Yes
19515	6/30/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 2,588.26	Yes
20202	9/27/2019	Department of Toxic Substances Control - DTSC	Property Purchase Testing	\$ 14,480.00	Yes
20219	9/27/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 5,040.00	Yes
20219	9/27/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,200.00	Yes
20219	11/13/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,480.00	Yes
20219	12/11/2019	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 3,080.00	Yes
20219	1/15/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 2,520.00	Yes
20219	2/12/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 2,380.00	Yes
20219	3/11/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,480.00	Yes
20219	4/15/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 5,320.00	Yes
20219	5/20/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 3,920.00	Yes
20219	6/17/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 4,200.00	Yes
20219	6/30/2020	Educational Facilities Program Management LLC	Consulting for HHS Expansion Project	\$ 5,180.00	Yes
20247	11/20/2019	Timios Title	Title Report for new property	\$ 400.00	Yes
20287	10/9/2019	Robertson Erickson Inc.	Survey for land	\$ 3,250.00	Yes
20287	6/30/2020	Robertson Erickson Inc.	Survey for land	\$ 3,250.00	Yes
20495	6/30/2020	Integrated Educational Planning & Programming	Building/Expansion Project	\$ 4,800.00	No
PV 98	3/11/2020	Sacramento Valley Mirror	Legal Ad - Notice of Prep. of a Prelim. Environmental Assess.	\$ 90.20	Yes
PV 119	6/17/2020	Sacramento Valley Mirror	Legal Ad - Expansion Project	\$ 139.40	Yes
<b>Total expenditures through 6/30/2020</b>				<b>\$ 193,861.54</b>	

## 2018-2019 Bond and Property Related Expenses

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

**Total Amount Expended** \$ 90,140.87

**Reimbursable Total** \$ 79,657.87



# 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

California Department of Public Health

Attn: Dr. Mark Ghaly, Secretary of the California Health and Human Services Department  
Dr. Tomas Aragon, Director & State Public Health Officer [Tomas.Aragon@cdph.ca.gov](mailto:Tomas.Aragon@cdph.ca.gov)  
Mr. Jake Hanson, California Conference of Local Health Officers [Jake.Hanson@cdph.ca.gov](mailto:Jake.Hanson@cdph.ca.gov)  
Dr. Rohan Radhaskrishna, Office of Health Equity [Rohan.Radhaskrishna@cdph.ca.gov](mailto:Rohan.Radhaskrishna@cdph.ca.gov)

PO Box 997377, MS 0500  
Sacramento, CA 95899-7377

July 12, 2021

To Whom It May Concern:

On behalf of the Hamilton Unified School District Board of Trustees, I am writing today to urge your department to change its guidance mandating masks for students and staff in public schools for the 2021-2022 school year.

With the recent change to CDC guidance (issued July 9, 2021) allowing vaccinated staff and students 12 years and over to be exempt from wearing masks while at school, we urge you to take the appropriate next step and remove the mask mandate from all K-12 students and staff. There are a number of reasons why we believe allowing students and staff to go without masks is the best and safest course of action moving forward. The emotional impact the pandemic has had on our students has increased traumatic responses in many of our students. It is essential that following traumatic events, returning to normal routines quickly is necessary and most beneficial for the students' emotional health. We are doing everything possible to help support students physical and psychological healing in planning for a "normal" start to the upcoming school year. Continuing to mandate masks creates a constant reminder to the students of the fear and uncertainty they experienced during the peak of the pandemic. It does not, obviously, help us support them in returning to normal, and comforting, routines.

As a school district, we have followed all CDPH guidance up to this point. In following this guidance, we experienced firsthand the negative impacts on our students both academically and emotionally. During the 2020-2021 school year it was difficult to quantify how those measures affected our students' emotional health, however, it is now clear that sufficient data exists to say, with some certainty, that the negative academic and emotional influences of continually reminding students of the pandemic, has potentially become more detrimental than the physical dangers associated with a COVID – 19 infection. In short, the skyrocketing rates of suicidal ideation and students seeking counseling, call for a different approach.

Throughout this pandemic, we have tried our best to implement CDPH guidance to slow the spread of the virus. We upgraded or HVAC systems District wide, we have provided HEPA Air Purifiers for every classroom, we have implemented plexiglass barriers, and we have continued social distancing while in the classroom. Our mantra has been that we, "follow the science" to keep our students, staff and

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#### BOARD OF TRUSTEES

Hubert "Wendall" Lower, President | Rod Boone, Clerk  
Gabriel Leal, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee

community safe. At this point, with numbers of vaccinated individuals climbing constantly, and particularly because young children are not as susceptible to infection or transmission, it seems counter intuitive to require ongoing masking. For this, and the other safety protocols we have detailed above, we respectfully request that you change the guidance to allow our students and staff to be mask-free as much as possible in school.

Educationally yours,

A handwritten signature in black ink, appearing to read "Jerimicha Powell". The signature is written in a cursive style with a large initial "J".

Jerimicha Powell, Ed.D.



## CSBA MANUAL MAINTENANCE SERVICE CHECKLIST – June 2021

District Name: Hamilton Unified School District

Contact Name: Tiffany Wilhelm

Phone: 530-826-3261

Email: twilhelm@husdschools.org

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 1312.3	Uniform Complaint Procedures	<b>Fill in Blanks</b> Hamilton Unified School District Attn: Superintendent PO Box 488 Hamilton City, CA 95951  <b>OPTION 1:</b> <input checked="" type="checkbox"/> <b>OPTION 2:</b> <input type="checkbox"/>  Policy Update	
BP 1313	Civility	<b>NEW POLICY</b>	
BP 3511.1	Integrated Waste Management	Policy Update	
AR 3511.1	Integrated Waste Management	Regulation Update	
<del>BP 3515.31</del>	<del>School Resource Officers</del>	<del>NEW POLICY</del>	
BP 4112.42 4212.42 4312.42	Drug and Alcohol Testing for School Bus Drivers	Policy Update	
AR 4112.42 4212.42 4312.42	Drug and Alcohol Testing for School Bus Drivers	Regulation Update	
BP 4141 4241	Collective Bargaining Agreement	Policy Update	
BP 4158 4258 4358	Employee Security	Policy Update	
AR 4158 4258 4358	Employee Security	Regulation Update	
BP 5141.4	Child Abuse Prevention and Reporting	Policy Update	

## CSBA MANUAL MAINTENANCE SERVICE CHECKLIST – June 2021

District Name: Hamilton Unified School District

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 5141.4	Child Abuse Prevention and Reporting	<b>Fill in Blanks</b> Glenn County Child Welfare Services PO Box 611 420 E. Laurel Street Willows, CA 95988 530-934-1429 tel 530-934-6520 fax  Regulation Update	
BP 5141.52	Suicide Prevention	Policy Update	
AR 5141.52	Suicide Prevention	Regulation Update	
BP 5142.2	Safe Routes to School Program	Policy Update	
AR 5142.2	Safe Routes to School Program	Regulation Update	
BP 5145.12	Search and Seizure	Policy Update	
BP 5145.9	Hate-Motivated Behavior	Regulation Update	
BP 5148	Child Care and Development	<b>New Law</b>	
AR 5148	Child Care and Development	<b>New Regulation</b>	
BP 6142.5	Environmental Education	Policy Update	
AR 6162.51	State Academic Achievement Tests	Regulation Update	
BP 7211	Developer Fees	Policy Update	
AR 7211	Developer Fees		

## CSBA POLICY GUIDE SHEET June 2021

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.

### **Administrative Regulation 1312.3 - Uniform Complaint Procedures**

Regulation updated to correct the timeline in the "Notifications" section for submitting appeals to the California Department of Education (CDE), as specified in state regulations. Section on "Investigation of Complaint" revised to clarify that state regulations regarding the consequences of a respondent's failure to cooperate in an investigation only apply when the respondent is the district. Additional revisions, including expansion of the section "Health and Safety Complaints in License-Exempt Preschool Programs," made to more directly reflect the standards in CDE's Federal Program Monitoring instrument.

### **NEW - Board Policy 1313 - Civility**

New policy addresses the importance of civility to the effective operation of the district, including its role in creating a positive school climate and enabling a focus on student well-being, learning, and achievement. Policy includes First Amendment free speech considerations, behavior that constitutes civil behavior, practices that promote civil behavior, and authorization to educate or provide information to students, staff, parents/guardians, and community members to assist in the recognition, development, and demonstration of civil behavior. Policy also includes material regarding behavior that is disruptive, hinders the orderly conduct of district operations or programs, or creates an unsafe learning or working environment, as well as the prohibition of, and consequences for, behavior which is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence.

### **Board Policy 3511.1 - Integrated Waste Management**

Policy updated to reflect current legal requirements for recycling waste which are based on specified thresholds of waste generation and are detailed in the accompanying administrative regulation, add district goal to develop strategies for recycling organic waste, and more directly link waste management to education goals.

### **Administrative Regulation 3511.1 - Integrated Waste Management**

Regulation updated to add new section on "Recycling" which contains (1) material formerly in item #2 above, (2) new material reflecting a determination by the California Department of Resources Recycling and Recovery (CalRecycle) regarding the level of statewide disposal of organic waste which triggered a requirement for any facility generating two or more cubic yards of solid waste per week to meet specified requirements pertaining to the recycling of organic waste, and (3) new material reflecting legal requirements to provide recycling bins or containers in a facility that generates four or more cubic yards of solid waste or two or more cubic yards of organic waste per week.

### **NEW - Board Policy 3515.31 - School Resource Officers**

New policy is for use by districts that choose to employ school resource officers (SROs) or enter into an agreement with local law enforcement for the purpose of providing SROs on school campuses and/or school activities. Policy reflects **NEW LAW (SB 98, 2020)** which encourages districts to redirect resources currently allocated to contracts with local law enforcement into student support services. If the district decides to contract for SROs, the policy advises districts to enter into a memorandum of understanding (MOU) which clearly defines roles, responsibilities, and expectations for the district, school site, law enforcement agency, and individual officers. Policy includes recommended components of the MOU, reflects a requirement for SROs to use de-escalation techniques to mitigate the use of force in accordance with policy adopted by the law enforcement agency, clarifies that SROs should not handle routine disciplinary matters, requires SROs to complete specialized training, and calls for periodic evaluation of

disaggregated data on student interactions with SROs to ensure compliance with nondiscrimination provisions of district policy and/or the MOU.

**Board Policy 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers**

Policy updated to clarify the obligation of drivers to submit to drug and alcohol testing as required under federal law. Section on "Consequences Based on Test Results" updated to (1) add the agency responsible for reviewing and approving district requests to temporarily remove a driver from safety-sensitive functions before drug test results are verified by a certified medical review officer and (2) describe consequences that will be imposed on drivers based on findings of specific concentrations of alcohol. Policy also clarifies the requirement to ensure that a driver who is offered an opportunity to return to work following a violation first receive an evaluation by a qualified substance abuse professional and successfully comply with the evaluation recommendations.

**Administrative Regulation 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers**

Regulation updated to clarify that marijuana remains an illegal drug under the federal Controlled Substances Act and use of it by a driver remains a violation of federal drug testing regulations. Definition of "alcohol concentration" revised to delete information regarding consequences for drivers based on specific alcohol concentrations, now addressed in the BP. Regulation also expands the responsibilities of the designated employer representative pursuant to federal regulations, clarifies requirements pertaining to pre-employment testing including the requirement to conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse, and reflects additional requirements related to post-accident testing. New section reflects federal regulations which require districts to report any violation of federal drug and alcohol regulations to the Clearinghouse and conduct inquiries of the Clearinghouse's online database for all drivers employed by the district on an annual basis and before hiring any driver.

**Board Policy 4141/4241 - Collective Bargaining Agreement**

Revised policy reflects court decision holding that a provision in a collective bargaining agreement that directly conflicts with the Education Code cannot be enforced. Policy also adds language clarifying that, whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail.

**Board Policy 4158/4258/4358 - Employee Security**

Policy updated to reflect law authorizing a district to petition, on behalf of an employee, for a gun violence restraining order prohibiting a person from owning, purchasing, possessing, or receiving a firearm. Policy also reflects law requiring a district to provide reasonable accommodations, upon request, to an employee who is a victim of domestic violence, sexual assault, or stalking. Policy adds a requirement of law to inform administrators and counselors, along with teachers, regarding certain crimes and offenses committed by students.

**Administrative Regulation 4158/4258/4358 - Employee Security**

Regulation updated to more directly reflect law requiring a report to law enforcement of any attack, assault, or physical threat made against an employee by a student. Material in section on "Notice Regarding Student Offenses" reorganized to clarify the required notifications that must be made to staff pertaining to (1) student offenses that are grounds for suspension or expulsion and (2) any report received from a court that a student has been found to have committed a felony or misdemeanor involving specified offenses. In that section, paragraph on notifications that may be provided by a district police or security department deleted and moved into Note since its applicability is limited. New section on "Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking" reflects law requiring a district to provide reasonable accommodations, including, but not limited to, safety procedures or adjustments to a job structure, workplace facility, or work requirement, upon the request of an employee who is a victim of domestic violence, sexual assault, or stalking.

**Board Policy 5141.4 - Child Abuse Prevention and Reporting**

Board policy updated to clarify that districts are not required, but are authorized, to include age-appropriate and culturally sensitive child abuse prevention curriculum in the instructional program, add material regarding displaying posters on campus notifying students of the appropriate telephone number to call to report child abuse or neglect, include the requirement for student identifications cards for students in grades

7-12 to include the National Domestic Hotline telephone number, and clarify that the training regarding duties of mandated reporters be according to law and administrative regulation.

**Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting**

Regulation updated to reflect **NEW LAW (AB 1145, 2020)** which amends the definition of sexual assault for purposes of mandated reporting to not include voluntary conduct in violation of Penal Code 286, 287, or 289 (sodomy, oral copulation, or sexual penetration) if there are no indicators of abuse unless such conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age. Regulation also adds licensees of licensed child day care facilities to the list of mandated reporters, reflects that the California Department of Justice form is now titled BCIA 8572, clarifies that when a staff member or volunteer aide is selected by a child to be present at an interview where child abuse is being investigated that the principal or designee inform the person of specified requirements prior to the interview, and reflects **NEW STATE REGULATION (Register 2020, No. 21)** which authorizes parents/guardians of special education students to file a complaint with CDE for safety concerns that interfere with the provision of a free appropriate public education pursuant to 5 CCR 3200-3205 rather than through uniform complaint procedures.

**Board Policy 5141.52 - Suicide Prevention**

Policy updated to expand material regarding stakeholder engagement and best practices for suicide prevention, intervention, and postvention, and for consistency with CDE's Model Youth Suicide Prevention Policy, including an enhanced list of participants for staff development, the importance of resiliency skills to student instruction, the review of materials and resources for alignment with safe and effective messaging, information to be provided to parents/guardians and caregivers, and the establishment of district and/or school site crisis intervention team(s). Policy also updated to clarify that the policy may be reviewed more frequently than the five-year review requirement of law, and that district data pertaining to reports of suicidal ideation, attempts, or death and data that reflect school climate be periodically reviewed to aid in program development.

**Administrative Regulation 5141.52 - Suicide Prevention**

Regulation updated to expand the section on "Staff Development" by adding to the list of participants for suicide prevention training, topics to be included in such training, and additional professional development for specified groups and to enhance the section on "Instruction" by adding to the list of topics to be taught and authorizing the development and implementation of school activities that raise awareness about mental health wellness and suicide prevention. Regulation also updated to include, for districts that have crisis intervention teams, the contact information for district and/or school site crisis intervention team members, add that school counselors may disclose a student's personal information to report child abuse and neglect as required by law, and include providing comfort to a student who has attempted or threatened to attempt suicide.

**Board Policy 5142.2 - Safe Routes to School Program**

Policy updated to clarify potential liability issues, recognize that active transportation positively impacts student achievement, add material regarding equitable access and opportunity to participate in the district's safe routes to school program, and update information about state and federal grant programs.

**Administrative Regulation 5142.2 - Safe Routes to School Program**

Regulation updated to reflect current strategies recommended by the U.S. Department of Transportation's Federal Highway Administration and National Center for Safe Routes to School to improve student safety along routes to school and to promote walking, bicycling, and forms of active transport to school. Regulation adds that active transportation positively impacts student achievement; clarifies that offering driver safety information to high school students, parents/guardians, and the community promotes safety around school campuses and routes; and adds strategies related to emerging technologies that aid in the prevention and mitigation of accidents, emergency response in managing injuries after an accident occurs, and equity, such that resources are distributed in a manner that provides safe access and participation in an equitable manner.

**Board Policy 5145.12 - Search and Seizure**

Policy updated to reflect court decision upholding a school policy that called for limited searches without individualized suspicion if students left campus and returned in the middle of the day. Policy also updated to reflect law which places restrictions on searches of electronic devices such as cellular phones, court decision regarding searches of lockers without individualized suspicion, and court decision upholding policy of random weapons screening with a handheld metal detector.

**Board Policy 5145.9 - Hate-Motivated Behavior**

Policy updated to bolster the governing board's commitment to providing a respectful, inclusive, and safe learning environment, including adding a definition of hate-motivated behavior which incorporates a list of characteristics which may motivate prohibited behavior, reflecting the importance of celebrating diversity, enhancing the list of topics for student instruction and staff development, adding material regarding regularly occurring staff training, and including student and staff discipline for engaging in hate-motivated behavior. Policy also updated to include the requirement to post the policy in a prominent location on the district's web site and add that, in addition to other staff listed, complaints may be reported to the district's compliance officer.

**Board Policy 5148 - Child Care and Development**

Policy updated to reflect **NEW LAW (SB 98, 2020)** which transfers responsibility for state administration of child care and development programs from CDE to the California Department of Social Services (CDSS) effective July 1, 2021. Information about the Child Care Facilities Revolving Fund deleted as the fund is no longer operative. Policy also reflects **NEW STATE REGULATIONS (Register 2020, No. 21)** which retain the requirement to refer health and safety complaints regarding licensed child care and development programs to CDSS but eliminate the requirement that complaints regarding a license-exempt facility be referred to a Child Development regional administrator.

**Administrative Regulation 5148 - Child Care and Development**

Regulation updated to reflect **NEW LAW (SB 98, 2020)** which transfers responsibility for state administration of child care and development programs from CDE to CDSS effective July 1, 2021. Regulation also contains information about the delay, due to COVID-19, of CDSS' adoption of regulations implementing a new, single license for infant, toddler, preschool, and school-age child care programs. References to the Desired Results Developmental Profile made more general to account for possible future changes in program requirements. New section on "Health and Safety" adds requirement for licensed centers to test drinking water for lead contamination between January 1, 2020 and January 1, 2023 if the building was constructed before January 1, 2010, and to notify parents/guardians of the test results. Section on "Health Examination and Immunizations" expanded to reflect the requirement that a child care center may only accept a medical exemption request that is made on an electronic, standardized form developed by the California Department of Public Health.

**Board Policy 6142.5 - Environmental Education**

Policy updated to reflect law which required that the state-adopted environmental principles and concepts be integrated into content standards, curriculum frameworks, and textbook criteria. Policy also reflects legislative intent that governing boards undertake specified actions to promote instruction in environmental literacy, including by embedding environmental literacy in the local priorities addressed in the district's local control and accountability plan, collaborating with other agencies to enhance the environmental curriculum, providing professional development in environmental literacy, and ensuring equity in the provision of environment-based learning opportunities.

**Administrative Regulation 6162.51 - State Academic Achievement Tests**

Regulation updates information regarding administration of the California Assessment of Student Performance and Progress, including provisions that: (1) the district may administer the California Science Test (CAST) in any of grades 10-12, (2) the California Alternate Assessments in science should be administered to students with significant cognitive disabilities who are unable to take the CAST with accommodations, and (3) the California Spanish Test is the primary language assessment that is available to be administered to English learners. Regulation also adds optional language regarding the use of Smarter Balanced interim and formative assessments to provide timely feedback regarding students' progress and

assist teachers in continually adjusting instruction to improve learning. Testing windows and testing variations updated to reflect current state regulations, as renumbered.

**Board Policy 7211 - Developer Fees**

Policy updated to include material formerly in the AR pertaining to responsibilities of the board with respect to levying developer fees, such as conducting a fee justification study, holding a public hearing, and adopting a board resolution. Policy also clarifies the applicability of Government Code 65997, which became operative due to the failure of state bond measure Proposition 13 in March 2020 and gives districts the flexibility to deny or refuse a legislative act involving the planning, use, or development of real property, other than requiring a fee in excess of the fee imposed by law. Policy addresses factors that must be included in the fee justification study based on recent court decision.

**Administrative Regulation 7211 - Developer Fees**

Regulation revised to delete board responsibilities pertaining to the imposition of developer fees, now addressed in the BP, and to require the superintendent or designee to provide specified information regarding capital facilities accounts to the board as well as the public.

# 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 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~~ **the accompanying Board policy**.

*(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.

AR 1312.3(b)



**UNIFORM COMPLAINT PROCEDURES (continued)**

The following paragraph specifies that the compliance officer will be the same person designated to serve as the Title IX Coordinator for addressing complaints of sexual harassment pursuant to AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Districts may modify this regulation to designate different district employees to serve these functions.

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)~~ and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. 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)*  
*(cf. 5145.71 - Title IX Sexual Harassment Complaints Procedures)*

\_\_\_\_\_  
(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.

AR 1312.3(c)

## UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4621 **mandates** that the district's policy require employees responsible for compliance and/or for investigating and resolving complaints 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~~ **Compliance officers** must also have training or experience in handling discrimination complaints, including appropriate investigative techniques and understanding of the applicable legal standards.

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 **and while the result is pending**. 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)

AR 1312.3(d)

## UNIFORM COMPLAINT PROCEDURES (continued)

(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. The following list reflects those required components and additional content of the notice listed in CDE's FPM instrument.

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 a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, **except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying**, must be filed no later than one year from the date the alleged violation occurred
4. A statement that, ~~in the case of a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, a UCP complaint~~ must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. 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
6. 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

AR 1312.3(e)

**UNIFORM COMPLAINT PROCEDURES** (continued)

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

7. 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)

8. 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
9. A statement that, for programs within the scope of the UCP **as specified in the accompanying Board policy**, the complainant has a right to appeal the district's investigation report to **the California Department of Education (CDE) for programs within the scope of the UCP** by filing a written appeal, including a copy of the original complaint and the district's decision, within ~~45~~ **30 calendar** days of receiving the district's decision
10. 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 **laws prohibiting antidiscrimination, harassment, intimidation, or bullying laws**, if applicable
11. 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.

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**UNIFORM COMPLAINT PROCEDURES** (continued)

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 the balancing of 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.

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 **UCP** 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.

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## **UNIFORM COMPLAINT PROCEDURES (continued)**

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 may be filed by any individual, public agency, or organization. (5 CCR 4630)

Note: Education Code 49013 and 52075 **mandate** 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.

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.

Note: Pursuant to 5 CCR 4630, ~~as amended by Register 2020, No. 21,~~ complaints related to the LCAP must be filed within a year of the date that the reviewing authority approves the district's LCAP. Pursuant to Education Code 52070, the County Superintendent of Schools is the reviewing authority for district LCAPs.

3. A UCP complaint, **except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying**, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, ~~(such as discriminatory~~ harassment, intimidation, or bullying) may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. **(5 CCR 4630)**
5. ~~The~~ A complaint **alleging unlawful discrimination, harassment, intimidation, or bullying** shall be initiated no later than six months from the date that the alleged

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**UNIFORM COMPLAINT PROCEDURES** (continued)

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)

- 5.6. 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.

- 6.7. When ~~the~~ a 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.

### 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 **to resolve the complaint**. 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.

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### UNIFORM COMPLAINT PROCEDURES (continued)

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~~ **permit the mediator access to all** 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 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 **alleged** 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

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### **UNIFORM COMPLAINT PROCEDURES (continued)**



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~~ the 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 offender(s), 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 the investigation.~~ **Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of 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 Investigation Report**

Note: Pursuant to 5 CCR 4631, the district's investigation report 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 the investigation report and to file a complaint with the Board if dissatisfied with the compliance officer's decision. However, OCR has

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#### **UNIFORM COMPLAINT PROCEDURES (continued)**

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 investigation report, as described in the section "Investigation Report" 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 investigation report at the same time it is provided to the complainant.

#### **OPTION 2:**

**Note: The remainder of this section is for use by districts that select Option 2.**

Unless extended by written agreement with the complainant, the investigation report 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 "Investigation Report" 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.

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)*

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)

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**UNIFORM COMPLAINT PROCEDURES** (continued)

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 investigation report, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### Investigation Report

Note: 5 CCR 4631, ~~as amended by Register 2020, No. 21,~~ specifies components that **should be required** to be part of the district's investigation report. 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 investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report 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), now the Student Privacy Protection Office, 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~~ **respondent** 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~~ **respondent** (e.g., an order that the

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**UNIFORM COMPLAINT PROCEDURES** (continued)

~~alleged-offender~~ **respondent** 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~~-**respondent**.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report 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 investigation report 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.~~ **During the FPM process, CDE staff will check to ensure that UCP complaint procedures pertaining to CSPP health and safety issues include a statement that the district response and the investigation report must, whenever Education Code 48985 is applicable, be written in English and the primary language in which the complaint was filed; see the section "Health and Safety Complaints in License-Exempt Preschool Programs" below. The following paragraph extends this provision to all types of complaints to ensure compliance with Education Code 48985. In addition, bBased 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 **district's response, if requested by the complainant, and the investigation report 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 be written in English and the primary language in which the complaint was filed.**

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) based on state law, the investigation report 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)

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**UNIFORM COMPLAINT PROCEDURES** (continued)

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](http://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
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

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**UNIFORM COMPLAINT PROCEDURES** (continued)

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints ~~involving of~~ retaliation or unlawful discrimination, ~~(such as discriminatory harassment, intimidation, or bullying)~~ **involving a student as the respondent**, appropriate corrective actions that ~~focus on a student-offender~~ **may be provided to the student** 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.

*(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.

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**UNIFORM COMPLAINT PROCEDURES** (continued)

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, ~~noncompliance with~~ required instructional minutes for physical education pursuant to Education Code 51222 and 51223, **and course periods without educational content pursuant to Education Code 51228.3**. Districts that do not maintain elementary schools should delete the 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, courses without educational content, 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, **51228.3**, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district, by engaging in reasonable efforts, 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. As amended by Register 2020, No. 21, 5 CCR 4632 changes the timeline for filing an appeal to CDE from 15 calendar days to 30 calendar days.~~

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

Note: ~~5 CCR 4632, as amended by Register 2020, No. 21, expands the bases upon which an appeal may be filed with CDE.~~

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including ~~as~~ **at least one of the following:** (5 CCR 4632)  
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### **UNIFORM COMPLAINT PROCEDURES (continued)**

1. The district failed to follow its complaint procedures.

2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Note: 5 CCR 4633, ~~as amended by Register 2020, No. 21~~, requires the district to submit the following documents to CDE within 10 days after the district has been notified that an appeal has been filed. The district's failure to provide a timely and complete response may result in CDE ruling on the appeal without considering information from the district.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. 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
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

Note: Pursuant to 5 CCR 4632, ~~as amended by Register 2020, No. 21~~, if CDE determines that the district's investigation report failed to address an allegation raised by the complaint and subject to the UCP process, CDE will notify the district and direct the district to investigate and address such allegation(s) as follows.

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not

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**UNIFORM COMPLAINT PROCEDURES** (continued)



addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Note: Pursuant to 5 CCR 4633, CDE is required to issue a written decision regarding the appeal within 60 days of CDE's receipt of the appeal, unless extended by written agreement with the appellant or documentation by CDE of exceptional circumstances. Within 30 days of the appeal decision, either party may request reconsideration by the Superintendent of Public Instruction or designee.

Pursuant to 5 CCR 4650, 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 investigation report; (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; or (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.

### Health and Safety Complaints in License-Exempt Preschool Programs

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. Pursuant to Education Code 8235.5, the district must use the UCP, with modifications as necessary, to resolve such complaints. Pursuant to 5 CCR 4610, ~~as amended by Register 2020, No. 21,~~ such complaints must be addressed through the procedures described in 5 CCR 4690-4694.

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

Any complaint regarding health or safety issues in a license-exempt CSPP program shall be addressed through the procedures described in 5 CCR 4690-4694.

~~In each license-exempt CSPP classroom,~~ **In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925,** a notice shall be posted in each license-exempt CSPP classroom in the district 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. **For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site.** (Education Code 8235.5; 5 CCR 4690 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

AR 1312.3(s)

**UNIFORM COMPLAINT PROCEDURES** (continued)

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, **and allow a complainant to add as much text as desired to explain the complaint.** (Education Code 8235.5; 5 CCR 4690)

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. **The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority.** (Education Code 8235.5; 5 CCR 4692)

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; 5 CCR 4692)

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, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5; 5 CCR 4692)

**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 a complaint regarding health or safety issues in a license-exempt CSPP program involves a limited-English-proficient student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.**

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 and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8235.5; 5 CCR 4693, 4694)

AR 1312.3(t)

**UNIFORM COMPLAINT PROCEDURES** (continued)

**All complaints and responses are public records. (5 CCR 4690)**

*(cf. 1340 - Access to District Records)*

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. (5 CCR 4693)

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## **CSBA Sample Board Policy**

**Community Relations**

BP 1313(a)

## CIVILITY

Note: The following policy is optional and may be revised to reflect district practice.

The Governing Board recognizes the impact that civility has on the effective operation of the district, including its role in creating a safe and positive school climate and enabling a focus on student well-being, learning, and achievement. The Board believes that each person should be treated with dignity and respect in their interactions within the school community.

*(cf. 0415 - Equity)*

*(cf. 5137 - Positive School Climate)*

Note: The First Amendment of the U.S. Constitution and Article 1, Section 2 of the California Constitution provide strong protection as to speech related to district business.

In addition, pursuant to Government Code 54954.3 and the court's decision in Baca v. Moreno Valley Unified School District, the Governing Board must not prohibit public criticism of district policies, procedures, programs, services, acts, omissions, or employees, even if the speech is clearly defamatory. See BB 9323 - Meeting Conduct. Pursuant to Government Code 54957.9 and the court's decisions in Norse v. City of Santa Cruz and City of San Jose v. Garbett, the Board is authorized to remove persons who willfully disrupt or disturb a meeting, provided that the action actually interferes with the proceedings of the meeting or poses a credible threat of violence that would place reasonable persons in fear for their safety or the safety of others.

Compared to community members, districts have greater authority to regulate the speech of district employees when they are acting in the scope of their employment with the district. Furthermore, court decisions have found that the First Amendment rights of public school students in the school setting are not necessarily the same as the rights of adults in other settings and must be applied in light of the special circumstances of the school environment. In Hazelwood School District v. Kuhlmeier, the U.S. Supreme Court ruled that when a school has not, by policy or practice, opened up a school-sponsored activity for unrestricted use by students, the school may limit student expression as long as its decision is reasonably related to "legitimate pedagogical concerns." See BP/AR 5145.2 - Freedom of Speech/Expression.

Districts should consult legal counsel before placing restrictions on employee, student, or community member speech/expression in an effort to maintain civility.

The Board understands that the First Amendment provides strong protection for speech. However, the Board expects that all speech and expression will comport with norms of civil behavior on district grounds, in district facilities, during district activities or events, and in the use of district electronic/digital systems and platforms.

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 9323 - Meeting Conduct)*

BP 1313(b)

CIVILITY (continued)

**Note: The following optional paragraph reflects traits included in the definition of civil behavior provided by the National Council for the Social Studies Connected.**

**Civil behavior is polite, courteous, and reasonable behavior which is respectful to others and includes integrity, honesty, acceptance, timeliness, dependability, observance of laws and rules, and effective communication.**

**The Board and district staff shall model civil behavior as an example of behavior that is expected throughout the district. Practices that promote civil behavior include actively listening, giving full attention to the speaker, and refraining from interruptions; welcoming and encouraging participation, input, and feedback through stakeholder engagement; promptly responding to concerns; and embracing varying and diverse viewpoints. Such practices may be incorporated into governance standards adopted by the Board or Superintendent and/or professional standards or codes of conduct for employees as specified in district policies and regulations.**

*(cf. 2111 - Superintendent Governance Standards)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 9005 - Governance Standards)*

**Students, staff, parents/guardians, and community members should be educated in the recognition, development, and demonstration of civil behavior. The Superintendent or designee may incorporate related concepts in the curriculum, provide staff development activities, and/or communicate this policy to the school community.**

*(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development  
(cf. 4331 - Staff Development)*

**Students, staff, parents/guardians, and community members shall not communicate or behave in a manner that causes disruption; hinders the orderly conduct of district operations, the educational program, or any other district program or activity; or creates an unsafe learning or working environment. The Superintendent or designee may respond to disruptive, violent, or threatening behavior in accordance with law and as specified in BP/AR 3515.2 - Disruptions.**

*(cf. 0450 - Comprehensive Safety Plan)  
(cf. 1250 - Visitors/Outsiders)  
(cf. 3515.2 - Disruptions)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 3515.7 - Firearms on School Grounds)  
(cf. 3516 - Emergencies and Disaster Preparedness Plan)  
(cf. 3516.2 - Bomb Threats)  
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)  
(cf. 4158/4258/4358 - Employee Security)*

BP 1313(c)

**CIVILITY (continued)**

*(cf. 5131.4 - Student Disturbances)*  
*(cf. 5131.5 - Vandalism and Graffiti)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*

**Behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations.**

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 4030 - Nondiscrimination in Employment)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

**Legal Reference:**

**EDUCATION CODE**

200-262.4 Educational equity  
32210 Willful disturbance of public school or meeting  
32211 Threatened disruption or interference with classes  
32212 Classroom interruptions  
32280-32289.5 School safety plans  
35181 Governing board authority to set policy on responsibilities of students  
35291-35291.5 Rules  
44050 Employee code of conduct; interaction with students  
44807 Teachers' duty concerning conduct of students  
44810 Willful interference with classroom conduct  
44811 Disruption of classwork or extracurricular activities  
48900-48926 Suspension and expulsion, especially:  
48907 Exercise of free expression; rules and regulations  
48950 Speech and other communication  
49330-49335 Injurious objects

**CIVIL CODE**

51.7 Freedom from violence or intimidation

**GOVERNMENT CODE**

54954.3 Opportunity for public to address legislative body; regulations  
54957.9 Disorderly conduct of general public during meeting; clearing of room

*Legal Reference continued: (see next page)*

BP 1313(d)

**CIVILITY (continued)**

*Legal Reference: (continued)*

**PENAL CODE**

243.5 *Assault or battery on school property*  
415.5 *Disturbance of peace of school*  
422.55 *Definition of hate crime*  
422.6 *Civil rights; crimes*  
626-626.11 *School crimes*  
627-627.10 *Access to school premises*  
653b *Loitering about schools or public places*  
653.2 *Electronic communication devices; threats to safety*

**CALIFORNIA CONSTITUTION**

*Article 1, Section 2 Freedom of speech and expression*  
*Article 1, Section 28 Right to safe schools*

**U.S. CONSTITUTION**

*Amendment 1, Freedom of speech and expression*

**COURT DECISIONS**

*City of San Jose v. Garbett (2010) 190 Cal.App.4th 526*  
*Norse v. City of Santa Cruz (9th Cir. 2010) 629 F.3d 966*  
*Baca v. Moreno Valley Unified School District (1996) 936 F.Supp. 719*  
*Hazelwood School District v. Kuhlmeier (1988) 484 U.S. 260*

*Management Resources:*

**CSBA PUBLICATIONS**

*Superintendent Governance Standards*

*Professional Governance Standards for School Boards, June 2019*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*California's Social and Emotional Learning: Guiding Principles, 2018*

*Social and Emotional Learning in California: A Guide to Resources, October 2018*

**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

*California Professional Standards for Education Leaders (CPSEL), February 2014*

**NATIONAL POLICY BOARD FOR EDUCATIONAL ADMINISTRATION**

*Professional Standards for Educational Leaders, October 2015*

**WEB SITES**

*CSBA: <https://www.csba.org>*

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

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

*Center for Safe and Responsible Internet Use: <https://www.ewa.org/organization/center-safe-and-responsible-internet-use>*

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

*National Council for the Social Studies Connected: <https://connected.socialstudies.org>*

*National Policy Board for Educational Administration: <https://www.npbea.org>*

*National School Safety Center: <http://www.schoolsafety.us>*

*U.S. Department of Education: <https://www.ed.gov>*

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

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# CSBA Sample Board Policy

**INTEGRATED WASTE MANAGEMENT**

Note: The following policy may be revised to reflect district practice. Pursuant to Public Resources Code 42630, **districts and schools** are encouraged to assist cities and counties in meeting the solid waste diversion goals set by Public Resources Code 41780. ~~In addition, pursuant to Public Resources Code 42649.2, as added by AB 341 (Ch. 476, Statutes of 2011), businesses, including schools, that generate more than four cubic yards of solid waste per week are required to arrange for recycling services in accordance with law.~~ Pursuant to **Public Resources Code 42649.2 and 42649.81, businesses, including schools, are required to arrange for recycling services if the amount of solid or organic waste they produce meets the thresholds specified in law and the accompanying administrative regulation. The California Department of Resources Recycling and Recovery (CalRecycle) offers** Useful resources such as specific **identifying** waste management strategies, available funding sources, and ~~other publications, including resources for developing and implementing integrated~~ **education and school waste reduction** programs that **provide curriculum to link instruction on integrated waste management and environmental concepts with student action projects at school sites, may be obtained from the California Department of Resources Recycling and Recovery (CalRecycle).**

The Governing Board believes that the conservation of **water, energy, and other** natural resources, ~~and~~ the protection of the environment, ~~and the implementation of an effective waste diversion program~~ are connected to the district's educational mission and are essential to the health and well-being of the community. The Superintendent or designee shall develop ~~and/or~~ implement a cost-effective, integrated waste management program that incorporates the principles of green school operations.

*(cf. 0100 - Philosophy)*  
*(cf. 3510 - Green School Operations)*  
*(cf. 3511 - Energy and Water Management)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 3514.2 - Integrated Pest Management)*

The district's **integrated waste management** program shall include strategies designed to **promote waste management practices of source reduction, recycling, and composting** to help the district reduce ~~and recycle~~ solid and ~~hazardous~~ **organic waste generation, properly dispose of potentially hazardous materials**, improve efficiency in ~~its-the~~ use of natural resources, and minimize the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

*(cf. 3300 - Expenditures and Purchases)*  
*(cf. 3517 - Facilities Inspection)*

The Superintendent or designee may collaborate with city, county, and state agencies and other public or private agencies in developing and implementing the district's integrated waste management program.

**INTEGRATED WASTE MANAGEMENT (continued)**



*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 7131 - Relations with Local Agencies)*

Note: CalRecycle provides grants and related information to eligible schools for developing and implementing integrated waste management programs. For more information, see CalRecycle's web site.

The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program, including applying for available grants or other cost-reduction incentives.

~~To the extent that funding permits, the Superintendent or designee shall~~ **may** provide appropriate educational and training opportunities to students and staff regarding the benefits and methods of conserving natural resources and ~~protecting the environment~~ **the manner in which integrated waste management strategies impact such efforts.**

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*  
*(cf. 6142.5 - Environmental Education)*  
*(cf. 6142.93 - Science Instruction)*

The Superintendent or designee shall regularly monitor all aspects of the district's integrated waste management program and shall provide an update to the Board on its effectiveness as necessary.

*Legal Reference: (continued)*

BP 3511.1(c)

**INTEGRATED WASTE MANAGEMENT (continued)**

Legal Reference:

EDUCATION CODE

~~8700-8707~~ *Environmental education*

17070.96 *Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards*

17072.35 *New construction grants; use for designs and materials for high performance schools*

32370-32376 *Recycling paper*

33541 *Environmental education*

PUBLIC RESOURCES CODE

~~25410-25421~~ 25422 *Energy conservation assistance*

~~40050-40063~~ ~~Waste management;~~ *Integrated waste management*

~~41780-41786~~ *Waste diversion*

42620-42622 *Source reduction and recycling programs*

42630-42647 *School site source reduction and recycling*

42649-42649.7 *Recycling of commercial solid waste*

~~42649.8-42649.87~~ *Recycling of organic waste*

CODE OF REGULATIONS, TITLE 14

~~17225.12~~ *Commercial solid waste*

Management Resources:

**CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**

**PUBLICATIONS**

*Frequently Asked Questions*

*Recycling and Organics Recycling Guide for Schools Poster*

*Where to Put It: Recycling, Composting, and Trash Bin Signage*

**WEB SITES**

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

California Department of Resources Recycling and Recovery:

~~<http://www.calrecycle.ca.gov/ReduceWaste/Schools>~~ <https://www.calrecycle.ca.gov/Recycle/Schools>

California Division of State Architect: <http://www.dgs.ca.gov/dsa>

California Energy Commission: <http://www.energy.ca.gov>

California Environmental Protection Agency: <http://www.calepa.ca.gov>

U.S. Environmental Protection Agency: <http://www.epa.gov>

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# **CSBA Sample Administrative Regulation**

INTEGRATED WASTE MANAGEMENT

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

For all applicable areas of district operations, the Superintendent or designee shall design an integrated waste management program that minimizes the generation of waste, encourages the recovery and diversion of reusable materials from the waste stream, improves efficiency in the utilization of natural and material resources, and protects the environment. The program shall implement measures and/or practices to:

- 1. Reduce the consumption of disposable materials, increase the composting of organic materials, and fully utilize all materials prior to disposal

(cf. 3510 - Green School Operations)

- 2. Recycle materials such as paper, glass, plastic, and aluminum

Note: Pursuant to Public Resources Code 42649.2, as added by AB 341 (Ch. 476, Statutes of 2011), any business, including a school, which generates more than four cubic yards of commercial solid waste per week (approximately the size of a 72-inch length, 51-inch width, and 56-inch rear height dumpster) is required to arrange for recycling services, to the extent that such services are available from a local provider, as stated in items a and b below. Commercial solid waste, as defined in 14 CCR 17225.12, means any type of solid waste generated by stores, offices, or other commercial sources.

Any school site or district facility which generates more than four cubic yards of commercial solid waste per week shall take at least one of the following actions: (Public Resources Code 42649.2; 14 CCR 17225.12)

- a. Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that may include collection, self-hauling, or other arrangements for the pickup of the recyclable materials
- b. Subscribe to a recycling service that may include mixed-waste processing that yields diversion results comparable to source separation

Note: Pursuant to Public Resources Code 42642, the California Department of Resources Recycling and Recovery maintains on its web site a list of recycled and environmentally preferable products that may be used in the construction and modernization of school facilities.

- 3. Prefer recycled, **biodegradable**, and other environmentally preferable products when procuring materials for use in district schools and buildings or contracting for the construction or modernization of any district building

INTEGRATED WASTE MANAGEMENT (continued)

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

*(cf. 7110 - Facilities Master Plan)*

4. Work with city, county, or other government agencies to locate markets for the district's reusable and recyclable materials

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 7131 - Relations with Local Agencies)*

5. Minimize the use of nonbiodegradable materials and work with vendors and contractors to use packaging and delivery materials that generate less waste

## Recycling

Note: Pursuant to Public Resources Code 42649.2, as added by AB 341 (Ch. 476, Statutes of 2011), any business or public entity, including a school or other district facility, which generates more than four or more cubic yards of commercial solid waste per week (approximately the size of a 72-inch length, 51-inch width, and 56-inch rear height dumpster) is required to arrange for recycling services in accordance with law, to the extent that such services are available from a local provider, as stated in items a and b below. Commercial solid waste, as defined in ~~14 CCR 17225.12~~ Public Resources Code 42649.1, means any type of solid waste generated by stores, offices, or other commercial or public entity source.

Any school site or district facility which generates ~~more than~~ four or more cubic yards of ~~commercial~~ solid waste per week shall take at least one of the following actions: (Public Resources Code 42649.1, 42649.2; ~~14 CCR 17225.12~~)

1. Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that may include collection, self-hauling, or other arrangements for the pickup of the recyclable materials
2. Subscribe to a recycling service that which may include mixed waste processing that yields diversion results comparable to source separation

Note: In September 2020, the California Department of Resources Recycling and Recovery (CalRecycle) determined, pursuant to Public Resources Code 42649.81, that the statewide disposal of organic waste has not been reduced to 50 percent of the 2014 level of disposal. Thus, any school facility that generates two or more cubic yards per week of solid waste is required to meet requirements pertaining to the recycling of organic waste as described below. CalRecycle's Frequently Asked Questions clarify that, for this purpose, the threshold applies to solid waste, recyclables, and organics.

CalRecycle also extended the exemption in Public Resources Code 42649.81 and 42649.83 for rural jurisdictions that adopt a resolution as specified. Districts in rural jurisdiction that have adopted such a resolution may delete the following paragraph.

AR 3511.1(c)

INTEGRATED WASTE MANAGEMENT (continued)

Any school site or district facility which generates two or more cubic yards per week of solid waste, recyclables, and organics shall arrange for recycling services specifically for organic waste, including food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Such facilities shall take at least one of the following actions: (Public Resources Code 42649.8, 42649.81-42649.82, 42649.84)

1. Source separate organic waste from other waste and subscribe to a basic level of organic waste recycling service that includes collection and recycling of organic waste
2. Recycle organic waste onsite or self-haul organic waste for recycling
3. Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste
4. Make other arrangements to sell or donate recyclable organic waste materials

Note: Public Resources Code 42649.2 and 42649.81 require a school or other district facility that generates at least four cubic yards of solid waste or two cubic yards of organic waste per week to provide recycling bins or containers to collect material purchased on the premises. According to CalRecycle's school poster, Recycling and Organics Recycling Guide for Schools, bins or containers must be placed where material is purchased on the premises for immediate consumption, such as areas where food is consumed.

Any school site or district facility that meets the above thresholds for solid or organic waste shall place a recycling bin or container for solid or organic waste, as applicable, in areas where food or other materials are purchased at the facility for immediate consumption. The recycling bin or container shall be: (Public Resources Code 42649.2, 42649.81)

1. Adjacent to each bin or container for nonrecyclable trash, except in restrooms
2. Visible and easily accessible

Note: Public Resources Code 42649.2 and 42649.81 require that each recycling bin or container be clearly marked with educational signage indicating what is appropriate to place in the bin or container. CalRecycle provides customizable signage for this purpose on its web site, or districts may contact their local government or waste hauler for signage.

3. Clearly marked with educational signage indicating appropriate items to be placed in the recycling bin or container in accordance with state law and the local jurisdiction's waste ordinances and practices

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## CSBA Sample Board Policy

Business and Noninstructional Operations

BP 3515.31(a)

## SCHOOL RESOURCE OFFICERS

Note: The following optional policy is for use by districts that choose to employ school resource officers (SROs) or enter into an agreement with local law enforcement for the purpose of providing SROs on school campuses and/or at school activities. 34 USC 10389 defines an SRO as a law enforcement officer with sworn authority who is assigned by the agency to work in collaboration with schools to (1) address crime and disorder problems, gangs, and drug activities affecting or occurring in or around a school; (2) develop or expand crime prevention efforts for students; (3) educate likely school-age victims in crime prevention and safety; (4) develop or expand community justice initiatives for students; (5) train students in conflict resolution, restorative justice, and crime awareness; (6) assist in the identification of physical changes in the environment that may reduce crime in and around the school; and (7) assist in developing school policy that addresses crime and recommend procedural changes.

Requirements for districts that choose to establish their own police or security department are addressed in BP/AR 3515.3 - District Police/Security Department.

Education Code 38000, as amended by SB 98 (Ch. 24, Statutes of 2020), expresses legislative intent to encourage districts to redirect resources currently allocated to contracts with local law enforcement or the maintenance of district police departments into student support services (e.g., mental health services) and professional development on cultural competency and restorative justice, if found to be a more appropriate use of resources based on student and school needs.

The Governing Board is committed to protecting the safety of students and staff and the security of district property. The district shall develop a multi-tiered approach focused on the prevention of school violence and crime and the development of a positive school culture, which may include providing mental health services and other student support services, implementing restorative justice practices, implementing professional development addressing cultural competency, and employing and/or contracting with a law enforcement agency to provide school resource officers (SROs) on school campuses and/or school activities.

In order to reduce unnecessary law enforcement interactions with students, the Superintendent or designee shall provide training to school staff regarding the role of SROs and the appropriate circumstances for contacting such officers.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1250 - Visitors/Outsiders)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3515.2 - Disruptions)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 3515.5 - Sex Offender Notification)*  
*(cf. 3515.7 - Firearms on School Grounds)*  
*(cf. 3516.2 - Bomb Threats)*  
*(cf. 4158/4258/4358 - Employee Security)*  
*(cf. 5131.4 - Student Disturbances)*

BP 3515.31(b)

## SCHOOL RESOURCE OFFICERS (continued)

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5136 - Gangs)*  
*(cf. 5141.5 - Mental Health)*  
*(cf. 5142.1 - Identification and Reporting of Missing Children)*  
*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*  
*(cf. 5145.12 - Search and Seizure)*

**Note:** The following paragraphs are for use by districts that contract with local law enforcement for the provision of SROs and may be revised to reflect district practice. If the district decides to contract for SROs, the district should enter into a memorandum of understanding (MOU) that clearly defines roles, responsibilities, and expectations for the district, school site, law enforcement agency, and individual officers. For further information, see the Memorandum of Understanding Fact Sheet issued by the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS). In addition, sample MOUs are available on the National Association of School Resource Officers (NASRO) web site.

Agencies that receive grant funding from COPS to deploy SROs to school districts are subject to specified requirements, including, but not limited to, requirements to establish an MOU, ensure that SROs complete a basic training course no later than nine months after being notified of the grant award, and assign SROs to work in and around schools for at least 75 percent of the calendar year or 100 percent of the time during the school year, depending on the agreement between the agency and school district. See the COPS web site for information about this grant program.

**The Board shall approve a memorandum of understanding (MOU) with the local law enforcement agency which includes, at a minimum:**

- 1. The purpose of the agreement**
- 2. A clear definition of the roles and responsibilities of the district, school site, law enforcement agency, and SROs, including responsibility for supervision of the SRO**
- 3. The extent to which information will be shared between the district and law enforcement agency consistent with state and federal laws**
- 4. Requirements for qualifications and training of SROs**
- 5. Assigned hours of SRO duty in and around schools**
- 6. Performance monitoring**

**The Board may expand on the above requirements to include more specific terms, such as acknowledgement of nondiscrimination requirements, training focused on eliminating**

BP 3515.31(c)

**SCHOOL RESOURCE OFFICERS (continued)**

**disproportionalities in SRO contacts with students, and staffing of an SRO position when the assigned SRO is on leave.**

## Duties

SROs are duly sworn peace officers who are authorized to carry out their duties pursuant to state law.

**Note:** The following paragraph reflects a recommendation of the U.S. Department of Education's Guiding Principles: A Resource Guide for Improving School Climate and Discipline that educators, rather than police or security officers, should handle student discipline issues. Law enforcement agencies that receive grant funding through COPS are required to include a statement in their MOU that SROs will not be responsible for requests to resolve routine student discipline problems; see COPS' Memorandum of Understanding Fact Sheet.

Job duties of the SRO shall not include the handling of student code of conduct violations or routine student disciplinary matters that should be addressed by school administrators, or conduct that would be better addressed by mental health professionals.

*(cf. 5144 - Discipline)*

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

**Note:** Pursuant to Government Code 7286, law enforcement agencies are required to establish policy that provides a minimum standard on the use of force, with specified components. In addition, pursuant to Penal Code 13651, as added by AB 846 (Ch. 322, Statutes of 2020), an agency that employs peace officers is required to review the job description that is used in recruitment and hiring and make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving while de-emphasizing the paramilitary aspects of the job. Although these requirements are the responsibility of the law enforcement agency, not a district that contracts with a law enforcement agency for SROs, it is important that the district is aware of the expectations regarding use of force.

SROs shall be expected to collaborate with district staff in problem solving and, when circumstances warrant intervention with students, to use positive and restorative approaches in accordance with Penal Code 13651. SROs shall use tactics such as de-escalation techniques to mitigate the use of force in an educational setting and shall strictly adhere to the policy on minimum use of force pursuant to Government Code 7286.

When approved by the Superintendent or designee, an SRO may provide classroom presentations and/or parent/guardian education pertaining to safety issues and may link students, parents/guardians, and staff with resources and services.

BP 3515.31(d)

SCHOOL RESOURCE OFFICERS (continued)

Qualifications of Officers



**Note:** NASRO recommends that the selection, training, and supervision of SROs comport with NASRO's Standards and Best Practices for School Resource Officers and that SROs receive at least 40 hours of specialized training in school policing before beginning their assignment. NASRO offers training on adolescent development, trauma-informed investigations, crisis intervention and de-escalation, threat assessment, and active shooter situations.

In addition, Government Code 7286 requires that the law enforcement agency's use of force policy address training regarding the policy, including (1) training standards and requirements related to demonstrated knowledge and understanding of the agency's use of force policy; (2) training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities; and (3) minimum training and course titles required to meet the objectives in the use of force policy.

Prior to beginning their assignment when possible, SROs shall complete specialized training in school policing, the unique experiences of the diverse populations within the school community, and the law enforcement agency's use of force policy.

### **Nondiscrimination**

SROs shall not discriminate against or treat any person differently on the basis race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; 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. 0415 - Equity)*

The Superintendent or designee shall periodically report to the Board disaggregated data on student interactions with SROs to evaluate the appropriateness of such interactions and ensure compliance with the prohibition against nondiscrimination. Such reports may include the number of arrests and referrals for prosecution, the number of reports provided to the school or district regarding student misconduct, or other actions taken by SROs with respect to individual students or others on campus.

As necessary, the Superintendent or designee shall develop and implement practices to prevent disproportionality of student interactions with SROs based on student characteristics and to minimize the potential for referrals of students into the juvenile justice system.

BP 3515.31(e)

## **SCHOOL RESOURCE OFFICERS (continued)**

### **Access to Records**

**SROs shall not have access to student records, nor release student information to another person, agency, or organization, without written permission from the parent/guardian or adult student, unless specifically allowed or required by state or federal law. (Education Code 49076; 34 CFR 99.1)**

**SROs shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and/or federal law. (Education Code 234.7)**

*(cf. 5145.13 - Response to Immigration Enforcement)*

*Legal Reference: (see next page)*

BP 3515.31(f)

**SCHOOL RESOURCE OFFICERS (continued)**

*Legal Reference:*  
**EDUCATION CODE**

234.7 Student protections relating to immigration and citizenship status

GOVERNMENT CODE

3300-3312 Public safety officers, rights and protections

7286-7286.5 Law enforcement use of force policies

8597-8598 Peace officers

12525.2 Reports of incidents involving peace officers

PENAL CODE

290.45 Sex offenders; authority of peace officers

626.9 Gun Free School Zone Act

646.91 Emergency protective order for stalking

830-832.9 Peace officers

13510-13519.10 Standards for recruitment and training

13651 Peace officers, job descriptions

UNITED STATES CODE, TITLE 34

10389 Public safety and community policing; definitions

*Management Resources:*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING PUBLICATIONS

POST Use of Force Standards and Guidelines, November 2020

NATIONAL ASSOCIATION OF SCHOOL RESOURCE OFFICERS PUBLICATIONS

Standards and Best Practices for School Resource Officers

To Protect and Educate: The School Resource Officer and the Prevention of Violence in Schools, 2012

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guiding Principles: A Resource Guide for Improving School Climate and Discipline, 2014

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

School Resource Officers and School-Based Policing, Fact Sheet, 2019

Memorandum of Understanding Fact Sheet, 2017

Violence Prevention in Schools: Enhancement Through Law Enforcement Partnerships, 2017

Assigning Police Officers to Schools, 2013

WEB SITES

California Attorney General's Office: <http://www.oag.ca.gov>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

California School Resource Officers' Association: <https://csroa.org>

Commission on Peace Officer Standards and Training: <http://www.post.ca.gov>

National Association of School Resource Officers: <http://www.nasro.org>

U.S. Department of Justice, Office of Community Oriented Policing Services:  
<https://cops.usdoj.gov/supportingsafeschools>

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Policy Reference UPDATE Service

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## CSBA Sample Board Policy

All Personnel

BP 4112.42(a)

4212.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

4312.42

Note: State and federal law (Vehicle Code 34520; 49 CFR 382.101-382.605) require that any district employing school bus drivers establish a drug and alcohol testing program, with specified components, applicable to bus drivers and any other drivers of a commercial motor vehicle weighing over 26,000 pounds or designed to transport 16 or more passengers including the driver. All testing must be conducted in accordance with 49 CFR 40.1-40.413. For further information, see the web sites of the U.S. Department of Transportation (DOT) and the California Highway Patrol (CHP).

In addition, Vehicle Code 34520.3 requires **individuals employed as drivers of other** school transportation vehicles (i.e., vehicles that are not school buses, student activity buses, or youth buses and are used by the district for the primary purpose of transporting children), such as a van, to participate in the testing program to the same extent as required by law for school bus drivers. ~~The Legislative Counsel has issued an opinion that Vehicle Code 34520.3 applies only to employees whose primary job is transportation.~~ The district should consult legal counsel as necessary to determine applicability of this law to district employees.

The district's drug and alcohol testing program is subject to compliance inspections conducted by the CHP. It is recommended that the district review the CHP's Controlled Substances and Alcohol Testing Compliance Checklist to assess whether its program fulfills legal requirements.

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to district employment.

- (cf. 3540 - Transportation)*
- (cf. 3542 - School Bus Drivers)*
- (cf. 3543 - Transportation Safety and Emergencies)*
- (cf. 4020 - Drug and Alcohol-Free Workplace)*
- (cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)*

A driver shall not report for duty or remain on duty when ~~he/she~~ **the driver** has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when ~~he/she~~ **the driver** has used any drug listed in 21 CFR 1308.12-1308.15, unless ~~he/she~~ **the driver** is using the drug under the direction of a physician who has advised ~~him/her~~ **the driver** that the substance will not adversely affect the driver's ability to safely operate a bus. **(49 CFR 382.213)**

In addition, a driver shall not consume alcohol while on duty **and/or performing safety-sensitive functions**, or for four hours prior to on-duty time. (49 CFR ~~382.201-382.209, 382.213-382.205, 382.207~~)

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4212.42  
4312.42

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)

Note: 49 USC 31306 and 49 CFR 382.301-382.311 require that certain types of tests be part of the district's drug and alcohol testing program. See the accompanying administrative regulation for requirements applicable to each test.

Pursuant to 49 CFR 382.301, the district may, but is not required to, conduct pre-employment alcohol testing. The following paragraph should be revised by districts that choose to conduct such testing.

**Drivers shall submit to drug and alcohol testing as required under federal law and specified in the accompanying administrative regulation.** The district's testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

Note: Pursuant to 49 CFR 40.11, districts are responsible for implementing the drug and alcohol testing program. They may do this using their own employees, contracting for services, or joining together in a consortium with other employers. The following **optional** paragraph provides that the district will contract for such services and may be revised by districts that use alternative methods.

The Board shall contract for testing services upon verifying that the personnel are appropriately qualified and/or certified and that testing procedures conform to federal regulations.

Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321)

#### **Consequences Based on Test Results**

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test **for a drug or drug metabolite** before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver **from the Federal Motor Carrier Safety Administration**. (49 CFR 40.3, 40.21, 382.107, 382.119)

Any driver **for whom the district receives a verified positive drug test result** ~~who refuses to take a required drug or alcohol test, tests positive for drugs, or who~~ is found to have a blood alcohol concentration level ~~that exceeds the levels specified in law~~ **of 0.04 or higher** shall be **immediately** removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211. **An alcohol concentration between 0.02 and 0.04 requires temporary removal of the bus driver for a 24-hour period following the test. Any driver who refuses to take a required drug or alcohol test shall not be permitted to perform or continue to perform safety-sensitive functions.** (49 CFR 40.23, 382.211)

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4212.42

4312.42

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)

Note: Pursuant to 49 CFR 40.21 and 382.119, before temporarily removing a driver from safety-sensitive functions, the district must receive verification of the test results from a licensed physician certified as a medical review officer, unless a waiver of this requirement has been obtained from the Federal Motor Carrier Safety Administration.

~~No driver shall be temporarily removed from the performance of safety sensitive functions based only on a laboratory report of a confirmed positive test before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver. (49 CFR 40.21, 382.107, 382.119)~~

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

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

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

Note: Pursuant to Vehicle Code 13376, upon receiving a report of a driver's refusal, failure to comply, or positive test result, the California Department of Motor Vehicles will revoke the driver certificate or refuse to approve an initial application for a certificate. An exception exists for a driver who complies with a rehabilitation or return-to-duty program that meets the requirements of federal regulations. For purposes of retaining a his/her certificate, the driver may participate in such a program only once within a three-year period.

The following paragraph is **optional**. Pursuant to 49 CFR 40.289, the district is not required to provide education and treatment services to any driver. However, if the district offers the driver an opportunity to return to work following a violation, then it must ensure that the driver receives an evaluation by a qualified substance abuse professional and successfully complies with the evaluation recommendations. Responsibility for payment for evaluation and services is to be determined by the district and driver and may be governed by a collective bargaining agreement and health care benefits.

~~Any driver who refuses, fails to comply, or has a positive test result may be referred to an education and treatment program that meets the requirements of 49 CFR 40.281-40.313. Any driver provided with an opportunity to return to a safety-sensitive duty following a violation shall be evaluated by a qualified substance abuse professional and complete the evaluation recommendations before returning to such duty. (49 CFR 40.289)~~

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4212.42  
4312.42

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)

If the substance abuse professional recommends that **further and** ongoing services are needed to assist the driver to maintain sobriety or abstinence from drug use, the Superintendent or designee shall require the driver to participate in the recommended services as part of a return-to-duty agreement and shall monitor ~~his/her~~ **the driver's** compliance. Any drop from a rehabilitation or return-to-duty program or a subsequent positive test result shall be reported to the DMV. (Vehicle Code 13376; 49 CFR 40.285, 40.287, 40.303, 382.605)

*(cf. 4159/4259/4359 - Employee Assistance Programs)*  
*(cf. 4161/4261/4361+ - Leaves)*  
*(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)*  
*(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*  
*(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)*  
*(cf. 4261.1 - Personal Illness/Injury Leave)*

~~A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.~~

~~*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*~~  
~~*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*~~

### **Voluntary Self-Identification**

Note: The following section is for use by districts that choose to establish a voluntary self-identification policy or program, pursuant to 49 CFR 382.121, which relieves drivers who admit alcohol or drug misuse from the federal requirements for referral, evaluation, and treatment contained in 49 CFR 40.281-40.313. If the district chooses to establish such a program, it is **mandated** to adopt a written policy containing the provisions specified in items #1-3 below. Pursuant to 49 CFR 382.121, the district's program may also include employee monitoring and non-DOT follow-up testing. If the district chooses to incorporate these elements, it should add them to this list.

Whenever a driver admits to alcohol or drug misuse under the district's voluntary self-identification program, the Superintendent or designee shall ensure all of the following: (49 CFR 382.121)

1. No adverse action shall be taken against the driver by the district.
2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish control over ~~his/her~~ **the** drug or alcohol problem.
3. The driver shall be permitted to participate in safety-sensitive functions only after:

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### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)**

- a. Successfully completing an education or treatment program, as determined by a drug and alcohol abuse evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor
- b. Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative result for drug use

A driver who admits to alcohol or drug misuse shall not be subject to federal requirements related to referral, evaluation, and treatment, provided that ~~he/she~~ **the driver** does not self-identify in order to avoid drug or alcohol testing, makes the admission prior to performing a safety-sensitive function, and does not perform a safety-sensitive function until ~~he/she~~ **the driver** has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

*Legal Reference: (see next page)*

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**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)



Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

GOVERNMENT CODE

8355 Drug-free workplace; employee notification

VEHICLE CODE

13376 Driver certificates; revocation or suspension

34500-34520.5 Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-~~1293~~-1294 Motor carrier safety, especially:

1213.1 Placing drivers out-of-service

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

UNITED STATES CODE, TITLE 49

31306 Alcohol and drug testing

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.11-1308.15 Controlled substances

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Procedures for transportation workplace drug and alcohol testing programs

382.101-382.605727 Drug and alcohol use and testing; especially:

382.205 On-duty use

382.207 Pre-duty use

382.209 Use following an accident

Management Resources:

CALIFORNIA HIGHWAY PATROL PUBLICATIONS

Controlled Substances and Alcohol Testing Compliance Checklist, 20072017

What is CSAT? Controlled Substances and Alcohol Testing, 20052016

WEB SITES

California Department of Motor Vehicles: <https://www.dmv.ca.gov>

California Highway Patrol: <http://www.chp.ca.gov>

Commercial Driver's License Drug and Alcohol Clearinghouse: <https://clearinghouse.fmcsa.dot.gov>

Federal Motor Carrier Safety Administration: <http://www.fmcsa.dot.gov>

U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance:

<http://www.dot.gov/ost/dapc>

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Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

All Personnel

AR 4112.42(a)

4212.42

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

4312.42

Note: The following administrative regulation reflects state and federal requirements (Vehicle Code 34520; 49 CFR 40.1-40.413, 382.101-382.605) for drug and alcohol testing of school bus drivers, including pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing. Pursuant to 49 CFR 40.27, the district must not require a driver to sign a consent, release, waiver of liability, or indemnification agreement with respect to any part of the drug or alcohol testing process.

## Definitions

**Note: Regardless of state medical or recreational marijuana laws, marijuana remains an illegal drug under the Controlled Substances Act and use of it by a driver remains a violation of federal drug testing regulations.**

For purposes of drug testing required by the U.S. Department of Transportation (DOT), *drugs* included in the tests are marijuana, cocaine, amphetamines, phencyclidine (PCP), and **opioids** opiates. (49 CFR 40.3, 40.85, 382.107)

*Alcohol concentration ~~or level~~ (or content)* means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath **as indicated by an evidential breath test**. ~~For purposes of the DOT alcohol testing program, an alcohol level between 0.02 and 0.04 requires removal of the bus driver for a 24-hour period following the test. An alcohol level of 0.04 or higher requires immediate removal of the driver from performing safety-sensitive functions until the driver has successfully completed the return-to-duty process.~~ (49 CFR **40.3**, 382.107, ~~382.201, 382.505~~)

*Safety-sensitive function* means all time from the time ~~he/she~~ **the driver** begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive functions include, but are not limited to, all time driving or otherwise in the bus **or other school transportation vehicle**; waiting at a district facility to be dispatched; inspecting, servicing, or conditioning the **bus vehicle** or **bus vehicle** equipment; loading or unloading the **bus vehicle**; supervising or assisting in the loading or unloading of the **bus vehicle**; and repairing, obtaining assistance, or remaining in attendance upon a disabled **bus vehicle**. (49 CFR 382.107)

(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4020 - Drug and Alcohol-Free Workplace)

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4212.42

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**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)

**Designated Employer Representative**

Note: 49 CFR 40.35 and 40.215 require the district to identify a "designated employer representative" to perform the duties specified in 49 CFR 40.3. The following paragraph may be revised to reflect the title of the employee so designated.

The Superintendent or designee shall identify a designated employer representative **who is authorized to take immediate action to remove drivers from safety-sensitive functions and to make required decisions in the testing and evaluation processes. The designated employer representative shall also be responsible for receiving test results and other communications. The name and telephone number of the designated employer representative shall be provided** and shall provide his/her name and telephone number to the testing contractor to contact about any problems or issues that may arise during the testing process. (49 CFR 40.35, 40.215)

### Pre-employment Testing

Note: Pursuant to 49 CFR 382.701, districts are required to conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse's online database, available on its web site, to obtain information about an applicant. Pursuant to 49 CFR 40.25 and 382.413, districts must also, until January 6, 2023, continue to request a driver's drug and alcohol testing record from any employer who has employed the driver during the previous three years.

When hiring a new driver, the Superintendent or designee shall, with the driver's written consent, **conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse to obtain information about whether the driver has committed a violation of federal drug or alcohol regulations.** (49 CFR 382.701)

**The Superintendent or designee shall also, with the driver's consent,** request the driver's past drug and alcohol testing record, as specified in 49 CFR 40.25 and **382.413**, from any employer who has employed the driver at any time during the previous ~~two~~ **three** years. **To the extent practicable, the Superintendent or designee shall obtain and review such information before the driver first performs safety-sensitive functions.** In addition, the Superintendent or designee shall ask the driver if ~~he/she tested~~ **there was a positive test**, or ~~refused a refusal~~ to test, on any pre-employment drug or alcohol test that was administered during the past two years in the course of applying for another safety-sensitive transportation position that ~~he/she did not obtain~~ **was not obtained.** (49 CFR 40.25, 382.413)

The driver shall not be permitted to perform safety-sensitive functions if ~~he/she~~ **the driver** refuses to provide consent to obtain the information from previous employers **or from the Clearinghouse;** the information from previous employers is not received within 30 days of

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**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS** (continued)

the date on which the driver first performed safety-sensitive functions for the district; or the driver, **the Clearinghouse**, or a previous employer reports a violation of a drug or alcohol regulation without subsequent completion of the return-to-duty process. (49 CFR 40.25, 382.413, **382.701, 382.703**)

~~Upon making a contingent offer of employment to a driver and prior to the first time the driver performs safety-sensitive functions for the district, the Superintendent or designee shall require~~ **A driver whom the district intends to hire or use shall** ~~to~~ undergo testing for drugs and ~~to~~ receive a verified negative test result prior to the first time the driver performs safety-sensitive functions for the district. This testing requirement may be waived if all of the following conditions exist: (49 CFR 382.301)

1. The driver has participated in a qualified drug testing program within the previous 30 days.
2. While participating in the program, the driver either was tested within the past six months **from the date of application** or participated in a random drug testing program for the previous 12 months **from the date of application**.
3. ~~The Superintendent or designee has contacted the testing program(s) in which the driver has participated and has obtained information about the program and the driver's participation as specified in 49 CFR 382.301.~~
34. No prior employer of the driver of whom the district has knowledge has records of the driver's violation of federal drug testing regulations within the previous six months.

The Superintendent or designee **shall contact** ~~has contacted~~ the testing program(s) in which the driver has participated and **obtain** ~~has obtained~~ information about the program and the driver's participation as specified in 49 CFR 382.301.

Note: The following **optional** paragraph is for use by districts that choose to conduct pre-employment alcohol testing; see the accompanying Board policy. Pursuant to 49 CFR 382.301, pre-employment alcohol testing is not required but, if the district chooses to conduct such testing, it must comply with the following requirements.

In addition, the Superintendent or designee shall require the driver to undergo pre-employment alcohol testing in accordance with the procedures in 49 CFR 40.1-40.605 and to receive a test result indicating an alcohol concentration ~~level~~ of less than 0.04. (49 CFR 382.301)

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4312.42

## **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)**

### **Post-Accident Testing**

As soon as practicable following an accident involving a school bus or student activity bus, the Superintendent or designee shall ensure that the driver involved is tested for alcohol and/or drugs under either of the following conditions: (49 CFR 382.303)

1. The accident involved loss of human life.
2. The driver receives a citation for a moving traffic violation **within eight hours of the accident** and the accident involved bodily injury to a person who required immediate medical treatment away from the scene of the accident and/or disabling damage to one or more vehicles requiring towing.

The Superintendent or designee shall attempt to administer a required alcohol test up to eight hours following the accident and/or a drug test up to 32 hours following the accident. The results of an alcohol or drug test conducted by federal, state, or local officials having independent authority for the test shall be considered to meet this requirement. If the alcohol test is not administered within two hours following the accident, or the test for drugs is not administered within 32 hours following the accident, the Superintendent or designee shall make a record stating the reasons the test was not promptly administered. (49 CFR 382.303)

**No driver required to take a post-accident alcohol test pursuant to 49 CFR 382.303 shall use alcohol for eight hours following the accident or until the driver undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)**

### Random Testing

Note: The district may revise the following paragraph to specify the method by which it will select drivers for random drug and alcohol testing. Pursuant to 49 CFR 382.305, the district must randomly select drivers for testing using a scientifically valid method such as a random number table or a computer-based random number generator that is matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Pursuant to 49 CFR 40.347, the district may contract with a third-party administrator or join a consortium of employers to operate the random selection process.

The Superintendent or designee shall ensure that random, unannounced drug and alcohol tests of bus drivers are conducted on testing dates reasonably spread throughout the year.

Such tests shall be **unannounced and** conducted during, immediately before, or immediately after the performance of safety-sensitive functions. (49 CFR 382.305)

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### DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

Note: Pursuant to 49 CFR 382.305, the district must annually test at least 10 percent of district drivers for alcohol and at least ~~25~~ 50 percent for drugs. However, the minimum required percentage is subject to change

as determined necessary by the Federal Motor Carrier Safety Administration (FMCSA). Any such change will be published in the Federal Register and on the FMCSA's web site and will be effective starting January 1 following such publication. ~~For 2018, the minimum percentage rates remain at 10 percent for alcohol and 25 percent for controlled substances.~~

The Superintendent or designee shall ensure that the percentage of district drivers randomly tested for drugs and alcohol meets or exceeds the minimum annual percentage rates specified in 49 CFR 382.305 or subsequently published in the Federal Register.

Each driver selected for random testing shall have an equal chance of being tested each time selections are made. (49 CFR 382.305)

Each driver who is selected for testing shall proceed to the test site immediately or, if performing a safety-sensitive function other than driving a bus, then as soon as possible after ceasing that function. (49 CFR 382.305)

### **Reasonable Suspicion Testing**

Note: The following section may be revised to reflect the position (e.g., driver's supervisor or other district employee) authorized and trained to make observations for reasonable suspicion drug or alcohol testing.

A driver shall be required to submit to a drug or alcohol test whenever the Superintendent or designee has reasonable suspicion that the driver has violated the prohibitions against the use of drugs or alcohol. Such reasonable suspicion shall be based on specific, contemporaneous, articulable observations, conducted during, immediately before, or immediately after the performance of safety-sensitive functions, concerning the driver's appearance, behavior, speech, and/or body odors. Reasonable suspicion of drug use may also include indications of the chronic and withdrawal effects of drugs. (49 CFR 382.307)

The person who makes the required observations for reasonable suspicion testing for drugs or alcohol shall be trained in accordance with 49 CFR 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not be the same person who conducts the alcohol test. (49 CFR 382.307)

Within 24 hours of the observed behavior or before the results of the drug or alcohol test are released, whichever is earlier, ~~the Superintendent or designee shall prepare and sign~~ a written record of the observations leading to a reasonable suspicion test **shall be made and signed by the person who made the observations.** (49 CFR 382.307)

AR 4112.42(f)  
4212.42  
4312.42

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)**

An alcohol test required as a result of reasonable suspicion shall be administered within eight hours following the determination of reasonable suspicion. If the test is not administered

within two hours, the Superintendent or designee shall prepare and maintain on file a record stating the reasons the test was not promptly administered. (49 CFR 382.307)

In the absence of a reasonable suspicion alcohol test, the district shall take no action against a driver based solely on the driver's behavior and appearance, except that the driver shall not be allowed to report for or remain on safety-sensitive functions until an alcohol test is administered and the results show a concentration less than 0.02 or 24 hours have elapsed following the determination of reasonable suspicion. (49 CFR 382.307)

### **Return-to-Duty Testing**

Note: Pursuant to 49 CFR 40.305, the district may return a driver to safety-sensitive functions after ~~he/she~~ **the driver** completes required education and treatment services as described in the accompanying Board policy and a return-to-duty drug or alcohol test. Such personnel decisions may be subject to collective bargaining or other legal requirements.

The Superintendent or designee may permit a driver who has violated federal drug or alcohol regulations to return to safety-sensitive functions after the driver has successfully complied with the education and treatment services prescribed by a substance abuse professional and has ~~a~~-taken a return-to-duty drug or alcohol test. The driver shall not resume performance of safety-sensitive functions unless the drug test shows a negative result and/or the alcohol test shows a concentration of less than 0.02. (49 CFR 40.305, 382.309)

### **Follow-Up Testing**

Note: Pursuant to 49 CFR 40.307, after a driver successfully complies with education and treatment services, the substance abuse professional will prescribe a follow-up testing plan and will present that plan to the designated employer representative. The plan must direct that the driver be subject to at least six unannounced follow-up tests in the first 12 months following the driver's return to safety-sensitive functions.

Upon receiving a written follow-up testing plan from a substance abuse professional, the Superintendent or designee shall determine the actual dates for follow-up testing consistent with those recommendations and shall ensure that such tests are unannounced and follow no discernable pattern as to their timing. No additional tests beyond those included in the plan shall be imposed by the district. (49 CFR 40.307-40.309, 382.111)

### **Mandatory Reporting and Annual Queries to the Drug and Alcohol Clearinghouse**

AR 4112.42(g)  
4212.42  
4312.42

### **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)**

**The Superintendent or designee shall report to the Clearinghouse any violation of federal drug and alcohol regulations, any refusal to test, and other required information by the**

close of the third business day following the date on which the information was obtained. (49 CFR 382.705)

The Superintendent or designee shall conduct a query using the Clearinghouse at least once a year for all drivers to determine whether information exists in the Clearinghouse about the drivers. (49 CFR 382.701)

In lieu of a full query, the Superintendent or designee may obtain the individual driver's consent to conduct a limited query that is effective for more than one year and informs the district about whether there is information about the driver in the Clearinghouse without releasing that information to the district. If the limited query shows that information exists in the Clearinghouse about the individual driver, the Superintendent or designee shall conduct a full query within 24 hours of conducting the limited query. If a full query is not conducted within 24 hours, the driver may not perform any safety-sensitive function until the results from a full query confirm that the driver may perform such functions. (49 CFR 382.701)

A driver may not perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has committed a violation of federal drug or alcohol regulations. (49 CFR 382.701)

#### Notifications

Note: Pursuant to 49 CFR 382.601, the district is **mandated** to adopt policy and procedures pertaining to misuse of drugs and alcohol and to provide these materials to each driver. When conducting compliance inspections, the ~~CHP~~ **California Highway Patrol** reviews whether district policy or regulations contain all of items #1-~~11~~**12** below.

The Superintendent or designee shall provide each driver with materials explaining the federal regulations and the district's policy and procedure related to drug and alcohol testing and shall notify representatives of employee organizations of the availability of this information. This information shall include a detailed discussion of at least the following: (49 CFR 382.113, 382.303, 382.601)

1. The identity of the person designated by the district to answer driver questions about the materials
2. The categories of drivers who are subject to drug and alcohol testing

AR 4112.42(h)  
4212.42  
4312.42

#### DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)

3. Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the workday the driver is required to be in compliance



4. Specific information concerning prohibited driver conduct
5. The circumstances under which a driver will be tested for drugs and/or alcohol, including post-accident testing
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver
7. The requirement that a driver submit to drug and alcohol tests
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences
9. The consequences for drivers found to have violated the prohibitions against drug or alcohol use, including the circumstances under which drivers will be removed immediately from safety-sensitive functions and the requirements for education, treatment, and return-to-duty testing
10. The consequences for drivers found to have a blood alcohol concentration between 0.02 and 0.04
11. Information concerning the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management
- 12. The requirement that personal information collected and maintained pursuant to 49 CFR 382 shall be reported to the Clearinghouse**

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

Each driver shall sign a statement certifying ~~that he/she has received~~ receipt of a copy of the above materials. The Superintendent or designee shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (49 CFR 382.601)

AR 4112.42(i)  
4212.42  
4312.42

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (continued)**

In addition, prior to administering each alcohol or drug test, the driver shall be notified that the test is required pursuant to Title 49, Part 382, of the Code of Federal Regulations. (49 CFR 382.113)

The driver shall be notified of the results of drug and alcohol tests in accordance with 49 CFR 382.411.

### **Records**

Note: 49 CFR 40.333 and 382.401 specify the records that must be retained by the district and how long each record must be retained (i.e., one year, two years, three years, five years, or indefinitely). Upon receiving a request from the FMCSA to inspect any such record, the district must make the record(s) available for inspection at the district office within two business days.

The Superintendent or designee shall maintain records of the district's drug and alcohol testing program in accordance with 49 CFR 40.333 and 382.401. Such records shall be maintained in a secure location with controlled access and shall be disclosed only in accordance with 49 CFR 382.405.

*(cf. 3580 - District Records)*

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# **CSBA Sample Board Policy**

**Certificated and Classified Personnel**

BP 4141(a)  
4241

**COLLECTIVE BARGAINING AGREEMENT**

Note: The following **optional** policy addresses the implementation of the collective bargaining agreement adopted by the Governing Board following a process of negotiations with the exclusive representatives of employees. See BP 4143/4243 - Negotiations/Consultation for information about the bargaining process.

The Governing Board recognizes that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The Board is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

*(cf. 4140/4240/4340 - Bargaining Units)*  
*(cf. 4143/4243 - Negotiations/Consultation)*

Note: Districts should consider deleting policies and administrative regulations on topics covered in collective bargaining agreements or retaining them only after determining that the provisions in the policy or regulation are consistent with the adopted agreements. Some policies or regulations may also need to be retained and/or modified when they pertain to unrepresented employees. Should a contract and a policy conflict, the district may be required to grant the benefits in both documents, even if the district believed that the contract was intended to supersede the policy. See BB 9310 - Board Policies.

If the district has adopted a merit system pursuant to Education Code 45220-45320, then its classified employees are subject to the rules prescribed by the district's personnel commission, except when the subject matter is within the scope of representation and is included in a negotiated agreement. Such districts may revise the following paragraph to clarify that the negotiated agreement supersedes any conflicting rules of the personnel commission.

**In United Teachers of Los Angeles v. Los Angeles Unified School District, the California Supreme Court held that a provision in a collective bargaining agreement that directly conflicts with the Education Code cannot be enforced.**

~~Education Code 35036 prohibits the Board from entering into a collective bargaining agreement that, after April 15 prior to the school year that a teacher's transfer would become effective, assigns priority to a teacher who requests to be transferred to another school over other qualified teachers who have applied for positions requiring certification qualifications at that school. See BP 4114 - Transfers.~~

Following adoption of the collective bargaining agreement, the Superintendent or designee shall review related Board policies and recommend to the Board any action needed to maintain consistency with the agreement. Whenever a Board policy conflicts with a provision in the collective bargaining agreement, the agreement shall be binding for those employees covered by the terms of the agreement. **Whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail as to those employees for whom the law applies.**

*(cf. 9310 - Board Policies)*

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4241

**COLLECTIVE BARGAINING AGREEMENT** (continued)

Upon request by the Public Employment Relations Board, the Superintendent or designee shall provide, within 15 days of the request, a copy of the written agreement and any amendments. (8 CCR 32120)

*Legal Reference:*

EDUCATION CODE

35035 *Additional powers and duties of superintendent, transfer authority*

35036 *Voluntary transfers*

35160 *Authority of governing boards*

35160.1 *Broad authority of school districts*

45220-45320 *Merit system, classified employees*

GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act*

CODE OF REGULATIONS, TITLE 8

31001-32997 *Regulations of employee relations boards*

COURT DECISIONS

*Janus v. American Federation of State, County and Municipal Employees, Council 31* (2018) 138 S.Ct. 2448

*United Teachers of Los Angeles v. Los Angeles Unified School District* (2012) 54 Cal. 4th 504

*Round Valley Teachers Association* (1996) 13 Cal. 4th 269

*Management Resources:*

WEB SITES

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

California Public Employee Relations: <http://cper.berkeley.edu>

Center for Collaborative Solutions: <http://www.ccscenter.org>

Public Employment Relations Board: <http://www.perb.ca.gov>

State Mediation and Conciliation Service (SMCS): <http://www.dir.ca.gov/csmcs/smcs.html>

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# CSBA Sample Board Policy

**All Personnel**

BP 4158(a)  
4258

Note: Pursuant to Government Code 3543.2, safety conditions in employment are a mandatory subject of collective bargaining. The following Board policy and accompanying administrative regulation ~~are optional and~~ may be revised to reflect district practice **and the terms of the district's collective bargaining agreements.**

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515 - Campus Security)*

*(cf. 5131.4 - Student Disturbances)*

**Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.**

*(cf. 3515.2 - Disruptions)*

Note: Code of Civil Procedure 527.8 allows the district to seek a temporary restraining order and injunction on behalf of an employee against any other individual who has subjected the employee to unlawful violence or a credible threat of violence in the workplace. In City of San Jose v. William Garbett, a California Court of Appeal held that a court's issuance of a temporary restraining order and injunction against a person who had verbally threatened a city official was not a violation of that person's right to free speech and right of access to a public place.

**Pursuant to Penal Code 18150 and 18170, a gun violence restraining order prohibiting a person from owning, having custody or control of, purchasing, possessing, or receiving a firearm or ammunition may be petitioned by that person's employer, a coworker who has had substantial and regular interactions with the person for at least one year and has the employer's approval, or an employee or teacher of a secondary school that the person has attended in the past six months if the employee or teacher has obtained the approval of a school administrator or designee.**

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. **Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.**

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**Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.**

*(cf. 4161.2/4261.2/4361.2 - Personal Leaves)*

Note: Pursuant to Education Code 48904 and 48905, ~~provides that~~ an employee who is injured or whose property is damaged by willful misconduct of a district student under the conditions described below may request that the district pursue legal action against the student; or ~~his/her~~ **the student's** parent/guardian, pursuant to Education Code 48904. Education Code 48904 provides that a parent/guardian will be liable for damages caused by his/her minor child's willful misconduct resulting in injury to a district student, employee, or volunteer or damage to district or employee property. Also sSee BP 3515.4 - Recovery for Property Loss or Damage and AR 5125.2 - Withholding Grades, Diploma or Transcripts. The district should consult legal counsel when considering whether to pursue legal action.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or ~~his/her~~ **the student's** parent/guardian to recover damages **for injury** to the employee's **person** or ~~his/her~~ property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of ~~his/her~~ **the employee's** duties. (Education Code 48904, 48905)

*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)*  
*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

The Superintendent or designee shall ~~ensure that employees receive training~~ **provide staff development** in crisis prevention and intervention techniques, ~~which in order to protect themselves and students.~~ **Staff development** may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

In accordance with law, ~~The Superintendent or designee also shall inform teachers, in accordance with law,~~ **administrators, and/or counselors** of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

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**EMPLOYEE SECURITY** (continued)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

*(cf. 5141 - Health Care and Emergencies)*

### **Use of Pepper Spray**

Note: The following section is **optional** and may be revised to reflect district practice. Penal Code 22810 authorizes adults, with certain exceptions, to carry an approved tear gas weapon such as pepper spray for purposes of self-defense. Penal Code 626.9 and 626.10, which prohibit the possession of weapons on school grounds, do not prohibit the possession of pepper spray on school grounds. Thus, the Governing Board may determine whether to allow or disallow, with certain exceptions, the possession of pepper spray on school property or at school activities. See the accompanying administrative regulation for related procedures.

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

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

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

### **Reporting of Injurious Objects**

Note: The following **optional** section specifies actions to be taken in the event an employee becomes aware of any person who is in possession of an injurious object, and is consistent with the actions described in AR 5131.7 - Weapons and Dangerous Instruments related to student possession.

Pursuant to Education Code 49334, a school employee who **initially** notifies law enforcement regarding a student or adult who is in possession of an injurious object while on school grounds or under the authority of school personnel cannot be subject to any civil or administrative proceeding, including disciplinary action, for ~~such action~~ **violation of any district policy or procedure related to the notification of a law enforcement agency. Education Code 49334 requires such an employee to conform with district procedures after exercising the option to notify a law enforcement agency.**

~~The Board requires employees to~~ **Employees shall** take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. ~~The e~~ **Employees shall use his/her own exercise their best** judgment as to the potential danger involved and shall do one of the following:

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**EMPLOYEE SECURITY** (continued)

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

*(cf. 3515.7 - Firearms on School Grounds)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5144 - Discipline)*

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

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

When informing the principal about the possession or seizure of a weapon or dangerous device, ~~the~~ **an** employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

*Legal Reference:*

EDUCATION CODE

32210-32212 *Willful disturbance, public schools or meetings*

32225-32226 *Communication devices*

35208 *Liability insurance*

35213 *Reimbursement for loss, destruction or damage of school property*

44014 *Report of assault by pupil against school employee*

44807 *Duty concerning conduct of students*

48201 *Transfer of student records*

48900-48926 *Suspension or expulsion*

49079 *Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion*

49330-49335 *Injurious objects*

CIVIL CODE

51.7 *Freedom from violence or intimidation*

CODE OF CIVIL PROCEDURE

527.8 *Workplace violence safety*

GOVERNMENT CODE

995-996.4 *Defense of public employees*

3543.2 *Scope of representation*

**12926 Definitions**

LABOR CODE

230-230.2 *Leave for victims of domestic violence, sexual assault, or specified felonies*

PENAL CODE

71 *Threatening public officers and employees and school officials*

240-246.3 *Assault and battery, especially:*

241.3 *Assault against school bus drivers*

*Legal Reference continued: (see next page)*

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**EMPLOYEE SECURITY (continued)**



*Legal Reference: (continued)*

PENAL CODE (continued)

241.6 Assault on school employee including board member

243.3 Battery against school bus drivers

243.6 Battery against school employee including board member

245.5 Assault with deadly weapon against school employee including board member

290 Registration of sex offenders

601 Trespass by person making credible threat

626-626.11 School crimes

646.9 Stalking

**18150 Gun violence restraining orders**

**18170 Gun violence restraining order issued after notice and hearing**

22810 Purchase, possession, and use of tear gas

WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

COURT DECISIONS

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

*Management Resources:*

WEB SITES

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

California Department of Education, Safe Schools ~~and Violence Prevention Office:~~

<http://www.cde.ca.gov/lr/ss>

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# **CSBA Sample Administrative Regulation**

**All Personnel**

AR 4158(a)

**EMPLOYEE SECURITY**

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An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

- (cf. 3515.2 - Disruptions)*
- (cf. 3515.3 - District Police/Security Department)*
- (cf. 3515.4 - Recovery for Property Loss or Damage)*
- (cf. 3530 - Risk Management/Insurance)*
- (cf. 5131.7 - Weapons and Dangerous Instruments)*
- (cf. 5144 - Discipline)*

~~Note: Pursuant to Education Code 44014, it is the duty of an employee and his/her immediate supervisor to report to law enforcement any attack, assault, or physical threat made against the employee by a student. Failure to report such an attack, assault, or physical threat is an infraction punishable by a fine. It is also an infraction for a Governing Board member or employee to prevent the filing of the report or to impose any sanction against an employee for so doing.~~

~~Although the law only requires employees to report attacks, assaults, or threats made by students, the following paragraph requires employees to report any attack, assault, or threat made against them by any other individual on school grounds.~~

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against ~~him/her~~ **the employee** by a student or by any other individual in relation to the ~~employee's~~ **the employee's** performance of ~~his/her~~ **the employee's** duties, and any action the employee took in response. ~~When appropriate, the employee and the principal or other immediate supervisor shall report the incident to law enforcement.~~ Reports of **an** attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

~~Note: Pursuant to Education Code 44014, it is the duty of an employee and his/her~~ **the employee's** immediate supervisor to report to law enforcement any attack, assault, or physical threat made against the employee by a student. **Compliance with district procedures related to reporting incidents, as specified in the paragraph above, does not exempt an employee or supervisor from the duty to make a report to law enforcement.** Failure to report such an attack, assault, or physical threat is an infraction punishable by a fine. It is also an infraction for a Governing Board member or employee to prevent the filing of the report or to impose any sanction against an employee for doing so.

~~Although the law only requires employees to report attacks, assaults, or threats made by students, the following paragraph requires~~ **district may revise the following paragraph to require** employees to report any attack, assault, or threat made against them by any other individual on school grounds.

**In addition, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. (Education Code 44014)**

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**EMPLOYEE SECURITY (continued)**

*(cf. 3515.2 - Disruptions)*

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

*(cf. 3320 - Claims and Actions Against the District)*  
*(cf. 3515.4 - Recovery for Property Loss or Damage)*  
*(cf. 3530 - Risk Management/Insurance)*

**Notice Regarding Student Offenses ~~Committed While Under School Jurisdiction~~**

**When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:**

**1. Acts That Are Grounds for Suspension or Expulsion**

Note: Education Code 49079 requires the district to inform teachers of students who have committed specified acts that constitute grounds for suspension or expulsion. School district officers or employees who knowingly fail to provide this information are guilty of a misdemeanor punishable by a fine and/or imprisonment.

- a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*  
*(cf. 5125 - Student Records)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

Note: Education Code 48201 requires districts to request records of a transferring student regarding acts that resulted in the student's suspension or expulsion from the previous school, as specified below; see AR 5125 - Student Records. Once the record is received, the Superintendent or designee must inform the student's teacher(s) of the acts as specified below.

- b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in ~~his/her~~ suspension or expulsion, the Superintendent or

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**EMPLOYEE SECURITY (continued)**

designee shall inform the student's teacher(s) that the student was suspended from school or expelled from ~~his/her~~ the former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

- c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

### ~~Notice Regarding Student Offenses Committed While Outside School Jurisdiction~~

#### 2. Offenses Reported to the District by a Court

Note: The following ~~optional~~ paragraph is for use by districts maintaining a district police or security department. Welfare and Institutions Code 828 specifies that information gathered by a law enforcement agency relating to a minor taken into custody may be disclosed to a school district police or security department. The following paragraph addresses the authority of the district police department to utilize such information as it pertains to certain offenses committed by students. **Welfare and Institutions Code 827** requires a court, within seven days, to provide written notification to the Superintendent when a minor student has been found by the court to have committed a felony or misdemeanor involving specified offenses. Upon receiving such notification, the Superintendent must notify certain counselors, teachers, and administrators, as described in item #2.

In addition, Welfare and Institutions Code 828.1 specifies that a school district police or security department may provide written notification to the Superintendent when a minor student has been found by a court to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence. In such cases, the information may be transmitted to a teacher, counselor, or administrator with direct supervisory or disciplinary responsibility over the student, and such information must be received in confidence for the limited purpose for which it was provided. Districts that maintain their own police or security department may expand the following item to authorize the department to notify the Superintendent of such offenses.

~~When a minor student has been found by a court of competent jurisdiction to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828.1)~~

~~(cf. 3515.3—District Police/Security Department)~~

- a. When informed by ~~the~~ a court that a minor student has been found by a **the** court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall ~~so inform~~ **expeditiously notify** the school principal. (Welfare and Institutions Code 827)

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EMPLOYEE SECURITY (continued)

- b. The principal shall **expeditiously** disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. **and to** ~~The principal shall also inform~~ any teacher or administrator directly supervising or reporting on the student's behavior or progress whom ~~he/she~~ **the principal** thinks may need the information ~~so as~~ **in order** to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)
- d. When a student is removed from school as a result of ~~his/her~~ **an** offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance. (Welfare and Institutions Code 827)
- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

**~~Procedures to Maintain Confidentiality of Student Offenses~~**

Note: The following ~~section~~ **optional paragraph may be revised to reflect district practice.** describes ~~procedures for maintaining confidentiality of student records and documenting the district's good faith effort to notify counselors or teachers about student offenses.~~ Intentional violation of the confidentiality provisions of Welfare and Institutions Code 827 is a misdemeanor punishable by a fine. ~~This section may be modified to reflect district practice.~~

In order to maintain confidentiality when providing information about student offenses to a counselors ~~and or teachers of classes/programs to which a student is assigned,~~ the principal or designee shall send the staff member a written notification that ~~one of his/her students~~ **a student** has committed an offense that requires ~~his/her~~ review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall ~~be asked to~~ initial the notification and ~~return it to the principal or designee.~~ ~~He/she~~ shall also initial the student's file when reviewing it in the school office.

AR 4158(e)  
4258  
4358

## **Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking**

**Note:** Pursuant to Labor Code 230, the district is required to provide reasonable accommodations at work, upon request, to an employee who is a victim of domestic violence, sexual assault, or stalking. The district is not required to provide reasonable accommodations to an employee who has not disclosed the employee's status as a victim of domestic violence, sexual assault, or stalking nor to undertake an action that constitutes an undue hardship, as defined by Government Code 12926.

In addition, Labor Code 230 and 230.1 allow employees who are victims of domestic violence, sexual assault, or stalking to use available leave for the purposes of (1) obtaining relief (e.g., a temporary restraining order, restraining order, or injunctive relief) to protect the health, safety, or welfare of the employee or the employee's child; (2) seeking medical attention for injuries caused by the crime or abuse; (3) obtaining services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency; (4) obtaining psychological counseling or mental health services related to an experience of crime or abuse; and/or (5) participating in safety planning and taking other actions to increase safety from future crime or abuse, including temporary or permanent relocation. As amended by AB 2992 (Ch. 224, Statutes of 2020), Labor Code 230 and 230.1 expand these provisions to include employees who are victims of a crime that caused physical injury, or mental injury with a threat of physical injury, and employees whose immediate family member is deceased as the direct result of a crime. See AR 4161.2/4261.2/4361.2 - Personal Leaves.

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

1. A transfer, reassignment, or modified schedule
2. A changed work telephone or work station
3. An installed lock
4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace
5. Referral to a victim assistance organization
6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

*(cf. 4161.2/4261.2/4361.2 - Personal Leaves)*

AR 4158(f)  
4258  
4358

**EMPLOYEE SECURITY** (continued)

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the district. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, or stalking. Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the district except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

AR 4158(g)  
4258  
4358

EMPLOYEE SECURITY (continued)

**The district shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)**

### **Use of Pepper Spray**

Note: The following **optional** section may be revised to reflect district practice. **See the accompanying Board policy for further information and the Board's determination to allow or disallow, with certain exceptions, the possession of pepper spray on school property or at school activities.**

The Superintendent or designee shall notify employees of the district's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense **pursuant to Penal Code 22810.**
2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with law, a fine and/or imprisonment.

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

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

3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.

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**Policy Reference UPDATE Service**

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# **CSBA Sample Board Policy**

**Students**

BP 5141.4(a)



## CHILD ABUSE PREVENTION AND REPORTING

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5141.5 - Mental Health)*

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

### Child Abuse Prevention

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

~~Education Code 51220.5 specifies that the district's course of study for grades 7 and/or 8 may include parenting skills education, including instruction on child abuse and neglect; see AR 6143 - Courses of Study.~~

The district's instructional program ~~shall include~~ **may provide** age-appropriate and culturally sensitive child abuse prevention curriculum. ~~This curriculum shall~~ **which** explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and ~~teaches~~ students how to obtain help and disclose incidents of abuse.

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

Note: The following paragraph is **optional**. Education Code 51900.6, ~~as added by AB 2016 (Ch. 809, Statutes of 2014)~~, authorizes districts to provide age-appropriate instruction in sexual abuse and sexual assault awareness and prevention in grades K-12, provided that students are allowed to be excused from such instruction upon the written request of their parents/guardians. It also requires the State Board of Education and Superintendent of Public Instruction to consider addressing these issues in the next revision of the state health education content standards and curriculum framework.

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

BP 5141.4(b)

### CHILD ABUSE PREVENTION AND REPORTING (continued)

Note: Pursuant to Education Code 33133.5, posters notifying students of the appropriate telephone number to call to report child abuse or neglect are available on the California Department of

Education's web site in five languages. Education Code 33133.5 encourages districts to post the appropriate version or versions of the poster in an area of the school where students frequently congregate.

**The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)**

**Note: The following paragraph is for use by districts that serve students in grades 7-12. Education Code 215.5 requires districts that issue or reissue student identification cards to have the telephone number of the National Domestic Violence Hotline (1-800-799-7233) printed on either side of student identification cards.**

**In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number. (Education Code 215.5)**

*(cf. 5142 - Safety)*

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

### **Child Abuse Reporting**

Note: The Child Abuse and Neglect Reporting Act (Penal Code 11164-11174.3) identifies persons who are mandated to report known or suspected child abuse or neglect and establishes procedures for filing a report; see the accompanying administrative regulation.

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

*(cf. 0450 - Comprehensive Safety Plan)*

Note: Education Code 44252, ~~as amended by AB 2560 (Ch. 110, Statutes of 2014)~~, requires that teachers applying to the Commission on Teacher Credentialing for a new credential or a renewal of their credential read and sign a statement that they understand the duties imposed on them as mandated reporters pursuant to Penal Code 11164-11174.3.

BP 5141.4(c)

### **CHILD ABUSE PREVENTION AND REPORTING (continued)**

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

Note: As amended by AB 1432 (Ch. 797, Statutes of 2014), Education Code 44691 and Penal Code 11165.7 require districts to annually train their employees regarding the duties of mandated reporters; see the accompanying administrative regulation. However, pursuant to Penal Code 11165.7, a lack of training does not excuse any mandated reporter from the duty to report suspected child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters **as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)**

*Legal Reference:*

EDUCATION CODE

**215.5 Student identification cards with National Domestic Violence Hotline telephone number**

~~32280-32289.5~~ ~~32289.8~~ *Comprehensive school safety plans*

**33133.5 Posters of telephone number for students to report child abuse or neglect**

*33195 Heritage schools, mandated reporters*

*33308.1 Guidelines on procedure for filing child abuse complaints*

*44252 Teacher credentialing*

*44691 Staff development in the detection of child abuse and neglect*

*44807 Duty concerning conduct of students*

*48906 Notification when student released to peace officer*

*48987 Dissemination of reporting guidelines to parents*

*49001 Prohibition of corporal punishment*

*51220.5 Parenting skills education*

*51900.6 Sexual abuse and sexual assault awareness and prevention instruction*

CODE OF CIVIL PROCEDURE

**340.1 Damages suffered as a result of childhood sexual abuse**

PENAL CODE

*152.3 Duty to report murder, rape, or lewd or lascivious act*

*273a Willfully ~~cruelty~~ or causing unjustifiable pain or mental suffering ~~punishment~~ of child; endangering life or health*

**286 Crime of sodomy**

**287 Crime of oral copulation**

*288 Definition of lewd or lascivious act requiring reporting*

**289 Crime of sexual penetration**

*11164-11174.3 Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

*15630-15637 Dependent adult abuse reporting*

CODE OF REGULATIONS, TITLE 5

**3200-3205** ~~4650~~ *Filing complaints with CDE\*; special education students*

UNITED STATES CODE, TITLE 42

*11434a McKinney-Vento Homeless Assistance Act; definitions*

COURT DECISIONS

*Camreta v. Greene (2011) 131 S.Ct. 2020*

*Management Resources: (see next page)*

BP 5141.4(d)

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

*Management Resources:*

CSBA PUBLICATIONS

*Why Schools Hold the Promise for Adolescent Mental Health, Governance Brief, May 2019*  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Health Education Content Standards for California Public Schools, Kindergarten Through Grade  
Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:

[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)

[https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss\\_8572.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf)

California Department of Education, *Child Abuse Prevention Training and Resources Safe Schools:*

<http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, *Information Resources Guide Children and Family*

*Services Division:* <http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, *Child Welfare Information Gateway:*

~~<https://www.childwelfare.gov/can>~~ <https://www.childwelfare.gov>

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**Policy Reference UPDATE Service**

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## **CSBA Sample Administrative Regulation**

**Students**

AR 5141.4(a)

**CHILD ABUSE PREVENTION AND REPORTING**

Note: Pursuant to Education Code 44691, as amended by AB 1432 (Ch. 797, Statutes of 2014), the California Department of Education (CDE) is required to disseminate information to all school districts regarding the detection and reporting of child abuse and to provide guidance on the responsibilities of mandated reporters. See the CDE's web site for information and resources.

## Definitions

*Child abuse or neglect* includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person

Note: Pursuant to Penal Code 11165.1, as amended by AB 1145 (Ch. 180, Statutes of 2020), sexual assault does not include voluntary conduct in violation of Penal Code 286, 287, or 289 (sodomy, oral copulation, or sexual penetration) if there are no indicators of abuse, unless such conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age. AB 1775 (Ch. 264, Statutes of 2014) amended Penal Code 11165.1 to revise the definition of sexual exploitation to also include knowingly downloading, streaming, or accessing through any electronic or digital media a film, photograph, videotape, video recording, negative, or slide in which a child is engaged in an act of obscene sexual conduct.

2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

*Child abuse or neglect* does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.5, 11165.6)

(cf. 3515.3 - District Police/Security Department)

AR 5141.4(b)

## CHILD ABUSE PREVENTION AND REPORTING (continued)

Note: Education Code 44807 provides that physical control of a student under the conditions specified in item #3 below is not subject to criminal prosecution or penalties.

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be **legally** privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, **for purposes of self-defense to protect himself/herself**, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)

*(cf. 5131 - Conduct)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5144 - Discipline)*

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

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6145.2 - Athletic Competition)*

Note: Pursuant to Penal Code 11165.15, ~~as added by AB 652 (Ch. 486, Statutes of 2013)~~, the fact that a child is homeless or is classified as an unaccompanied minor, as defined in the federal McKinney-Vento Homeless Assistance Act (42 USC 11434a), is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Note: The following definition of "mandated reporters" does not list non-school persons (e.g., physicians, clergy members) who are also mandated to report suspected child abuse or neglect and may be revised to reflect additional positions applicable to the district as specified in Penal Code 11165.7.

Penal Code 11165.7 clarifies that volunteers whose duties require direct contact with and supervision of children are not mandated reporters. However, the law encourages volunteers to obtain training in the identification and reporting of child abuse and neglect and to report known or suspected incidents of child abuse or neglect.

*Mandated reporters* include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators,

AR 5141.4(c)

**CHILD ABUSE PREVENTION AND REPORTING** (continued)

and directors; **licensees**, administrators, and employees of a licensed child day care facility; Head Start **program** teachers; district police or security officers; licensed nurses or health care

providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

*Reasonable suspicion* means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on **the person's** ~~his/her~~ training and experience, to suspect child abuse or neglect. However, *reasonable suspicion* does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### Reportable Offenses

Note: Penal Code 11166 specifies that a mandated reporter has a duty to report when acting in a ~~his/her~~ professional capacity or within the scope of employment. When a mandated reporter is acting in a private capacity, like other private citizens, ~~he/she has the discretion whether or not to make~~ **making** a report is **discretionary**.

A mandated reporter shall make a report using the procedures provided below whenever, **acting** in a ~~his/her~~ professional capacity or within the scope of ~~his/her~~ employment, ~~he/she~~ **the mandated reporter** has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code **11165.9**, 11166.05, 11167)

Note: Pursuant to Penal Code 152.3, it ~~is~~ **may be** a misdemeanor, with specified exceptions, for a witness to not report a murder, rape, or lewd or lascivious act as defined in Penal Code 288 where the victim is under age 14. Persons who fail to report such offenses may be subject to a fine and/or imprisonment.

Any district employee who reasonably believes **to have** ~~that he/she has~~ observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

### Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

AR 5141.4(d)

### CHILD ABUSE PREVENTION AND REPORTING (continued)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of

the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

Note: Penal Code 11166.01 provides that it ~~may be~~ **is** a crime, punishable by a fine and/or imprisonment, for a supervisor or administrator to knowingly inhibit or impede a mandated reporter from making a report.

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom ~~he/she~~ **the person** knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

*(cf. 1240 - Volunteer Assistance)*

### Reporting Procedures

#### 1. Initial Telephone Report

Note: Penal Code 11165.9 specifies the agencies that are authorized to receive reports of suspected child abuse and neglect, as detailed in the following paragraph. The agency must accept a report even if it lacks subject matter or geographical jurisdiction to investigate the case; the agency is then responsible for referring the case to an agency with proper jurisdiction.

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Note: It is recommended that the district's administrative regulation include the name, address, and phone number of the appropriate agencies in its area **to whom reports should be made.**

**Such reports shall be made to the following agency(ies):**

\_\_\_\_\_  
(Name of appropriate agency)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone number)

AR 5141.4(e)

### CHILD ABUSE PREVENTION AND REPORTING (continued)

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



When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall ~~then~~ prepare and either send, fax, or electronically **transmit** ~~submit~~ to the appropriate agency a written follow-up report, which includes a completed **California** Department of Justice (**DOJ**) form (**BCIASS 8572**). (Penal Code 11166, 11168)

Note: Pursuant to Penal Code 11168, the **California** Department of Justice (**DOJ**) form shall be distributed by the police department, sheriff's department, county probation department, or county welfare department as appropriate and is available on the **DOJ's Department of Justice's** web site. It may also be made available at the district office or school site. The following **optional** paragraph should be revised to reflect district practice.

The **DOJ Department of Justice** form may be obtained from the district office or other appropriate agencies, such as the police **department, or sheriff's department, or** county probation or welfare department ~~or the police or sheriff's department.~~

Note: Penal Code 11167 requires the mandated reporter's ~~to give his/her~~ name when reporting known or suspected child abuse. However, the reporter's name and the report are confidential and are only disclosed in limited circumstances provided by law.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child

AR 5141.4(f)

**CHILD ABUSE PREVENTION AND REPORTING** (continued)

- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to **the mandated reporter** ~~him/her~~. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

Note: Item #3 below is **optional** and may be revised to reflect district practice. Pursuant to Penal Code 11166, school districts may establish internal reporting procedures encouraging employees to notify supervisors and administrators of reports that are made. These internal procedures must not inhibit or impede immediate and direct reporting by employees to appropriate agencies, **direct an employee to allow the employee's supervisor to file or process a mandated report under any circumstances, or require any employee to disclose the employee's identity to the employer.** ~~Penal Code 11166 prohibits internal procedures from requiring the employee to make a report to the district or requiring that the identity of the mandated reporter be disclosed to the district.~~

### 3. Internal Reporting

The mandated reporter shall not be required to disclose **the mandated reporter's** ~~his/her~~ identity to ~~his/her~~ a supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

AR 5141.4(g)

## **CHILD ABUSE PREVENTION AND REPORTING** (continued)

### **Training**

Note: ~~As amended by AB 1432 (Ch. 797, Statutes of 2014), Education Code 44691 and Penal Code 11165.7 require districts to annually train their employees and any other mandated reporters working on their behalf regarding the duties of mandated reporters. Education Code 44691, as amended, also requires the CDE to develop an online training module to be provided to the California Department of Social Services for use by districts.~~

Within the first six weeks of each school year, **or within the first six weeks of employment if hired during the school year**, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. ~~Any school personnel hired during the school year shall receive such training within the first six weeks of employment.~~ (Education Code 44691; Penal Code 11165.7)

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

Note: Education Code 44691 requires school districts to use the online training module provided by the California Department of Social Services (**CDSS**), **available on the CDSS web site**. However, if the online training module is not used, the Superintendent or designee is required to report to ~~the~~ CDE regarding the training being used in its place.

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (**CDSS**). (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

Note: ~~Education Code 44691, as amended by AB 1432 (Ch. 797, Statutes of 2014),~~ requires districts to develop a process by which all persons required to receive training must provide proof of receiving the training (e.g., the use of a sign-in sheet, submission of a certificate of completion). The following paragraph may be revised to reflect district practice.

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 44691, ~~as amended by AB 1058 (Ch. 748, Statutes of 2015),~~ encourages districts to provide training to all school employees, at least once every three years, on the prevention of child abuse on school grounds, by school personnel, or in school-sponsored programs. **As amended, Pursuant to** Education Code 44691, ~~also requires~~

AR 5141.4(h)

## **CHILD ABUSE PREVENTION AND REPORTING** (continued)

~~the CDE's web site includes to establish best practices for prevention of abuse and to provide links on its web site to training resources.~~

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

### **Victim Interviews by Social Services**

Note: Penal Code 11174.3 authorizes a representative from ~~the Department of Social Services~~ **CDSS** or another government agency investigating suspected child abuse or neglect to interview a student during school hours, on school grounds, concerning a report of child abuse or neglect that occurred at home or in an out-of-home care facility. However, there is no clear guidance regarding the procedures to be followed if a social worker is accompanied by law enforcement. In Greene v. Camreta, the 9th Circuit Court of Appeals had ruled that, absent exigent circumstances, a social worker and sheriff could not question a student in school without obtaining a warrant, court order, or parent/guardian consent. Subsequently, that ruling was vacated by the U.S. Supreme Court on appeal (Camreta v. Greene) since the case was then moot. Districts should proceed with caution and consult with legal counsel as necessary.

~~Whenever the Department of Social Services CDSS~~ or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform **the person him/her** of the following requirements **prior to the interview**: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable **the child him/her** to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

AR 5141.4(i)

### **CHILD ABUSE PREVENTION AND REPORTING (continued)**

#### **Release of Child to Peace Officer**

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

### **Parent/Guardian Complaints**

Note: Education Code 48987 requires the district, **upon request**, to disseminate guidelines, ~~upon request,~~ **adopted by CDE** advising parents/guardians of procedures for filing child abuse complaints. ~~As required by Education Code 33308.1, the CDE has prepared sample guidelines for this purpose, which were updated in March 2014 and~~ Such **sample guidelines** are available on the CDE's web site.

**Claims against the district for childhood sexual assault are governed by the timelines and procedures specified in Code of Civil Procedure 340.1; see AR 3320 - Claims and Actions Against the District.**

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those **guidelines and/or** procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. **The employee shall also file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.** ~~The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.~~

*(cf. 1312.1 - Complaints Concerning District Employees)*

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

Note: **5 CCR 3201, as added by Register 2020, No. 21, authorizes p**Parents/guardians of special education students ~~also may to~~ file a complaint with the CDE as provided in the following paragraph. ~~The CDE does not investigate allegations of child abuse or neglect, but may investigate conditions that may involve immediate physical safety concerns as such concerns interfere with the provision of danger or threaten the health, safety, or welfare of the child and which may result in denial of a free appropriate public education.~~

AR 5141.4(j)

### **CHILD ABUSE PREVENTION AND REPORTING (continued)**

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR **3200-3205 4650**.

*(cf. 1312.3 – Uniform Complaint Procedures)*

### **Notifications**

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

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

Before beginning employment, any person who will be a mandated reporter by virtue of **the person's** ~~his/her~~ position shall sign a statement indicating ~~that he/she has~~ knowledge of the reporting obligations under Penal Code 11166 and ~~will comply~~ **compliance** with ~~these such~~ provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

Note: The remainder of this section is <b>optional</b> and should be deleted by districts that do not provide these additional notifications.
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The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of **the mandated reporter's** ~~his/her~~ professional capacity or outside the scope of ~~his/her~~ employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that **the person** ~~he/she~~ knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, **the mandated reporter** ~~he/she~~ may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

AR 5141.4(k)

### **CHILD ABUSE PREVENTION AND REPORTING (continued)**

3. No employee shall be subject to any sanction by the district for making a report unless it can be shown that **the employee** ~~he/she~~ knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, **11172**)

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# **CSBA Sample Board Policy**

**Students**

BP 5141.52(a)

**SUICIDE PREVENTION**

Note: Education Code 215 **mandates** that the Governing Board of any district serving students in grades K-12 adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components. ~~AB 1767 (Ch. 694, Statutes of 2019) amended Education Code 215 to mandate policy on suicide prevention, intervention, and postvention for students in grades K-6 beginning in the 2020-21 school year.~~ The required components are addressed in the following policy and the accompanying administrative regulation.

**The following policy is consistent with the California Department of Education's** ~~Also see the California Department of Education's (CDE) Model Youth Suicide Prevention Policy,~~ **which also includes an extensive list of resources to assist in the prevention, intervention, and postvention of student suicide.** ~~developed pursuant to Education Code 215. Districts are encouraged to work closely with their county behavioral health department to identify and access resources at the local level.~~

**The Mental Health Services Oversight and Accountability Commission developed a suicide prevention plan for the state which is published in Striving for Zero: California's Strategic Plan for Suicide Prevention 2020-2025, available on its web site. The plan presents strategic aims, with related goals, objectives, and an implementation schedule. Districts may find the strategic plan useful in learning more about the stigma associated with behavioral health needs, myths and misconceptions about suicidal behavior and its hinderance to prevention efforts, suicidal behavior, risk and protective factors, and best practices in suicide prevention.**

The following policy and accompanying administrative regulation should be revised to reflect district practice and the grade levels offered by the district.

The Governing Board recognizes that suicide is a leading cause of death among youth, **prevention is a collective effort that requires stakeholder engagement**, and ~~that~~ school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior, ~~and~~ its impact on students and families, **and other trauma associated with suicide**, the Superintendent or designee shall develop measures, ~~and~~ strategies, **practices, and supports** for suicide prevention, intervention, and postvention.

~~Note: Pursuant to Education Code 215, as amended by AB 1767, the district's suicide prevention policy must be developed in consultation with school and community stakeholders, school-employed mental health professionals, suicide prevention experts, and, for policy for grades K-6, the county mental health plan. According to CDE's Model Youth Suicide Prevention Policy, school-employed mental health professionals may include school counselors, psychologists, social workers, and nurses. CDE's model policy also includes consultation with administrators, other school staff, parents/guardians, students, local health agencies and professionals, law enforcement, and community organizations.~~

~~It is recommended that districts also consult with legal counsel and the district's risk manager or insurance carrier, as appropriate.~~

BP 5141.52(b)

## SUICIDE PREVENTION (continued)

In developing policy and **procedures** ~~strategies~~ for suicide prevention, ~~and~~ intervention, **and postvention**, the Superintendent or designee shall consult with school and community stakeholders, ~~such as administrators, other staff, parents/guardians and students;~~ school-



employed mental health professionals, ~~such as school counselors, school psychologists, school social workers, and school nurses;~~ suicide prevention experts, ~~such as local health agencies, mental health professionals, and community organizations;~~ law enforcement; and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

**Note: The following optional paragraph may be revised to reflect district practice. Education Code 215 does not define "school and community stakeholders" or "school-employed mental health professionals" who must be consulted in the development of policy. The following examples are consistent with CSBA and CDE recommendations.**

**School and community stakeholders and school mental health professionals with whom the Superintendent or designee shall consult may include district and school administrators, school counselors, school psychologists, school social workers, school nurses, other staff, parents/guardians and caregivers, students, local health agencies, mental health professionals, community organizations, law enforcement, legal counsel, and/or the district's risk manager or insurance carrier. The Superintendent or designee may also collaborate with county and/or city governments in an effort to align district policy with any existing community suicide prevention plans.**

**Note: Education Code 215, as amended by AB 1767, requires that the district's policy for students in grades K-6 be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. The following paragraph is for use by districts that serve K-6 students, and may be revised as appropriate for the student population served by the district.**

~~The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)~~

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are not limited to:

**Note: Education Code 215, as amended by AB 1767, mandates that the district's policy address any training on suicide awareness and prevention to be provided to teachers of students in all grade levels served by the district. See the accompanying administrative regulation for additional language fulfilling this mandate. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor. Item #1 may **should** be revised to specify **the other** categories of employees who will receive the training.**

BP 5141.52(c)

## **SUICIDE PREVENTION (continued)**

- I. Staff development on suicide awareness and prevention for teachers, **interns**, school counselors, and others ~~district employees~~ who interact with students, **including, as**

**appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors, and volunteers, as described in the accompanying administrative regulation**

- (cf. 1240 - Volunteer Assistance)*
- (cf. 4112.21 - Interns)*
- (cf. 4121 - Temporary/Substitute Personnel)*
- (cf. 4127/4227/4327 – Temporary Athletic Team Coaches)*
- (cf. 4131 - Staff Development)*
- (cf. 4231 - Staff Development)*
- (cf. 4331 - Staff Development)*
- (cf. 5142 - Safety)*
- (cf. 5148 - Child Care and Development)*
- (cf. 5148.2 - Before/After School Programs)*
- (cf. 6145.2 - Athletic Competition)*

Note: Items #2-79 below reflect **optional** strategies for suicide prevention, intervention, and postvention and may be revised to reflect district practice.

2. **Instruction to students in problem-solving, and coping, and resiliency skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others**

*(cf. 6142.8 - Comprehensive Health Education)*

3. **Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students**

- (cf. 5131 - Conduct)*
- (cf. 5131.2 - Bullying)*
- (cf. 5137 - Positive School Climate)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*
- (cf. 5145.9 - Hate-Motivated Behavior)*

4. **The review of materials and resources used in awareness efforts and communications to ensure they align with best practices for safe and effective messaging about suicide**

BP 5141.52(d)

#### **SUICIDE PREVENTION (continued)**

54. **The provision of information to parents/guardians and caregivers regarding risk and protective factors, and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, the district's suicide**

**prevention policy and procedures**, basic steps for helping suicidal youth, **the importance of communicating with appropriate staff if suicide risk is present or suspected**, **access to suicide prevention training**, and/or school and community resources that can help youth in crisis

- 65. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
- 76. Crisis intervention procedures for addressing suicide threats or attempts
- 87. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

**Note: The National Association of School Psychologists recommends that the district and/or school sites create a suicide prevention crisis team to assist in effectively identifying and intervening with students who are at risk of suicidal behavior, including adoption and implementation of policies and procedures. It is recommended that such teams include, at a minimum, administration, mental health staff, and school security personnel. The same crisis intervention team may be established to address broader mental health concerns as described in BP 5141.5 - Mental Health.**

- 9. **Establishment of district and/or school-site crisis intervention team(s) to ensure the proper implementation and review of this policy and other district practices related to the emotional and behavioral wellness of students, including, but not limited to, the oversight of mental health and suicide prevention training, collaboration with community mental health organizations, identification of resources and organizations that provide evidence-based treatment, collaboration to build community response, and compliance with Education Code 215**

*(cf. 5141.5 - Mental Health)*

**Note: Education Code 215 mandates that the district's policy specifically address the needs of high-risk groups, including, but not limited to, those listed in the following paragraph. See the accompanying administrative regulation for additional language fulfilling this mandate.**

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

BP 5141.52(e)

## **SUICIDE PREVENTION (continued)**

**Note: The following two paragraphs are is for use by districts that serve students in grades K-6. Education Code 215, as amended by AB 1767, mandates that the district's policy for students in grades K-6 ensure proper coordination and consultation with the county mental health plan if a referral is made for mental health or related services on behalf of a student who is a Medi-Cal beneficiary.**

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

*(cf. 5141.6 - School Health Services)*

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

**Note: Education Code 215 requires that the district's student suicide prevention policy be updated at least every five years. Given the severity of the issue and importance of maintaining an up-to-date suicide prevention policy, CSBA and CDE recommend reviewing and updating this policy annually. The following paragraph may be revised to reflect district practice.**

The Board shall review, and update as necessary, this policy at least every five years. **The Board may, at its discretion, review the policy more frequently.** (Education Code 215)

**The Superintendent or designee shall periodically review district data pertaining to school climate and reports of suicidal ideation, attempts, or death to identify patterns or trends and make recommendations regarding program development.**

~~Note: Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires districts, beginning in the 2020-21 school year, to ensure that the district's suicide prevention policies for grades K-6 and 7-12 be readily accessible in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students.~~

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

*Legal Reference: (see next page)*

BP 5141.52(f)

## **SUICIDE PREVENTION (continued)**

*Legal Reference:*

EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 *Suicide prevention online training programs*  
234.6 *Posting suicide prevention policy on web site*  
32280-32289.5 *Comprehensive safety plan*  
49060-49079 *Student records*  
49602 **Counseling; Confidentiality of student information**  
49604 *Suicide prevention training for school counselors*  
GOVERNMENT CODE  
810-996.6 *Government Claims Act*  
PENAL CODE  
11164-11174.3 *Child Abuse and Neglect Reporting Act*  
WELFARE AND INSTITUTIONS CODE  
5698 *Emotionally disturbed youth; legislative intent*  
5850-5886 *Children's Mental Health Services Act*  
COURT DECISIONS  
*Corales v. Bennett (Ontario-Montclair School District) (2009) 567 F.3d 554*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
*Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019*  
*Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008*  
*Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019*  
***Model Youth Suicide Prevention Policy***  
CALSCHLS PUBLICATIONS  
***California Healthy Kids Survey (CHKS)***  
***California School Parent Survey (CSPS)***  
***California School Staff Survey (CSSS)***  
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS  
*School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009*  
EACH MIND MATTERS: CALIFORNIA'S MENTAL HEALTH MOVEMENT PUBLICATIONS  
***Making Headlines: Guide to Engaging the Media in Suicide Prevention in California, 2012***  
HEARD ALLIANCE PUBLICATIONS  
***K-12 Toolkit for Mental Health Promotion and Suicide Prevention, 2017***  
MENTAL HEALTH SERVICES OVERSIGHT AND ACCOUNTABILITY COMMUNICATIONS PUBLICATIONS  
***Striving for Zero: California's Strategic Plan for Suicide Prevention 2020-2025***  
NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS  
*Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015*  
SUICIDE PREVENTION RESOURCE CENTER PUBLICATIONS  
***After a Suicide: A Toolkit for Schools, 2nd Edition, 2018***  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS  
*National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012*  
*Preventing Suicide: A Toolkit for High Schools, 2012*

*Management Resources continued: (see next page)*

BP 5141.52(g)

## **SUICIDE PREVENTION (continued)**

*Management Resources: (continued)*

WEB SITES  
***American Academy of Pediatrics: <https://www.healthychildren.org>***  
***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>*  
**California Mental Health Services Authority: <https://www.calmhsa.org>**  
**CalSCHLS: <https://calschls.org>**  
*Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>*  
**Crisis Text Line: <https://www.crisistextline.org>**  
**Each Mind Matters: California's Mental Health Movement: <https://emmresourcecenter.org>**  
**HEARD Alliance: <https://www.heardalliance.org>**  
**Mental Health Services Oversight and Accountability Commission: <https://mhsoac.ca.gov>**  
**National Action Alliance for Suicide Prevention: <https://theactionalliance.org>**  
*National Association of School Psychologists: <https://www.nasponline.org>*  
**National Child Traumatic Stress Network: <https://www.nctsn.org>**  
*National Institute for Mental Health: <http://www.nimh.nih.gov>*  
**Substance Abuse and Mental Health Services Administration: <https://www.samhsa.gov>**  
*Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org>*  
**Suicide Prevention Messaging: <https://suicidepreventionmessaging.org>**  
*Suicide Prevention Resource Center: <https://www.sprc.org/about-suicide>*  
~~*Suicide Prevention Lifeline: <https://suicidepreventionlifeline.org>*~~  
*Trevor Project: <http://thetrevorproject.org>*  
*U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services  
Administration: <http://www.samhsa.gov>*

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# **CSBA Sample Administrative Regulation**

**Students**

AR 5141.52(a)

**SUICIDE PREVENTION**

Note: Education Code 215, ~~as amended by AB 1767 (Ch. 694, Statutes of 2019),~~ **mandates** policy on suicide prevention, intervention, and postvention for grades **K7-12** ~~and, beginning in the 2020-21 school year, for grades K-6.~~ See the accompanying Board policy. The following administrative regulation provides additional strategies that fulfill the mandate and may be revised to reflect district practice. Pursuant to Education Code 215, the following regulation should be developed in consultation with school and community stakeholders, school-employed mental health professionals, suicide prevention experts, and, in developing strategies for grades K-6, the county mental health plan.

Examples of suicide prevention strategies are also available in the California Department of Education's (CDE) Model Youth Suicide Prevention Policy, **Mental Health Services Oversight and Accountability Commission's (MHSOAC) Striving for Zero: California's Strategic Plan for Suicide Prevention 2020-2025**, the U.S. Department of Health and Human Services publication Preventing Suicide: A Toolkit for High Schools, and resources issued by other state and federal agencies and organizations. For further information about strategies to protect students from bullying, cyberbullying, and other harassment, see BP 5131 - Conduct, BP 5131.2 - Bullying, BP 5145.3 - Nondiscrimination/Harassment, **BP/AR 5145.7 - Sexual Harassment**, and BP 5145.9 - Hate-Motivated Behavior.

## Staff Development

Note: Education Code 215, ~~as amended by AB 1767,~~ **mandates** that the district's policy address any training on suicide awareness and prevention to be provided to teachers of students in all grade levels served by the district. In addition, Education Code 49604 encourages each district to provide suicide prevention training at least once to each middle, junior high, and high school counselor.

**CDE recommends that employees receive training on the core components of suicide prevention at the beginning of employment, and also receive training each year on risk factors, protective factors, warning signs of suicide, suicide prevention, intervention, referral, and postvention, with a minimum of one hour of general suicide prevention training.** The following section ~~may~~ **should** be revised to reflect district practice.

Education Code 216 requires CDE to identify evidence-based online training program(s), aligned with the requirements of Education Code 215, that districts ~~may~~ **can** use to train students and staff.

~~Additionally, Education Code 216 also requires CDE,~~ dependent upon funds being appropriated in the annual Budget Act, ~~CDE will~~ provide grants, upon application, to county offices of education for the acquisition of such training programs to disseminate to districts at no cost.

Suicide prevention training shall be provided to teachers, **interns**, counselors, and others ~~district employees~~ who interact with students, **including, as appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors, and volunteers.** The training shall be offered under the direction of a district counselor, ~~psychologist,~~ **and/or social worker who has received advanced training specific to suicide and who may collaborate and/or in cooperation** with one or more **county or** community mental health agencies.

AR 5141.52(b)

## SUICIDE PREVENTION (continued)

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4112.21 - Interns)*

*(cf. 4121 - Temporary/Substitute Personnel)*

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*  
*(cf. 5142 - Safety)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 6145.2 - Athletic Competition)*

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

**Additionally,** Staff development shall include research and information related to the following topics:

Note: Education Code 215 **mandates** that the district's policy specifically address the needs of high-risk groups; see the accompanying Board policy. One strategy to specifically address their needs is to increase staff awareness of the higher rates of suicide among these groups, as provided in item #1 below.

1. The higher risk of suicide among certain groups, including, but not limited to, students who are impacted by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning

Note: Staff development may include training about individual risk factors associated with suicide, as provided in item #2 below. Information about risk factors is available from **MHSOAC's Striving for Zero: California's Strategic Plan for Suicide Prevention 2020-2025** **CDE**, the Centers for Disease Control and Prevention, American Association of Suicidology, American Foundation for Suicide Prevention, Trevor Project, and other **publications**, agencies, and organizations.

2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe **or traumatic** stressor or loss, family instability, impulsivity, and other factors

*(cf. 5131.6 - Alcohol and Other Drugs)*

AR 5141.52(c)

### **SUICIDE PREVENTION** (continued)

3. **Identification of students who may be at risk of suicide, including, but not limited to,** Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent



4. Protective factors that may help to decrease a student's suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum, ~~and~~ promoting mental and emotional health, **reducing the stigma associated with mental illness, and using safe and effective messaging about suicide**
6. **The importance of early prevention and intervention in reducing the risk of suicide**
76. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

*(cf. 5141.6 - School Health Services)*

*(cf. 6164.2 - Guidance/Counseling Services)*

87. Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, including, but not limited to, appropriate protocols for **constant monitoring and supervision of the student, during the time the student is in the school's physical custody**, while the immediate referral of the student to medical or mental health services is being processed
98. District procedures for responding after a suicide has occurred
10. **Common misconceptions about suicide**

**The district may provide additional professional development in suicide risk assessment and crisis intervention to district mental health professionals, including, but not limited to, school counselors, psychologists, social workers, and nurses.**

#### **Instruction**

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.

AR 5141.52(d)

#### **SUICIDE PREVENTION (continued)**

**CDE recommends that the instruction be under the supervision of district-employed mental health professionals following consultation with county and community health agencies, and that it be incorporated into areas of the curriculum in addition to health classes.**

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum in an age **and developmentally** appropriate manner and shall be designed to help students:

1. Identify and analyze **warning signs of and risk factors associated with suicide, including, but not limited to, understanding how mental health challenges and emotional distress, such as depression and self-destructive behaviors in oneself and others** and understand how feelings of depression, loss, isolation, inadequacy, and anxiety, can lead to thoughts of suicide
2. Develop coping and resiliency skills **for dealing with stress and trauma, and building self-esteem**
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults,; school resources, **including the district's suicide prevention, intervention, and referral procedures;** and/or community crisis intervention resources where youth can get help ~~and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention~~

~~(cf. 5131.6 - Alcohol and Other Drugs)~~

~~(cf. 5141.6 - School Health Services)~~

~~(cf. 6142.8 - Comprehensive Health Education)~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

5. **Develop help-seeking strategies** and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

~~(cf. 5131.6 - Alcohol and Other Drugs)~~

6. **Recognize that early prevention and intervention can drastically reduce the risk of suicide**

**The Superintendent or designee may develop and implement school activities that raise awareness about mental health wellness and suicide prevention.**

AR 5141.52(e)

## **SUICIDE PREVENTION** (continued)

~~(cf. 6145.8 - Assemblies and Special Events)~~

### **Student Identification Cards**

Note: The following section is for use by districts that serve students in grades 7-12. Education Code 215.5 requires districts that issue or reissue student identification cards to have printed on either side of the card the telephone number of the National Suicide Prevention Lifeline (1-800-273-8255), and allows to have printed on the card the Crisis Text Line (texting HOME to 741741) and/or a local suicide prevention hotline telephone number. ~~If, as of July 1, 2020, the district has unissued student identification cards that do not comply with the above requirements, the cards should be issued until the supply is depleted.~~

Student identification cards for students in grades 7-12 shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

### **Intervention**

Note: Education Code 215 **mandates** that the district's policy and procedures address suicide intervention. The following section should be revised to reflect district practice. In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289.5; see BP/AR 0450 - Comprehensive Safety Plan.

**The following paragraph is for use by districts that have formed and trained district and/or school site crisis intervention team(s) to assist with suicide intervention; see the accompanying Board policy. The National Association of School Psychologists (NASP) recommends that crisis intervention teams assign one or more individuals as a "designated reporter" to receive and act upon all reports from teachers, other staff, and students who may be suicidal.**

~~In addition, the district may choose to incorporate crisis intervention strategies in its comprehensive school safety plan adopted pursuant to Education Code 32280-32289.5; see BP/AR 0450 - Comprehensive Safety Plan.~~

**The Superintendent or designee shall provide the name, title, and contact information of the members of the district and/or school crisis intervention team(s) to students, staff, parents/guardians, and caregivers and on school and district web sites. Such notifications shall identify the mental health professional who serves as the crisis intervention team's designated reporter to receive and act upon reports of a student's suicidal intention.**

Students shall be encouraged to notify a teacher, principal, counselor, **designated reporter**, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

AR 5141.52(f)

### **SUICIDE PREVENTION (continued)**

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, the staff member shall promptly notify the principal, or school counselor, **or designated reporter**, who shall implement district intervention protocols as appropriate.

Note: Education Code 49602 generally protects the confidentiality of information of a personal nature disclosed to a school counselor by a student age 12 years or older or by a parent/guardian. However, in certain circumstances, the counselor may disclose such information to avert a clear and present danger to the health, safety, or welfare of the student or others within in the school community. Also see BP 6164.2 - Guidance/Counseling Services.

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, ~~referenced, or discussed,~~ **or referred to** with third parties, the counselor may report to the principal or student's parents/guardians when there is reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or others within the school community. In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment, **or to report child abuse and neglect as required by Penal Code 11164-11174.3.** (Education Code 49602)

*(cf. 5141 - Health Care and Emergencies)*

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision **and providing comfort to the student** until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

AR 5141.52(g)

## **SUICIDE PREVENTION** (continued)

*(cf. 0450 - Comprehensive Safety Plan)*  
~~*(cf. 5141 - Health Care and Emergencies)*~~

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

*(cf. 5125 - Student Records)*

Note: The following paragraph is **optional**. If a student's parents/guardians refuse or neglect to access treatment for a student who has been identified to be at risk for suicide, the Superintendent or designee shall consider whether a referral to child protective services for child neglect is needed. Pursuant to Penal Code 11164-11174.3, the Child Abuse and Neglect Reporting Act, school employees who are mandated reporters are required to report child abuse or neglect, as defined in law, when they have knowledge of or reasonably suspect that a child is a victim of child abuse or neglect. See BP/AR 5141.4 - Child Abuse Prevention and Reporting.

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether it is necessary, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

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

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate ~~next~~ steps to ensure the student's readiness for return to school and determine the need for ongoing support.

### **Postvention**

Note: Education Code 215 **mandates** that the district's policy and procedures address suicide postvention. The following section should be revised to reflect district practice.

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

AR 5141.52(h)

### **SUICIDE PREVENTION (continued)**

Note: Research has identified an increased risk of suicide among youth who are grieving the suicide of another (so-called "suicide contagion"). The ~~National Association of School Psychologists~~ **NASP**, in its Preventing Suicide: Guidelines for Administrators and Crisis Teams, recommends that memorials should be implemented with care so as not to sensationalize or glamorize suicide and thereby increase the suicide risk to other students. If a memorial is conducted for a student who dies by suicide, the association suggests a living memorial, such as making donations to a local crisis center, participating in an event that raises

awareness about suicide prevention, or providing other opportunities for service activities in the school that emphasize the importance of students taking care of each other.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. The Superintendent or designee shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. Students significantly affected by suicide death and those at risk of imitative behavior should be identified and closely monitored. School staff may receive assistance from school counselors or other mental health professionals in determining how to best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

*(cf. 1112 - Media Relations)*

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

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## **CSBA Sample Board Policy**

**Students**

BP 5142.2(a)

### **SAFE ROUTES TO SCHOOL PROGRAM**

Note: The following **optional** policy may be revised to reflect district practice. ~~Districts are encouraged to review CSBA's policy brief, [Safe Routes to School: Program and Policy Strategies for School Districts](#), when developing policy on this topic.~~

**Education Code 44808 provides that districts are not responsible or in any way liable for the conduct or safety of students at any time when students are not on school property unless the district has undertaken to provide transportation for students to and from the school premises, has undertaken a school-sponsored activity off premises, has otherwise specifically assumed responsibility or liability, or has failed to exercise reasonable care under the circumstances. In addition, districts should consult legal counsel and/or the district's insurance provider regarding any potential liability issues. Also see BP/AR 5142 - Safety.**

~~Both state and federal grants are available to support local efforts to increase the number of students walking and bicycling to school and to make it safer for them to do so. The federal Safe Routes to Schools (SRTS) program supports both infrastructure and noninfrastructure projects and focuses on grades K-8 (23 USC 148). The state program, referred to as SR2S, provides funding to cities and counties for infrastructure projects in the vicinity of K-12 schools, with up to 10 percent expenditure allowable for noninfrastructure activities (Streets and Highways Code 2333.5). Funding for both federal and state programs is distributed through the California Department of Transportation's (Caltrans) Division of Local Assistance. Questions about program administration may be directed to the Caltrans regional coordinator.~~

~~Strategies to promote walking, bicycling, and other forms of active transport to school may be included refereneed in the district's school wellness policy, adopted pursuant to the federal Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004 (42 USC 1758b), which is required to include goals for physical activity, see BP 5030 - Student Wellness. Strategies may also be included in the district's comprehensive safety plan adopted pursuant to Education Code 32282, and see AR 0450 - Comprehensive Safety Plan, the district's environmental programs, see BP 5030 - Student Wellness, AR 0450 - Comprehensive Safety Plan, and BP 3510 - Green School Operations.~~

The Governing Board recognizes that walking, bicycling, and other forms of active transport to school ~~promote~~ **increase** students' physical activity and reduce vehicle traffic and air pollution in the vicinity of schools. As part of the district's coordinated approach to supporting student wellness and safety and enhancing student learning **and achievement**, the Superintendent or designee shall develop and implement strategies to establish and ~~promote~~ **encourage** safe routes to school program activities.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3510 - Green School Operations)*

*(cf. 3514 - Environmental Safety)*

*(cf. 5030 - Student Wellness)*

*(cf. 5142 - Safety)*

**All students shall have equitable access and opportunity to participate in the district's safe routes to school program.**

BP 5142.2(b)

## **SAFE ROUTES TO SCHOOL PROGRAM (continued)**

*(cf. 0415 - Equity)*

**Note: Districts that have a school wellness council and/or a committee that focuses on environmental efforts may want to identify those groups to assist with the planning and coordination of safe routes to school activities, as described below. Districts may revise the following paragraph to reflect district practice.**

The Superintendent or designee may ~~identify~~ **appoint** a program coordinator ~~or~~ **and** identify **or** establish district and/or school site committees to oversee and coordinate related activities.

The Superintendent or designee may collaborate with local public works and public safety departments, transportation agencies, other city and county agencies, school staff, students, parents/guardians and parent organizations, health organizations, community organizations, and/or businesses in the development, implementation, and evaluation of strategies.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 1700 - Relations Between Private Industry and the Schools)*

*(cf. 6020 - Parent Involvement)*

Strategies **in support of the safe routes to school program** shall be based on the grade levels of the students and an assessment of the conditions and needs of each school and the surrounding neighborhoods.

Note: Both state and federal grants are available to support local efforts to increase the number of students walking and bicycling to school and to make it safer for them to do so. ~~The federal Safe Routes to Schools (SRTS) program supports both infrastructure and noninfrastructure projects and focuses on grades K-8 (23 USC 148). The state program, referred to as SR2S, provides funding to cities and counties for infrastructure projects in the vicinity of K-12 schools, with up to 10 percent expenditure allowable for noninfrastructure activities (Streets and Highways Code 2333.5). Pursuant to 23 USC 133, funding for infrastructure and noninfrastructure projects that support safe routes to schools may be available under the Surface Transportation Block Grant. At the state level, districts may apply for funding through the Active Transportation Program (ATP) (Streets and Highways Code 2380-2385).~~ Funding for both federal and state programs is distributed through the California Department of Transportation's (Caltrans) Division of Local Assistance. ~~Questions about program administration may be directed to the Caltrans regional coordinator.~~

~~When local agencies partner together to apply for a state or federal grant, the city or county is generally the lead applicant for infrastructure funding. A school district may be named as the responsible agency for a federal grant if it partners with a city, county, or transportation agency. However, Additionally, the district may collaborate with local agencies and organizations to find funding sources and also may seek alternative funding sources for district projects and events that are not covered by a grant.~~

**Streets and Highways Code 2380 expresses legislative intent that disadvantaged communities fully share in the benefits of the ATP, and Streets and Highways Code 2382 requires that the guidelines for the ATP ensure that no less than 25 percent of overall program funds benefit disadvantaged communities, as defined, during each program cycle.**

BP 5142.2(c)

## **SAFE ROUTES TO SCHOOL PROGRAM** (continued)

The Superintendent or designee shall explore the availability of grant funds and other sources of funding to support related projects and activities.

*(cf. 1260 - Educational Foundation)*

*(cf. 3100 - Budget)*

*(cf. 3290 - Gifts, Grants and Bequests)*

*(cf. 3470 - Debt Issuance and Management)*



(cf. 3471 - Parcel Taxes)  
(cf. 7110 - Facilities Master Plan)

Note: The following **optional** paragraph may be revised to reflect indicators agreed upon by the Governing Board and Superintendent ~~or designee~~ to assess progress toward program goals. To assist with program evaluation, the National Center for Safe Routes to School (NCSRTS) has developed a standardized survey of parents/guardians' attitudes about allowing their child to walk or bicycle to school as well as student tally forms for recording the modes of travel that students use. NCSRTS recommends that a district use these forms both before and after implementation of a project in order to evaluate changes in attitudes and behaviors. NCSRTS also provides **an online data system to enter and view data collected from the data analysis and report preparation of** parent surveys and student tallies. Caltrans requires the use of these evaluation forms by grant recipients.

The Superintendent or designee shall periodically report to the Board on the implementation of program activities and progress toward program goals. Such reports may include, but **are** not ~~be~~ limited to, levels of participation in promotional and educational activities, survey results of parent/guardian attitudes about allowing their child to walk or bicycle to school, tallies of the numbers of students using various modes of travel to and from school and how these numbers have changed over time, records of student attendance and on-time arrival, and injury data within the school and/or district attendance boundaries.

(cf. 0500 - Accountability)

*Legal Reference:*

EDUCATION CODE

~~32282 32283~~ Comprehensive safety plan

**44808 Liability for conduct or safety of students when not on district property**

45450-45451 Crossing guards

GOVERNMENT CODE

65352.2 General planning; communication between cities, counties and school districts

STREETS AND HIGHWAYS CODE

~~2333.5 Safe routes to schools construction program~~

**2380-2385 Active Transportation Program**

VEHICLE CODE

21200-21213 ~~21212~~ Operation of bicycles, especially:

21212 Helmet required for bicycle, nonmotorized scooter, skateboard, skates

21949-21971 Pedestrian rights and duties

*Legal Reference continued: (see next page)*

BP 5142.2(d)

**SAFE ROUTES TO SCHOOL PROGRAM (continued)**

*Legal Reference: (continued)*

UNITED STATES CODE, TITLE 23

**133 Surface transportation block grant program**

148 Highway safety improvement program

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

COURT DECISIONS

*Cerna v. City of Oakland (2008) 161 Cal.App.4<sup>th</sup> 1340*

Management Resources:

CSBA PUBLICATIONS

*Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, August 2009*

*Building Collaboration: Tools and Ideas for Creating Active Living, Healthy Eating Communities, August 2009*

CALIFORNIA DEPARTMENT OF TRANSPORTATION PUBLICATIONS

*Active Transportation Program Fact Sheet, January 2020*

*ATP Purpose and Goals as Defined by the State Legislature and SB 99, March 2015*

NATIONAL CENTER FOR SAFE ROUTES TO SCHOOL PUBLICATIONS

*Safe Routes to School Guide*

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS

*Advancing Pedestrian and Bicyclist Safety: A Primer for Highway Safety Professionals, April 2016*

*Safe Routes to School Toolkit, 2002*

SAFE ROUTES TO SCHOOL NATIONAL PARTNERSHIP PUBLICATIONS

*Safe Routes to School by the Numbers: Using Data to Foster Walking and Biking to School, June 2016*

*Safe Routes to School 2009 Policy Report: Moving to the Future: Building on Early Achievements, March 2009*

WEB SITES

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

California Center for Physical Activity: <http://www.caphysicalactivity.org>

California Department of Transportation, Safe Routes to School:

<http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm>

National Center for Safe Routes to School: <http://www.saferoutesinfo.org>

National Highway Traffic Safety Administration: <http://www.nhtsa.gov>

Safe Routes to School National Partnership: <http://www.saferoutespartnership.org>

U.S. Department of Transportation, Federal Highway Administration, Safe Routes to School:

~~<http://safety.fhwa.dot.gov/saferoutes>~~ [https://www.fhwa.dot.gov/environment/safe\\_routes\\_to\\_school](https://www.fhwa.dot.gov/environment/safe_routes_to_school)

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## CSBA Sample Administrative Regulation

Students

AR 5142.2(a)

### SAFE ROUTES TO SCHOOL PROGRAM

Note: The following **optional** administrative regulation should be revised to reflect district practice. The strategies listed below are organized around the "five fundamental E's" (~~education, encouragement, enforcement, engineering, and evaluation~~) recommended for inclusion in all local programs by the U.S. Department of Transportation's Federal Highway Administration (**NHTSA**) and the National Center for Safe Routes to School's online resource guide, ~~the Safe Routes to School Guide~~. NHTSA's Advancing Pedestrian

**and Bicyclist Safety: A Primer for Highway Safety Professionals** states that the most often addressed E's are engineering, education, and enforcement, with encouragement and engagement, evaluation, emerging technologies, emergency response, and equity as other important E's to consider.

District strategies to improve student safety along routes to school and to promote walking, bicycling, and other forms of active transport to school by students may include:

1. Education activities that promote safety and awareness, such as:
  - a. Instructing students about pedestrian, bicycle, and personal safety
  - b. Instructing students about the health, **academic**, and environmental benefits of walking, bicycling, and other forms of active transport to school

*(cf. 3510 - Green School Operations)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 6142.7 - Physical Education and Activity)*  
*(cf. 6142.8 - Comprehensive Health Education)*

- c. Offering driver safety ~~education~~ **information** to high school students, parents/guardians, and the community **to promote safety around school campuses and routes**
2. Encouragement strategies designed to generate interest in active transport to school, such as:
  - a. Organizing or facilitating "walking school buses" and/or "bicycle trains" whereby students walk or bike to school in groups escorted by parents/guardians or other volunteers as needed
  - b. Organizing special events and activities, such as Walk or Bike to School Day, International Walk to School Month, or year-round competitions
  - c. Publicizing the district's efforts in order to build support of parents/guardians and the community, including providing information about the district's safe

AR 5142.2(b)

## **SAFE ROUTES TO SCHOOL PROGRAM** (continued)

routes to school program in parent/guardian communications and in any notifications about transportation options

*(cf. 1112 - Media Relations)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 1114 - District Sponsored Social Media)*  
*(cf. 3540 - Transportation)*  
*(cf. 3541 - Transportation Routes and Services)*

3. Enforcement strategies to deter unsafe behaviors of drivers, pedestrians, and bicyclists, such as:

a. Initiating or expanding crossing guard, student safety patrol, and/or parent/guardian safety patrol programs

*(cf. 5142 - Safety)*

b. Partnering with local law enforcement to help ensure that traffic laws are obeyed in the vicinity of schools and to implement appropriate measures such as placement of speed feedback monitors, ticketing, and/or driver safety campaigns

c. Monitoring to ensure that students who bicycle to school or who use skateboards, skates, or nonmotorized scooters wear helmets in accordance with Vehicle Code 21212

4. Engineering strategies that address the design, implementation, operation, and maintenance of traffic control devices or physical measures, such as:

a. Working with local government agencies, parents/guardians, school staff, and others as appropriate to gather data about environmental conditions and hazards along routes to school

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 1700 - Relations Between Private Industry and the Schools)*

*(cf. 6020 - Parent Involvement)*

b. Working with local government agencies to make operational and physical improvements that reduce or eliminate hazards, such as reducing motor vehicle traffic speeds in the area and establishing safer and fully accessible crosswalks, walkways, trails, and bikeways

AR 5142.2(c)

#### **SAFE ROUTES TO SCHOOL PROGRAM (continued)**

c. Assessing the adequacy, accessibility, and safety of bicycle parking at schools and making modifications as needed, such as increasing the number of or relocating bicycle racks and/or equipment storage areas

*(cf. 7111 - Evaluating Existing Buildings)*

d. Considering safe routes to school when making decisions about siting and designing of new schools

(cf. 7110 - Facilities Master Plan)  
(cf. 7150 - Site Selection and Development)

Note: See the accompanying Board policy for additional information about program evaluation, including examples of indicators that may be used to measure program implementation and effectiveness.

5. Evaluation to assess progress toward program goals, including:
  - a. Gathering and interpreting data based on indicators established by the Superintendent ~~or designee~~ and the Governing Board
  - b. Presenting data to the Board, program partners, and the public
  - c. Recommending program modifications as needed
6. **Emerging technologies that aid in the prevention and mitigation of accidents**
7. **Emergency response in managing injuries after an accident occurs, including, but not limited to, training staff, crossing guards, student and/or parent/guardian safety patrols, and other volunteers who assist with drop-off and pick-up in emergency procedures**

(cf. 0450 - Comprehensive Safety Plan)

8. **Equity, such that resources are distributed in a manner that provides safe access and participation in an equitable manner**

(cf. 0415 - Equity)

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## CSBA Sample Board Policy

Students

BP 5145.12(a)

### SEARCH AND SEIZURE

Note: The following **optional** policy ~~and accompanying administrative regulation~~ should be modified to reflect district practice. **The legality of a search by school officials is complex and depends on the particular circumstances surrounding the search. Districts with specific questions about the legality of a search should consult legal counsel.** It is also recommended that the district work with legal counsel to provide staff development for employees conducting searches on behalf of the district.

The following policy and accompanying administrative regulation address circumstances under which searches of individual students may be authorized based on individualized suspicion, and circumstances under which the district may conduct searches without individualized suspicion (e.g., searches of lockers, use metal detectors, or use contraband detection dogs). In In re Sean A., the Court of Appeal upheld a limited search for weapons or drugs without individualized suspicion where a school policy called for students who left campus and returned in the middle of the day to be searched. Districts that wish to develop policy authorizing limited searches for weapons or drugs without individualized suspicion should consult legal counsel.

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, **and only as authorized by law, Board policy, and administrative regulation**, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items. ~~The Board urges that employees~~ **School officials shall** exercise discretion and **use good judgment when conducting searches.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*

~~The Board urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.~~

~~*(cf. 0410 - Nondiscrimination in District Programs and Activities)*~~  
~~*(cf. 1312.1 - Complaints Concerning District Employees)*~~  
~~*(cf. 5145.3 - Nondiscrimination/Harassment)*~~

BP 5145.12(b)

## SEARCH AND SEIZURE (continued)

Note: As discussed below, the law surrounding student searches is complex. Therefore, it is recommended that the district work with legal counsel to provide training for employees conducting searches on behalf of the district.

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331- Staff Development)

## **Individual Searches Based on Individualized Suspicion**

Note: The Fourth Amendment of the U.S. Constitution, which prohibits unreasonable search and seizure, also applies to students in the school setting. In New Jersey v. T.L.O., the U.S. Supreme Court held that the legality of a search of a student and/or ~~his/her~~ **the student's** belongings depends on whether the search is "reasonable." The "reasonableness" of a search depends on two factors: (1) whether there is individualized suspicion that the search will turn up evidence of a student's violation of the law or school rules and (2) whether the search is reasonably related to the objectives of the search and not excessively intrusive in light of the student's age, gender, and/or the nature of the infraction.

In Redding v. Safford Unified School District, the U.S. Supreme Court held that a strip search of a student (~~permissible in Arizona schools~~) was beyond the scope and overly intrusive in light of the seriousness of the student's alleged violation (i.e., possession of ibuprofen), the lack of immediate danger, and the lack of justification for the search given that the basis of the search was an uncorroborated tip from a fellow student. Although the specific type of search discussed in the court decision is not permissible in California schools pursuant to Education Code 49050, the factors considered by the court are applicable to an analysis as to whether a search is reasonable in scope, as specified below.

~~The law regarding searches of students' cellular phones, personally owned computers, or other personal communications devices is still developing. It is especially difficult to determine whether the school can impose discipline in circumstances where the behavior, such as sending a threatening message, occurs off-campus; see BP 5131—Conduct. When the student brings an electronic device onto school grounds, it may be searched by school officials, but the search is subject to the same legal standards as a search of other student property, such as a backpack or purse. Therefore, when searching a student's personally owned electronic device, the district must have individualized suspicion that the search will lead to evidence that the student is violating a specific law or school rule and the scope of the search must be reasonably related to that violation. For example, searching a student's phone for evidence against another student or searching text messages extending well beyond the period of time of the alleged violation would likely be considered excessive in scope and thus unlawful. These standards for personally owned items are not applicable to a district's right to monitor a student's use of district-owned computer equipment or networks, subject to the district's acceptable use agreement; see BP/E 6163.4—Student Use of Technology.~~

School officials may search any individual student, ~~his/her~~ **the student's** property, or district property under ~~his/her~~ **the student's** control when there is a reasonable suspicion that the search will uncover evidence that ~~he/she~~ **the student** is violating the law, Board policy,

BP 5145.12(c)

### **SEARCH AND SEIZURE (continued)**

administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation.

~~The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.~~

Note: In *Redding v. Safford Unified School District*, the U.S. Supreme Court held that a strip search of a student (permissible in Arizona schools) was beyond the scope and overly intrusive in light of the seriousness of the student's alleged violation (i.e., possession of ibuprofen), the lack of immediate danger, and the lack of justification for the search given that the basis of the search was an uncorroborated tip from a fellow student. Although the specific type of search discussed in the court decision is not permissible in California schools pursuant to Education Code 49050, the factors considered by the court are applicable to an analysis as to whether a search is reasonable in scope, as specified below.

Any search of a student, ~~his/her~~ **the student's** property, or district property under ~~his/her~~ **the student's** control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, **and** student vehicles parked on district property; ~~cellular phones, or other electronic communication devices.~~

Note: In California, searches of personal electronic devices such as cellular phones are subject to the restrictions imposed by Penal Code 1546.1 in addition to the prohibitions against unreasonable searches and seizures under the Fourth Amendment. Districts with questions about searches of electronic devices such as cellular phones should consult legal counsel.

**A student's personal electronic device may be searched only if a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information.**

*(cf. 6163.4 - Student Use of Technology)*

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

BP 5145.12(d)

## **SEARCH AND SEIZURE (continued)**

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

## **Searches of ~~Multiple~~ Student Lockers/ and Desks**



Note: **The ability of school officials to search a locker without individualized suspicion depends on whether, under the circumstances, the student has a reasonable expectation of privacy in the locker. In In re Cody S., the Court of Appeal observed that, while students in California generally have a reasonable expectation of privacy in lockers, that expectation can be limited where school policy makes it clear that lockers are the property of the district and subject to search. Nonetheless, board policy alone will not determine whether a student has a reasonable expectation of privacy in a locker as other circumstances such as staff communication and school practice can also inform the reasonableness of a student's expectation of privacy. Districts with specific questions about whether school officials can search lockers without individualized suspicion should consult legal counsel.**

~~Like other student belongings, individual lockers and desks may be searched when there is reasonable, individualized suspicion, subject to the limits discussed in the above section entitled "Individual Searches." An argument could be made that, because lockers and desks are the property of the district, a student does not have an expectation of privacy and thus school officials could search them at any time, without individualized suspicion. However, because California courts have not ruled on this issue, the state of the law is unclear and districts that wish to develop policy authorizing searches of lockers and desks at any time, without individualized suspicion, should consult legal counsel.~~

The following **optional** section is for districts that conduct regular, announced inspections of multiple student lockers and/or desks **and should be revised to reflect district practice**. ~~Because such searches are random and announced in advance, individualized suspicion is not required.~~

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

### Use of Metal Detectors

Note: **In In re Latasha W., the Court of Appeal upheld a policy of random weapons screening with a handheld metal detector. In addition, an Attorney General opinion (75 Ops.Cal.Atty.Gen. 155 (1992)) states that the reasonable use of metal detectors to deter the presence of weapons in schools is appropriate without individualized suspicion. The Attorney General recommends that the Governing Board make a specific finding identifying the rationale for the use of metal detectors. This finding need not be based on a specific weapons incident, but rather may be based on the need for metal detectors in response to the general harm caused by weapons and the need to provide a safe learning environment.**

The following **optional** paragraph should be modified to reflect the district's rationale for the use of metal detectors.

BP 5145.12(e)

### SEARCH AND SEIZURE (continued)

The Board ~~believes~~ **finds** that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also ~~believes~~ **finds** that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

Note: The Board should consider where and when metal detectors will be used, such as on a permanent basis at certain sites, rotated among sites, during regular school hours, and/or during special events such as athletic

events or dances. To ensure that a metal detector search is reasonable, the Attorney General recommends that an administrative plan be established which contains uniform, established procedures and adequate safeguards against arbitrary and capricious enforcement by school officials. For example, the plan may specify that metal detectors be used at randomly selected schools or that students will be searched on a random basis (e.g., every fifth student entering). The key is to ensure that neutral criteria are applied so that the persons conducting the search do not exercise discretion in determining whether specific persons are targeted or selected for the search. The Attorney General's opinion also recommends that the district's use of metal detectors be incorporated into the district and/or school site safety plan; see BP/AR 0450 - Comprehensive Safety Plan. See the accompanying administrative regulation for other safeguards identified by the Attorney General.

The Superintendent or designee shall use metal detectors ~~at district schools~~ as necessary to **keep weapons out of schools and help provide a safe learning environment.** ~~He/she~~ **The Superintendent or designee** shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

### **Use of Contraband Detection Dogs**

Note: The following **optional** section is for districts that use trained dogs for random and unannounced inspections for contraband. Prior to instituting such a program, districts wishing to conduct these types of "sniff searches" should make specific findings as to the need for the program and consult legal counsel.

Legally, problems arise when individual persons are sniffed and when students are separated from their belongings so that the belongings can be sniffed. In B.C. v. Plumas, the 9th Circuit Court of Appeals concluded that the random and suspicionless dog sniff of a student as he walked by the dog while exiting the room was unreasonable. The court found compelling the fact that there were not specific findings of a serious drug problem at the school that would necessitate the need for the use of the dogs. This court did not rule on whether sniffs of inanimate objects (such as automobiles or lockers) in a school setting are legal. However, courts outside of California (Zamora v. Pomeroy and Horton v. Goose Creek Independent School District) have indicated that dog sniffing around lockers and cars would probably not be deemed a "search" and thus would be permissible on a random basis without individualized suspicion. If the dog then alerts on a particular car or locker, this alert could then constitute the reasonable suspicion needed in order to conduct a search.

The law is unclear as to whether the district can conduct random and unannounced use of dogs whereby students are asked or required to leave their belongings so that the dog can sniff those belongings. An Attorney General opinion (83 Ops.Cal.Atty.Gen. 257 (2001-2000)) states that, unless exigent circumstances exist (e.g., supporting data of a known drug problem), requiring students to leave their belongings behind in the classroom (e.g., backpacks, purses, jackets) in order to conduct random, unannounced and neutral sniff

BP 5145.12(f)

### **SEARCH AND SEIZURE (continued)**

tests on students' personal belongings would be unreasonable and therefore unconstitutional. Whether the district can "ask" students to leave their belongings behind is also questionable since such a request might be considered an unconstitutional "seizure." Districts that wish to institute either type of policy should consult legal counsel and have specific data demonstrating the need for such a policy. Although Attorney General opinions are not law, they are generally afforded deference by the courts. See the accompanying administrative regulation.

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district

property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons **without individualized suspicion.** ~~without their consent.~~

*Legal Reference: (see next page)*

BP 5145.12(g)

## **SEARCH AND SEIZURE (continued)**

*Legal Reference:*

EDUCATION CODE

32280-32289 *School safety plans*

35160 *Authority of governing boards*

35160.1 *Broad authority of school districts*

48900-48927 *Suspension and expulsion*

49050-49051 *Searches by school employees*

49330-49334 *Injurious objects*

PENAL CODE

626.9 *Firearms*

626.10 Dirks, daggers, knives or razor

1546-1546.1 Production of or access to electronic communication information

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

COURT DECISIONS

In G.C. v. Owensboro Public Schools (6th Cir. 2013) 711 F.3d 623

In re Sean A. (2010) 191 Cal. App. 4th 182

Redding v. Safford Unified School District, (2009) 557 U.S. 364 (2009)

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

Jennings v. Joshua Independent School District, (5th Cir. 1992) 948 F.2d 194 557 U.S. 364 (2009)

In re Cody S., 121 Cal. App. 4th 86, 92 (2004)

Klump v. Nazareth Area School District (E.D. Pa. 2006) 425 F. Supp. 2d 622, 640

In Re William V. (2003) 111 Cal.App.4th 1464

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

In re Latasha W. (1998), 60 Cal. App. 4th 1524

O'Connor v. Ortega, (1987) 480 U.S. 709

In re William G (1985) 40 Cal. 3d 550

New Jersey v. T.L.O., (1985) 469 U.S. 325

Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470

Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2001-2000)

75 Ops.Cal.Atty.Gen. 155 (1992)

*Management Resources:*

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

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

California Attorney General's Office: <http://caag.state.ca.us>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

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**Policy Reference UPDATE Service**

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# CSBA Sample Board Policy

**Students**

BP 5145.9(a)

## HATE-MOTIVATED BEHAVIOR

Note: The following **optional** policy addresses prevention strategies for hate-motivated incidents and should be modified to reflect district practice. Elements of this policy may be integrated into existing district and school site plans, such as the local control and accountability plan, comprehensive school safety plan, and staff development plans.

The Governing Board is committed to providing a **respectful, inclusive, and** safe learning environment that protects students from discrimination, harassment, intimidation, bullying, **or any other type of behavior that is motivated by hate.** ~~and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate motivated behavior to the extent possible, and address such incidents if they occur.~~

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

*(cf. 0415 - Equity)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

*(cf. 5131- Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5131.5 - Vandalism and Graffiti)*

*(cf. 5136 - Gangs)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5141.52 - Suicide Prevention)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

**Note: The following paragraph reflects the definition of "hate-motivated behavior" specified in the California Department of Education's (CDE) publication Bullying at School, expanded to include the categories of protected characteristics identified in state and federal law. Also see BP 0410 - Nondiscrimination in District Programs and Activities and AR 1312.3 - Uniform Complaint Procedures.**

**Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real 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 any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.**

BP 5145.9(b)

#### **HATE-MOTIVATED BEHAVIOR (continued)**

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents **in a timely manner if when** they occur.

**Note: Hate-motivated behavior, such as an assault, physical threat, bomb threat, destruction of property, graffiti, and ~~certain types of~~ vandalism, may constitute a crime under state or federal law. Local law enforcement agencies, and human rights commissions, and community organizations throughout the state have established countywide hate crimes networks aimed at responding to and preventing hate crimes.**

Districts can identify local hate crime resources through the California Association of Human Relations Organizations, which conducts activities designed to protect human and civil rights **by creating a climate of respect and inclusion** through networks of collaborations that reduce community tension and build intergroup relationships.

~~The following optional paragraph should be revised to reflect district practice.~~

The Superintendent or designee shall collaborate with regional programs and community organizations to promote ~~safe-an~~ environments ~~for youth~~ **where diversity is celebrated and hate-motivated behavior is not tolerated**. Such collaborative efforts shall focus on ~~ensuring an efficient use of district and community resources, developing the development of~~ effective prevention strategies and response plans, ~~providing~~ **provision of** assistance to students affected by hate-motivated behavior, and/or ~~educating~~ **education of** students who have perpetrated hate-motivated acts.

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 1700 - Relations Between Private Industry and the Schools)*

*(cf. 5148.2 - Before/After School Programs)*

The district shall provide students with age-appropriate instruction that:

1. ~~i~~**Includes** the development of social-emotional learning;
2. ~~p~~**Promotes their an understanding, awareness, appreciation, of** and respect for human rights, **human relations**, diversity, and acceptance in a multicultural society;
3. **Explains the harm and dangers of explicit and implicit biases**
4. **Discourages discriminatory attitudes and practices**~~and~~
5. ~~p~~**Provides** strategies to manage conflicts constructively.

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6142.94 - History-Social Science Instruction)*

BP 5145.9(c)

## **HATE-MOTIVATED BEHAVIOR** (continued)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

*(cf. 6164.2 - Guidance/Counseling Services)*

**When appropriate, students who engage in hate-motivated behavior shall be disciplined.**

*(cf. 5144 - Discipline)*

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

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

~~The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.~~

**Note: Education Code 218 requires CDE, by July 1, 2021, to develop and/or update resources for use in schools serving students in grades 7-12 for in-service training for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students, and strategies to increase support for LGBTQ students which improve overall school climate. Pursuant to Education Code 218, districts that serve students in grades 7-12 are encouraged to use such resources to provide training at least once every two years to teachers and other certificated staff.**

The Superintendent or designee shall provide staff with training ~~that on~~:

- 1. Promotes an understanding of diversity, equity, and inclusion**
- 2. Discourages the development of discriminatory attitudes and practices**
- 3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods**
- 4. Supports the prevention, recognition, ~~recognizing~~ and response ~~preventing~~ to hate-motivated behavior**
- 5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior ~~and on~~**
- 6. Includes effectively ~~enforcing~~ enforcement of rules for appropriate student conduct.**

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

BP 5145.9(d)

#### **HATE-MOTIVATED BEHAVIOR (continued)**

**Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.**

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

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

~~The Superintendent or designee shall ensure that the r~~**Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident ~~are~~ shall be provided to students, staff, and parents/guardians.**

**This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)**

*(cf. 1113 - District and School Web Sites)*

## **Complaints Process**

Note: Pursuant to Education Code 234.1, districts are required to adopt a process for receiving and investigating complaints involving unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) based on race or ethnicity, nationality, **disability**, gender, **gender identity**, **gender expression**, sex, sexual orientation, religion, immigration status, or any characteristic contained in the definition of hate crimes in Penal Code 422.55, **or association with a person or group with one or more of these actual or perceived characteristics**. 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). Pursuant to 5 CCR 4600-4670, uniform complaint procedures (UCP) must be used for this purpose. See BP/AR 1312.3 - Uniform Complaint Procedures. **Complaints of sexual harassment that meet the federal definition of sexual harassment in 34 CFR 106.30 must be addressed through the procedures specified in 34 CFR 106.44-106.45; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.**

Although some incidents of harassment, intimidation, or bullying may not fall within the provisions of Education Code 234.1 or federal civil rights regulations, CSBA ~~strongly~~ recommends that districts use the UCP to investigate all incidents (whether discriminatory or nondiscriminatory) to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was victimized because of ~~his/her~~ **an** actual or perceived membership in a legally protected class. Those incidents found to involve discrimination based on the results of the investigation would then be resolved using the UCP. When an incident is determined to be nondiscriminatory, it should be resolved through the appropriate disciplinary process.

~~A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.~~

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the ~~principal~~

BP 5145.9(e)

## **HATE-MOTIVATED BEHAVIOR (continued)**

~~or the~~ compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, ~~he/she~~ **the staff member** shall also contact law enforcement.

*(cf. 3515.3 - District Police/Security Department)*

*(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)*

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is ~~strongly~~ encouraged to report the incident to a teacher, the principal, **the district's compliance officer**, or other staff member.



Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures **or other applicable procedure**. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5144 - Discipline)*

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

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

*(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)*

*Legal Reference: (see next page)*

BP 5145.9(f)

## **HATE-MOTIVATED BEHAVIOR (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for ~~threats or~~ harassment, threats, **or intimidation**

GOVERNMENT CODE

11135 Prohibition of discrimination in programs or activities

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment  
CODE OF REGULATIONS, TITLE 5  
 4600-4670 Uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs  
CODE OF FEDERAL REGULATIONS, TITLE 28  
 35.107 Nondiscrimination on basis of disability; complaints  
CODE OF FEDERAL REGULATIONS, TITLE 34  
 100.3 Prohibition of discrimination on basis of race, color or national origin  
 104.7 Designation of responsible employee for Section 504  
 106.8 Designation of responsible employee for Title IX  
**106.30 Discrimination on the basis of sex in education programs and activities; definitions**  
**106.44 Recipient's response to sexual harassment**  
**106.45 Grievance process for formal complaints of sexual harassment**  
 110.25 Prohibition of discrimination based on age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
*Bullying at School, 2003*  
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*  
HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS  
***California LGBTQ Youth Report, 2019***  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
*Dear Colleague Letter: Harassment and Bullying, October 2010*  
*Dear Colleague Letter: Prohibited Disability Harassment, July 2000*  
WEB SITES  
 CSBA: <http://www.csba.org>  
 California Association of Human Relations Organizations: <http://www.cahro.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 California Office of the Attorney General: <http://oag.ca.gov>  
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>  
 U.S. Department of Health and Human Services: <http://www.stopbullying.gov>  
 U.S. Department of Justice: <https://www.justice.gov>

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Policy Reference UPDATE Service

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# CSBA Sample Board Policy

Students

BP 5148(a)

## CHILD CARE AND DEVELOPMENT

Note: The following **optional** policy is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) **may be revised to reflect the type(s) of child care and development programs offered by the district.**

The Child Care and Development Services Act (Education Code 8200-8499.10) establishes a variety of child care programs that may be offered by districts or other local providers. These include, **including but are not limited to, General Child Care and Development, Resource and Referral, Alternative Payment, Migrant Child**

Care and Development, and Severely Handicapped programs-resource and referral programs (Education Code 8210-8216; 5 CCR 18240-18248), alternative payment programs (Education Code 8220-8227.7; 5 CCR 18220-18231), migrant child care and development programs (Education Code 8230-8233), general child care and development programs (Education Code 8240-8244), and programs for children with special needs (Education Code 8250-8252). Pursuant to Welfare and Institutions Code 10200-10206, as added by SB 98 (Ch. 24, Statutes of 2020), effective July 1, 2021, the state's responsibility for administering these programs will transfer from the California Department of Education (CDE) to the California Department of Social Services (CDSS).

The district may revise the following policy to reflect the specific program(s) offered by the district and to ensure its compliance with the terms of its contract(s) with the CDE. Compliance with major requirements for early education and support programs is reviewed during the CDE's Federal Program Monitoring/Contract Monitoring Review process.

For requirements pertaining to before-school and after-school programs, including the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), see BP/AR 5148.2 - Before/After School Programs. The California State Preschool Program (Education Code 8235-8239) for children ages 3-4 is addressed in BP/AR 5148.3 - Preschool/Early Childhood Education.

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

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

*(cf. 6175 - Migrant Education Program)*

The Board shall enter into a contract with the California Department of ~~Education (CDE)~~ **Social Services (CDSS)** for the provision of child care and development services by the district.

*(cf. 3312 - Contracts)*

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 8499-8499.7 establish county-level child care and development planning councils, with members selected by the

BP 5148(b)

## **CHILD CARE AND DEVELOPMENT (continued)**

County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care and to develop policies to meet identified needs.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

*(cf. 1020 - Youth Services)*

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 1700 - Relations Between Private Industry and the Schools)*

Note: Pursuant to 5 CCR 18271, the district must have a written philosophical statement, goals, and objectives, approved by the Governing Board, which address each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation for required program components.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

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

### **Eligibility and Enrollment**

Note: Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are **mandated** to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, as provided below. See the accompanying administrative regulation for additional language that fulfills this mandate.

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

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

*(cf. 3540 - Transportation)*

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

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

BP 5148(c)

### **CHILD CARE AND DEVELOPMENT (continued)**

Note: Education Code 8263 and 5 CCR 18106 establish eligibility criteria and priorities for subsidized child care services, as provided below and in the accompanying administrative regulation.

Eligibility is generally limited to children who reside within district boundaries. However, Education Code 8322 and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

Note: The following paragraph is **optional** and may be revised to reflect any district-established priorities for nonsubsidized services.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

*(cf. 5111.1 - District Residency)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*

### Staffing

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code 8360-8370 and 5 CCR 80105-80125. The district may request from the CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code 8208(aa) and 5 CCR 18295.

Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055, as amended by SB 792, requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 4112.2 - Certification)*  
*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*  
*(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)*  
*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

BP 5148(d)

## CHILD CARE AND DEVELOPMENT (continued)

### Facilities

Note: **Optional** items #1-5 below present examples of methods that may be used to provide facilities for child care services and may be revised to reflect district practice.

~~Pursuant to Education Code 8278.3, districts providing subsidized child care services that have a current need for facilities are eligible to apply for loans under the Child Care Facilities Revolving Fund. For further information, see the CDE's web site.~~

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

*(cf. 1330.1 - Joint Use Agreements)*  
*(cf. 7110 - Facilities Master Plan)*

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

### Complaints

Note: Pursuant to 5 CCR 4610, the district's uniform complaint procedures should be used to resolve any complaint alleging violation of state or federal laws governing educational programs, including child care and development programs; see BP/AR 1312.3 - Uniform Complaint Procedures. However, **5 CCR 4611, as amended by Register 2020, No. 21, provides that as clarified in the CDE's brochure Uniform Complaint Procedures, health and safety complaints regarding licensed facilities that operate a child care and development programs should be referred to other agencies CDSS as described in the following paragraph and BP 1312.3.**

Pursuant to 22 CCR 101156, all child care centers must be licensed by ~~the California Department of Social Services~~ **CDSS** unless exempted by law. See the accompanying administrative regulation for information about child care programs that are exempted from licensure requirements. If all of the district's child care services are ~~either licensed or all license-exempt, the district may revise the following paragraph to reflect the types of facilities maintained by the district.~~ **the following paragraph may be deleted.**

BP 5148(e)

### CHILD CARE AND DEVELOPMENT (continued)

For a licensed child care center, any complaint alleging health and safety violations shall be referred to ~~CDSS the California Department of Social Services.~~ **For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. (5 CCR 4611)**

Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

### Program Evaluation

Note: 5 CCR 18279-18281 require child care and development programs to be evaluated through the CDE's standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale ~~using instruments selected by the CDE; see the accompanying administrative regulation.~~ The annual report submitted to the CDE also must include an action plan presented on the appropriate CDE form.

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. **The results of the evaluation shall be used to develop** ~~The evaluation report shall be submitted to the Board and the CDE along with~~ an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

(cf. 0500 - Accountability)

Legal Reference: (see next page)

BP 5148(f)

### CHILD CARE AND DEVELOPMENT (continued)

Legal Reference:

EDUCATION CODE

- 8200-8499.10 Child Care and Development Services Act, especially:
- 8200-8209 General provisions for child care and development services
- 8210-8216 Resource and referral program
- 8220-8226 Alternative payment program
- 8230-8233 Migrant child care and development program
- 8235-8239 California state preschool program
- 8240-8244 General child care programs

8250-8252 *Programs for children with special needs*  
 8263 *Eligibility and priorities for subsidized child development services*  
 8263.3 *Disenrollment of families due to reduced funding levels*  
 8263.4 *Enrollment of students ages 11-12 years*  
 8273-8273.3 *Fees*  
~~8278.3 *Child Care Facilities Revolving Fund*~~  
 8360-8370 *Personnel qualifications*  
 8400-8409 *Contracts*  
 8482-8484.65 *After-school education and safety program*  
 8484.7-8484.8 *21st Century community learning centers*  
 8493-8498 *Facilities*  
 8499-8499.7 *Local planning councils*  
 49540-49546 *Child care food program*  
 49570 *National School Lunch program*  
 56244 *Staff development funding*  
HEALTH AND SAFETY CODE  
 1596.70-1596.895 *California Child Day Care Act*  
 1596.90-1597.21 *Day care centers*  
 120325-120380 *Immunization requirements*  
WELFARE AND INSTITUTIONS CODE  
 10200-10206 *Early Childhood Development Act of 2020*  
CODE OF REGULATIONS, TITLE 5  
 4610-4687 *Uniform complaint procedures*  
 18000-18434 *Child care and development programs, especially:*  
 18012-18122 *General requirements*  
 18180-18192 *Federal and state migrant programs*  
 18210-18213 *Severely handicapped program*  
 18220-18231 *Alternative payment program*  
 18240-18248 *Resource and referral program*  
 18270-18281 *Program quality, accountability*  
 18290-18292 *Staffing ratios*  
 18295 *Waiver of qualifications for site supervisor*  
 18300-18308 *Appeals and dispute resolution*  
 80105-80125 *Commission on Teacher Credentialing, child care and development permits*  
CODE OF REGULATIONS, TITLE 22  
 101151-101239.2 *General requirements, licensed child care centers, especially:*  
 101151-101163 *Licensing and application procedures*  
 101212-101231 *Continuing requirements*  
 101237-101239.2 *Facilities and equipment*

*Legal Reference continued: (see next page)*

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## **CHILD CARE AND DEVELOPMENT (continued)**

*Legal Reference: (continued)*

UNITED STATES CODE, TITLE 42  
 1751-1769j *National School Lunch Programs*  
 9831-9852 *Head Start programs*  
 9858-9858q *Child care and development block grant*  
CODE OF FEDERAL REGULATIONS, TITLE 7  
 210.1-210.31 *National School Lunch program*  
CODE OF FEDERAL REGULATIONS, TITLE 45  
 98.2-98.93 *Child care and development fund*



COURT DECISIONS

CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services, (2001) 91 Cal.App.4th 892

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

14-03a Revised Child Care and Development Fee Schedule, Management Bulletin, September 2014

Uniform Complaint Procedures, 2014

12-07 Disenrollment due to Maximum Reimbursable Amount Reduction, Management Bulletin, July 2012

Keeping Children Healthy in California's Child Care Environments: Recommendations to Improve Nutrition and Increase Physical Activity, 2010

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California Child Development Administrators Association: <http://www.ccdaa.org>

California Department of Education, Early Education and Support Division:

<http://www.cde.ca.gov/sp/cd>

California Department of Education, Early Education Management Bulletins:

<http://www.cde.ca.gov/sp/cd/ci/allmbs.asp>

California Department of Social Services, Licensing Information: <http://eeld.ca.gov/PG492.htm>

<https://www.cdss.ca.gov>

California Head Start Association: <http://caheadstart.org>

California School-Age Consortium: <http://calsac.org>

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

National Association for the Education of Young Children: <http://www.naeyc.org>

U.S. Department of Education: <http://www.ed.gov>

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Policy Reference UPDATE Service

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## CSBA Sample Administrative Regulation

Students

AR 5148(a)

### CHILD CARE AND DEVELOPMENT

Note: The following administrative regulation is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) and reflects provisions generally applicable to programs under the Child Care and Development Services Act (Education Code 8200-8499.7). Such programs include resource and referral programs (Education Code 8210-8216; 5 CCR 18240-18248), alternative payment programs (Education Code 8220-8227.7; 5 CCR 18220-18231), migrant child care and development programs (Education Code 8230-8233), California State Preschool Programs (CSPP) (Education Code 8235-8239.1), general child care and development programs (Education Code 8240-8244),

and programs for children with special needs (Education Code 8250-8252). **Pursuant to Welfare and Institutions Code 10200-10206, as added by SB 98 (Ch. 24, Statutes of 2020), effective July 1, 2021, the state's responsibility for administering these programs will transfer from the California Department of Education (CDE) to the California Department of Social Services (CDSS).**

The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and BP/AR 5148.3 - Preschool/Early Childhood Education for **California State Preschool Program (CSPP)** requirements.

**The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers.** For example, for the alternative payment program, 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the resource and referral program, 5 CCR 18244 mandates written referral policies and written complaint procedures.

In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development **program**.

## Licensing

Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by ~~the California Department of Social Services (CDSS)~~ unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled, or (7) is a CSPP program operated in a school building that meets specified health and safety requirements. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.

AR 5148(b)

## CHILD CARE AND DEVELOPMENT (continued)

Pursuant to Health and Safety Code 1596.951, ~~as added by AB 605 (Ch. 574, Statutes of 2018)~~, CDSS ~~is~~ was required to adopt regulations by January 1, 2021 to create a new child care center license including components for serving infant, toddler, preschool, and school-age children; health and safety standards; and enhanced ability to transition children to the next age group. **However, the regulations were delayed due to the COVID-19 pandemic.** Pursuant to Health and Safety Code 1596.951, all child care centers are required to obtain this license by January 1, 2024.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

### Program Components

Note: Items #1-7 and 9 below list components of child care and development programs **that are** required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "~~Desired Results Developmental Profile,~~" available ~~from the California Department of Education (CDE),~~ **developmental profile** for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

*(cf. 5148.2 - Before/After School Programs)*  
*(cf. 5148.3 - Preschool/Early Childhood Education)*  
*(cf. 6159 - Individualized Education Program)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*

AR 5148(c)

### CHILD CARE AND DEVELOPMENT (continued)

*(cf. 6174 - Education for English Learners)*

3. A staff development program which complies with 5 CCR 18274

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

4. Parent/guardian involvement and education that comply with 5 CCR 18275 and include an orientation, at least two individual conferences per year, meetings with program

staff, an advisory committee, participation in daily activities, and information regarding their child's progress

*(cf. 6020 - Parent Involvement)*

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 5141.6 - School Health Services)*

6. A community involvement component that complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. As applicable, a nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

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

*(cf. 5030 - Student Wellness)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

Note: Item #8 below is **optional** and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic **media devices**.

AR 5148(d)

## **CHILD CARE AND DEVELOPMENT (continued)**

8. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system ~~developed by CDE~~. The system requires a program self-evaluation that includes, ~~but is not limited to,~~ a staff assessment, a parent/guardian survey, and an environment rating scale ~~using forms selected by CDE~~. Each contractor is required to submit a summary of the self-evaluation findings ~~to CDE by June 1 of each year. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract~~

Monitoring Review (FPM/CMR) process with each contract agency to review compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

9. An annual plan for program evaluation which conforms with the state's "~~Desired Results for Children and Families~~" system and includes, ~~but is not limited to~~, a self-evaluation, parent/guardian survey, and environment rating scale ~~using forms provided by the CDE~~ (5 CCR 18270.5, 18279, 18280)

*(cf. 0500 - Accountability)*

### **Health and Safety**

Note: The following section is for use by districts that offer one or more licensed child care programs. Health and Safety Code 1596.7996, ~~as added by AB 2370 (Ch. 676, Statutes of 2018)~~, requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health, which contains specified information regarding lead exposure and blood testing. The flyer is available on the CDSS web site.

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

*(cf. 5145.6 - Parental Notifications)*

Note: Pursuant to Health and Safety Code 1597.16, a licensed child care center located in a building that was constructed before January 1, 2010 must have its drinking water tested for lead contamination as provided below. A licensed child care center is subject to the temporary suspension of its license if it fails to comply with the requirements to cease using any fountains and faucets where elevated lead levels may exist and to provide potable water.

**If a licensed child care center is located in a building that was constructed before January 1, 2010, the center shall have its drinking water tested for lead contamination every five years following an initial test conducted between January 1, 2020 and**

AR 5148(e)

### **CHILD CARE AND DEVELOPMENT (continued)**

**January 1, 2023. The center shall notify the parents/guardians of enrolled children of the requirement to test a facility's drinking water and of the test results. If notified of elevated lead levels, the center shall immediately make inoperable and cease using the fountains and faucets where elevated lead levels may exist and shall obtain a potable source of water for children and staff at that location. (Health and Safety Code 1597.16)**

### **Staffing**

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

All persons employed at a licensed district child care center and all volunteers who provide care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If they meet all other requirements for employment or volunteering, as applicable, but need additional time to obtain and provide immunization records, they may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that they have been immunized as required. In addition, employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

*(cf. 1240 - Volunteer Assistance)*  
*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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

AR 5148(f)

## **CHILD CARE AND DEVELOPMENT (continued)**

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

### **Eligibility and Enrollment**

Note: ~~CDE contracts provide~~ State funding **only is only available** for services to families who meet the criteria for subsidized services as specified in Education Code 8263. The district may also provide services

to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are **mandated** to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

The following section should be revised to reflect the district's contract(s) with CDE.

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. ~~The application form is available on CDE's web site.~~ The family's or child's eligibility must be certified by a person designated by the district.

Pursuant to Education Code 8263.1, ~~as amended by AB 2626 (Ch. 945, Statutes of 2018),~~ income eligibility is based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size, ~~for purposes of establishing ongoing income eligibility after January 1, 2019 or initial eligibility after July 1, 2019.~~

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263, **8263.1**)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:
  - a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in

AR 5148(g)

## **CHILD CARE AND DEVELOPMENT** (continued)

- vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated
- b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or

transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the centralized eligibility list established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

Note: The following **optional** paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

AR 5148(h)

## CHILD CARE AND DEVELOPMENT (continued)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

Note: 5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether the application for subsidized services has been approved or denied. For this purpose, the district should use the **state's** Notice of Action form available on CDE's web site. ~~If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.~~



The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

*(cf. 5145.6 – Parental Notifications)*

Note: Pursuant to Education Code 8263, as amended by AB 2626, effective July 1, 2019, a family that establishes initial or ongoing eligibility for services, regardless of the basis of eligibility, is entitled to receive those services for at least 12 months before being recertified for eligibility, except when an increase in income results in the family income exceeding the threshold for ongoing eligibility.

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Education Code 8263.1, and the family's ongoing eligibility shall be recertified at that time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Education Code 8263)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination made during recertification or the update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified

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#### **CHILD CARE AND DEVELOPMENT (continued)**

2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the service is no longer wanted
4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

### **Fees and Charges**

Note: Education Code 8273 requires the ~~Superintendent of Public Instruction (SPI)~~ **state** to establish a fee schedule for families using child care services ~~through a CDE contract~~, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above. ~~See CDE Management Bulletin 14-03a.~~

~~Pursuant to 5 CCR 18109 and CDE's Frequently Asked Questions to Management Bulletin 14-03a, the district may charge a full time, part time, or "cost of care" fee calculated pursuant to 5 CCR 18109, whichever is less, depending on the number of hours that a child will receive services.~~

Education Code 8250 and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the **state** fee schedule ~~established by the Superintendent of Public Instruction~~, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

AR 5148(j)

### **CHILD CARE AND DEVELOPMENT (continued)**

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. (Education Code 8273.1)

Note: Pursuant to Education Code 8273 ~~and CDE Management Bulletin 14-03a~~, family fees must be assessed at initial enrollment and reassessed at recertification or when the family data file is updated due to a change in status.

Pursuant to 5 CCR 18114, districts contracting with CDE to offer child care services are **mandated** to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for alternative payment programs offered pursuant to Education Code 8220-8224.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts that contract with CDE to offer child care services and wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees), and may be modified to delete diapers as appropriate for the age of the children served. Education Code 8273.3 **mandates** that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

### **Disenrollment**

Note: Education Code 8263.3 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

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### **CHILD CARE AND DEVELOPMENT (continued)**

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After

all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.

3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

### Health Examination and ~~Information~~ Immunizations

Note: Education Code 8263 ~~provides that the~~ **requires children enrolling in a child care center to obtain** a physical examination and evaluation, including immunizations, ~~required of children enrolling in a child care center may be waived if~~ **unless** a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. However, **with respect to immunization requirements**, Health and Safety Code 120335 eliminated the personal beliefs exemption ~~for immunization requirements~~ unless the parent/guardian ~~files~~ **files** a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

~~A physical examination and evaluation, including age appropriate immunizations, shall be required p~~**Prior to or within six weeks of enrollment, a child enrolling in a child care center shall obtain a physical examination and evaluation and receive age-appropriate immunizations.** (Education Code 8263)

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

Note: Education Code 8263 provides that the physical examination and evaluation, including immunizations, required of children enrolling in a child care center may be waived if a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. However, Health and Safety Code 120335 eliminated the personal beliefs exemption for immunization requirements unless the parent/guardian files a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

AR 5148(1)

### CHILD CARE AND DEVELOPMENT (continued)

The requirement for a physical examination and evaluation shall be waived if a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. (Education Code 8263)

~~However, a~~ **A child may be exempted from the immunization requirements only if:** (~~Education Code 8263;~~ Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.

**Note:** Pursuant to Health and Safety Code 120372, a child care center may only accept a medical exemption request that is made by a licensed physician or surgeon on an electronic, standardized, statewide medical exemption certification form developed by the California Department of Public Health and transmitted using the California Immunization Registry. However, Health and Safety Code 120370 requires that a child who has a medical exemption issued prior to January 1, 2020 be allowed to continue enrollment until the next grade span.

A medical exemption shall be submitted using the standardized medical exemption certification form developed by California Department of Public Health and transmitted using the California Immunization Registry. The request shall include, but not be limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary, including the date upon which a temporary medical exemption will expire. A temporary exemption shall not exceed one year. (Health and Safety Code 120372)

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to the parent/guardian's personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Education Code 8263)

*(cf. 5141.22 - Infectious Diseases)*

~~Note: Health and Safety Code 1596.7996, as added by AB 2370 (Ch. 676, Statutes of 2018), requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health, which contains specified information regarding lead exposure and blood testing. The flyer is available on the CDSS web site.~~

AR 5148(m)

## **CHILD CARE AND DEVELOPMENT** (continued)

~~Pursuant to Health and Safety Code 1597.16, as added by AB 2370, a licensed child care center located in a building constructed before January 1, 2010 will be required to have its drinking water tested for lead contamination levels between January 1, 2020 and January 1, 2023, and every five years after the date of the initial test. At that time the child care center must notify parents/guardians of enrolled children of the requirement to test the drinking water and of the test results.~~

~~When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing,~~

~~including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)~~

### **Attendance**

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

Note: Pursuant to 5 CCR 18066, districts contracting with CDE to offer child care services are **mandated** to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

Note: 5 CCR 18066 **mandates** a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

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### **CHILD CARE AND DEVELOPMENT (continued)**

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 **mandates** that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the child's parent/guardian. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

### **Rights of Parents/Guardians**

Note: The following two paragraphs are for use by districts that operate one or more licensed child care centers, but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of the rights specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

AR 5148(o)

### **CHILD CARE AND DEVELOPMENT (continued)**

In addition, if a parent/guardian disagrees with any district action to deny a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

## Records

Note: ~~CDE State~~ contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports, ~~through CDE's online management information system,~~ regarding any families receiving subsidized services during that month.

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required ~~by CDE~~ **under the state contract.**

*(cf. 3580 - District Records)*

*(cf. 5125 - Student Records)*

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Policy Reference UPDATE Service

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# CSBA Sample Board Policy

Instruction

BP 6142.5(a)

## ENVIRONMENTAL EDUCATION

Note: **The following optional policy may be revised to reflect district practice. Pursuant to Public Resources Code 71300-71304, the Office of Education and the Environment within the Department of Resources Recycling and Recovery (CalRecycle) has developed "environmental principles and concepts," which have been adopted by the State Board of Education. For further information, see the web site of the California Education and the Environment Initiative.**



~~Pursuant to Public Resources Code 71300-71304, the California Office of Education and the Environment, within the state Integrated Waste Management Board, has developed a model curriculum based on environmental education principles which will be incorporated into the state's criteria for textbook adoption and, pursuant to Education Code 33541, into the science curriculum framework adopted by the State Board of Education.~~

~~The following **optional** policy is consistent with the state's education principles for the environment and may be revised to reflect district practice.~~

The Governing Board recognizes that schools play a crucial role in educating students about the ~~importance of the environment and in preparing them to be stewards of natural resources.~~ The Board believes that students should value the environment, respect all life forms, understand the basic ecological principles which support the planet, and live an ecologically responsible life style. **relationship between humans and the natural world and in preparing them to have the skills, knowledge, and principles needed to solve environmental problems. The Board believes that all students should understand ecological systems and the impact of human action on such systems, including, but not limited to, climate change. The district's environmental education program shall promote environmental literacy and shall prepare students to be stewards of natural resources and live an environmentally sustainable lifestyle.**

*(cf. 6000\_- Concepts and Roles)*

*(cf. 6142.3 - Civic Education)*

**The district's local control and accountability plan may include local goals and priorities for environmental literacy.**

*(cf. 0460 - Local Control and Accountability Plan)*

Note: Education Code 51210 requires the adopted course of study for grades 1-6 to include instruction on the relations of persons to their human and natural environment, the wise use of natural resources, and science instruction on the place of humans in the ecological systems. In grades 7-12, Education Code 51220 requires study of the relations of persons to their human and natural environment and science instruction that emphasizes the place of humans in ecological systems. See AR 6143 - Courses of Study.

**Pursuant to Education Code 51227.3, the environmental principles and concepts must be integrated into the state content standards, curriculum frameworks, and textbook criteria in the subjects of**

BP 6142.5(b)

## **ENVIRONMENTAL EDUCATION (continued)**

**English language arts, science, history-social science, health, and, to the extent practicable, mathematics. To date, the environmental principles and concepts have only been integrated into the science and history-social science curriculum frameworks.**

**The following optional paragraph reflects the content of the state-adopted environmental principles and concepts.**

~~The Superintendent or designee shall develop an environmental education program that is aligned with state academic standards and curriculum frameworks. The Superintendent or~~

~~designee shall determine how the district's environmental education program will be integrated into the district's science curriculum and other subjects and courses in which the concepts may be explicitly and systematically taught.~~

~~(cf. 6011—Academic Standards)~~

~~(cf. 6141—Curriculum Development and Evaluation)~~

~~(cf. 6142.93—Science Instruction)~~

~~(cf. 6143—Courses of Study)~~

~~The goal of the district's environmental education program shall be to provide students with an understanding of~~ **The district's environmental education program may be taught across the district curriculum in science, history-social science, English language arts, health, and, to the extent practicable, mathematics. Such instruction shall be aligned with state-adopted standards and curriculum frameworks and may include, but not be limited to,** the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

~~(cf. 6011 - Academic Standards)~~

~~(cf. 6141 - Curriculum Development and Evaluation)~~

~~(cf. 6142.93 - Science Instruction)~~

~~(cf. 6143 - Courses of Study)~~

Note: Pursuant to Public Resources Code <del>71300-71304</del> <del>71300 and 71304</del> , the California CalRecycle's Office of Education and the Environment has developed environmental education resources, including a model <b>curriculum programs</b> and successful strategies, to help districts coordinate best practices for environment-based education and environmental science and technology. Further information can be found on the <del>California Integrated Waste Management Board's web site.</del> <b>California Education and the Environment Initiative's web site.</b>
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~~The Superintendent or designee shall ensure that students have access to high quality instructional materials and opportunities for hands on, real world learning experiences in environmental education both inside and outside the classroom. The district's program shall~~ **may also provide for emphasize a coordination of instructional resources with** active student

BP 6142.5(c)

## **ENVIRONMENTAL EDUCATION** (continued)

participation in onsite resource conservation and management programs and the promotion of service learning partnerships. **The Superintendent or designee may collaborate with other local educational agencies and/or community-based organizations to enhance the curriculum and learning experiences provided to students.**

~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)~~

~~(cf. 3511 - Energy and Water Management)~~

~~(cf. 3511.1 - Integrated Waste Management)~~

~~(cf. 3514 - Environmental Safety)~~

*(cf. 5030 - Student Wellness)*  
*(cf. 6142.4 - Service Learning/Community Service Classes)*  
*(cf. 6153 - School-Sponsored Trips)*

**The Superintendent or designee shall ensure that environment-based learning experiences are made available on an equitable basis and that the environmental literacy curriculum reflects the linguistic, ethnic, and socioeconomic diversity of California.**

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 0415 - Equity)*

**As appropriate, the Superintendent or designee shall provide professional development for teachers in the development and effective implementation of curriculum and activities inside and outside of the classroom that promote environmental literacy.**

~~*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*~~  
~~*(cf. 3511 - Energy and Water Management)*~~  
~~*(cf. 3511.1 - Integrated Waste Management)*~~  
~~*(cf. 3514 - Environmental Safety)*~~  
~~*(cf. 5030 - Student Wellness)*~~  
~~*(cf. 6142.4 - Service Learning/Community Service Classes)*~~  
~~*(cf. 6153 - School-Sponsored Trips)*~~

*Legal References: (see next page)*

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## **ENVIRONMENTAL EDUCATION (continued)**

*Legal Reference:*

EDUCATION CODE

8700-8707 *Environmental education*  
8720-8723 *Conservation education service*  
8760-8773 *Outdoor science, conservation, and forestry*  
33541 *Science requirements*  
37222 *John Muir; recognition of his contributions*  
51210 *Areas of study, grades 1-6*  
51220 *Areas of study, grades 7-12*  
51227.3 *Environmental principles and concepts*

51795-51797 School instructional gardens  
60041 Ecological systems and their protection  
PUBLIC RESOURCES CODE  
71300-71305 Statewide environmental education

*Management Resources:*

WEB SITES

*California Environmental Protection Agency, Education and the Environment Initiative:*

*<http://www.cal EPA.ca.gov/Education/EEI>*

*California Department of Education, Environmental Education and Environmental Literacy:*

*<http://www.cde.ca.gov/pd/ca/sc/oeintrod.asp>*

*California Education and the Environment Initiative: <https://www.californiaeei.org>*

*California Integrated Waste Management Board, School Waste Management Education and*

*Assistance: <http://www.ciwmb.ca.gov/Schools>*

*California Regional Environmental Education Community: <http://www.creec.org>*

*Green Schoolyards America: <https://www.greenschoolyards.org>*

*Green Schoolyards America, National COVID-19 Outdoor Learning Initiative:*

*<https://www.greenschoolyards.org/covid-learn-outside>*

*North American Association for Environmental Education:*

*<https://naaee.org/our-work/programs/eworks>*

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**Policy Reference UPDATE Service**

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# **CSBA Sample Administrative Regulation**

**Instruction**

AR 6162.51(a)

## **STATE ACADEMIC ACHIEVEMENT TESTS**

Note: The following administrative regulation reflects requirements of the California Assessment of Student Performance and Progress (CAASPP) (Education Code 60600-60649) and should be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all district students at applicable grade levels, except those students exempted by law.

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

5 CCR 851 clarifies responsibility for the testing of charter school students who attend locally funded charter schools. Pursuant to Education Code 47651, a locally funded charter school is one that receives the state aid portion of its local control funding formula allocation through the district that either authorized the charter or was designated by the State Board of Education (SBE) as the oversight agency, rather than directly from the state.

The students of any charter school that receives its state funding allocation through the district shall be tested in coordination with the testing of district students. In addition, the Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools. No test shall be administered in a home or hospital except by a test administrator or test examiner. (5 CCR 851)

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 6158 - Independent Study)*

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

*(cf. 6181 - Alternative Schools/Programs of Choice)*

*(cf. 6183 - Home and Hospital Instruction)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

Note: The following paragraph is **optional**. Pursuant to 5 CCR 853, if the district identifies students who are unable to access the computer-based assessments, as required by 5 CCR 857, the district may use a paper and pencil version of the assessment, if available.

On or before July 1 of each year, the Superintendent or designee shall identify any district school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor. If available, a paper and pencil version of the assessment may be administered to such students. (5 CCR 853, 857)  
AR 6162.51(b)

## STATE ACADEMIC ACHIEVEMENT TESTS (continued)

Note: ~~5 CCR 857, as amended by Register 2015, No. 48, establishes a deadline of July 1 of each year for designating a district test coordinator.~~

On or before July 1 of each year, the Superintendent or designee shall designate a district coordinator who shall oversee all matters related to the testing program and serve as the district representative and liaison with the test contractor and the California Department of Education (CDE). The Superintendent or designee shall also designate a coordinator for each test site.

The duties of the district and site test coordinators shall include those specified in 5 CCR 857-858. (5 CCR 857-858)

Note: 5 CCR 850, as amended by Register 2015, No. 48, defines "test administrator" as an employee trained to administer the CAASPP achievement tests and "test examiner" as a certificated or licensed employee of a local educational agency trained to administer the California Alternate Assessments (CAA) for students with significant cognitive disabilities.

The Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee **or contractor** of the district or county office of education. (5 CCR 850)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

Note: Pursuant to 5 CCR 850, as amended by Register 2015, No. 48, a student's sibling is prohibited from serving as his/her translator or scribe during test administration.

As appropriate, the Superintendent or designee shall assign a specially trained district employee to serve as a test proctor to assist the test examiner; a specially trained district employee, or other person supervised by a district employee, to serve as a translator to translate the test directions into a student's primary language; and a district employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe. (5 CCR 850)

All test administrators, test examiners, proctors, translators, scribes, district and site test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code 60640 shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit. In addition, all district and site test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR 859. (5 CCR 850, 859)

AR 6162.51(c)

## STATE ACADEMIC ACHIEVEMENT TESTS (continued)

### Tests Included in the State Assessment System

Note: Pursuant to Education Code 60640 and 5 CCR 851.5, as added by Register 2015, No. 48, the CAASPP consists of the required assessments listed in items #1-3 below and optional use of a primary language assessment.

Pursuant to Education Code 60640 and 99300-99301, the CAASPP also includes the Early Assessment Program (EAP) designed to assess the college readiness of students in grade 11 in English language arts and/or mathematics. The EAP is included within the summative assessments listed in item #1 below.

The district shall administer the following CAASPP assessments: (Education Code 60640; 5 CCR 851.5)

1. The ~~CAASPP achievement tests~~ **Smarter Balanced summative assessments** for English language arts and mathematics in grades 3-8 and 11, except that:

*(cf. 6142.91 - Reading/Language Arts Instruction)*

*(cf. 6142.92 - Mathematics Instruction)*

- a. Recently arrived English learners, defined pursuant to Education Code 60603 as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by ~~his/her~~ **the student's** parent/guardian.

*(cf. 6174 - Education for English Learners)*

- b. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided in item #3 below.

*(cf. 6159 - Individualized Education Program)*

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

Note: ~~Education Code 60640 provides that the California Standards Tests will be administered in science at grades 5, 8, and 10. When available, the SBE shall adopt an assessment that is aligned with the Next Generation Science Standards, which were adopted by the SBE in September 2013. Pursuant to Education Code 60640, SBE has determined that the California Science Test (CAST), which is aligned with the Next Generation Science Standards, must be administered in grades 5, 8, and once in grades 10-12. According to the CAASPP Online Test Administration Manual, districts can elect to administer the CAST to students in grade 10 or 11. Students in grade 12 who have not yet met the science testing~~

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## STATE ACADEMIC ACHIEVEMENT TESTS (continued)

**requirement will automatically be registered to take the CAST. The California Department of Education (CDE) recommends testing high school students when they are enrolled in their last science course. Item #2 may be revised to reflect district practice.**

2. ~~Science assessments~~ **The California Science Test (CAST) at grades 5, 8, and once in grades 10-12**

However, students with disabilities who are unable to participate in the ~~science assessments~~ **CAST**, even with the resources described in the "Testing Variations"

section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.

(cf. 6142.93 - Science Instruction)

Note: Pursuant to 20 USC 1412 and Education Code 60640, students with disabilities must be included in the CAASPP program with accommodations where necessary (see section on "Testing Variations" below), unless they are exempted by their parents/guardians or are eligible to take an alternate assessment.

~~For the English language arts and mathematics assessments, students with significant cognitive disabilities may be administered the CAA. For the science assessment, students with disabilities may take the CAPA or the California Modified Assessment, in accordance with their individualized education program (IEP).~~

3. **The California Alternate Assessments (CAA) in English language arts, mathematics, and science** ~~f~~For students with **significant cognitive** disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels:

a. ~~California Alternate Assessment in English language arts and mathematics for students with significant cognitive disabilities~~

b. ~~For the science assessment, either the California Modified Assessment or, for students with significant cognitive disabilities, the California Alternate Performance Assessment~~

Note: The following paragraph is **optional**. In addition to administering the CAASPP achievement tests described in items #1-3 above to English learners, Education Code 60640 authorizes the district to administer a primary language assessment to English learners. ~~in grades 2-11. Education Code 60640 provides that districts may use the Standards-Based Test in Spanish (STS) for this purpose until a test is available that is aligned with the Common Core State Standards in English language arts. The SBE is required to adopt such an assessment to be used no later than the 2016-17 school year. Pursuant to 5 CCR 851.5, as amended by Register 2015, No. 48, the successor primary language assessment will be available for students in grade 3-8 and 11. The California Spanish Assessment (CSA) is available to measure competency in Spanish reading/language arts of students in grades 3-8 and high school.~~

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## STATE ACADEMIC ACHIEVEMENT TESTS (continued)

Pursuant to Education Code 60640, the district will receive a per pupil apportionment from the state for administration of the primary language assessment to English learners.

In addition, the Superintendent or designee may administer ~~a primary language assessment~~ **the California Spanish Assessment (CSA)** to English learners. Administration of this test shall not replace the administration of the above tests, administered in English, to English learners. (Education Code 60640)



Note: The following paragraph is **optional**. Pursuant to Education Code 60640, the district may, at its own expense, administer the ~~STS or successor state assessment~~ **CSA** to students in a dual immersion program who are not limited English proficient or who are redesignated fluent English proficient. If the district chooses to use the primary language assessment for this purpose, it must enter into an agreement with the state testing contractor, subject to the approval of ~~the~~ CDE.

The ~~primary language assessment~~ **CSA** also may be used to assess students in a dual language immersion program who are not limited English proficient or who are redesignated fluent English proficient, subject to approval by ~~the California Department of Education (CDE)~~ of an agreement between the district and the state testing contractor. (Education Code 60640)

**Note: The following paragraph is optional. Pursuant to Education Code 60642.6, the CAASPP includes optional computer-based interim assessments, available at no cost to districts, that provide teachers and administrators with results that can be used to support teaching and learning and to gauge student progress toward mastery of the skills measured by the summative assessments. The interim assessments were developed for grades 3-8 and high school, but can be administered at any grade level. The timing and frequency of the interim assessments may be determined by the district.**

**CAASPP also offers formative assessment tools (i.e., assessment tools and processes that are embedded in instruction and used by teachers to receive real-time feedback for purposes of adjusting instruction). Tools for Teachers, available on the Smarter Balanced Assessment Consortium web site, is an online collection of resources aligned with the Common Core State Standards.**

Throughout the school year, schools may use Smarter Balanced interim assessments and formative assessment tools at any grade level to provide timely feedback regarding students' progress toward mastery of the skills measured by the summative assessments in English language arts and mathematics and to assist teachers in continually adjusting instruction to improve learning. The Superintendent or designee may determine the timing and frequency of the administration of such assessments.

## **Exemptions**

Note: In addition to the exemption of recently arrived English learners from the English language arts assessment (see item #1a in the section "Tests Included in the State Assessment System" above), Education Code 60615 allows students to be exempted from the CAASPP upon written request from their parents/guardians. 5 CCR 852 requires the district to notify parents/guardians regarding this exemption and provides that any exemption will be granted only for the current school year.

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## **STATE ACADEMIC ACHIEVEMENT TESTS (continued)**

Districts should be aware of the need to maintain a high student participation level on state assessments. Pursuant to 20 USC 6311, ~~as amended by the Every Student Succeeds Act (P.L. 114-95)~~, states must annually measure the achievement of not less than 95 percent of all students **and of each numerically significant subgroup of students**. ~~The state legislature will need to determine how to factor the participation requirement into the state's school accountability system.~~

Each year the Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code 60615 related to exemptions from testing. (5 CCR 852)

(cf. 5145.6 - Parental Notifications)

~~A parent/guardian~~ **Parents/guardians** may annually submit to the school a written request to excuse ~~his/her~~ **their** child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. However, district employees shall not solicit or encourage any exemption request on behalf of any student or group of students. (Education Code 60615; 5 CCR 852)

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records. (5 CCR 852)

### Testing Period

Note: Education Code 60640 requires the SBE to establish a testing windows that allows all schools to administer the CAASPP tests at approximately the same time during the instructional year and takes into account the need to provide make-up days for students who were absent during testing. ~~5 CCR 855, as amended by Register 2015, No. 48, establishes the testing windows specified below beginning in the 2015-16 school year.~~ Within these testing windows, the district may establish its own testing dates.

The following section should be revised to reflect grade levels offered by the district. In addition, districts that do not maintain any schools on a year-round schedule may revise the following section to delete references to schedules based on tracks.

The Superintendent or designee shall establish testing days for district students within the following available testing windows: (5 CCR 855)

1. ~~Unless otherwise specified in state regulations, a~~ **Assessments in English language arts and mathematics** shall be administered between the date on which at least 66 percent of the school's or track's annual instructional days ~~for grades 3-8, or at least 80 percent of the annual instructional days for grade 11,~~ have been completed, **but no earlier than the second Tuesday in January, and the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15**

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### STATE ACADEMIC ACHIEVEMENT TESTS (continued)

2. ~~All science assessments, including CAPA and CMA, shall be administered during an available testing window of 25 instructional days that includes 12 instructional days before and after completion of 85 percent of the school's or track's annual instructional days.~~ **The CAA for science shall be administered annually beginning on a date in September as determined by CDE through the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.**

Note: Item #3 below reflects the available testing window for the CAA effective beginning in the 2016-17 school year, pursuant to 5 CCR 855, as amended by Register 2015, No. 48.

3. ~~Beginning in the 2016-17 school year, the CAA shall be administered during the available testing windows specified in item #1.~~

Note: **Optional** item 4-3 below is for use by districts that have chosen to administer the ~~primary language assessment~~ **CSA** to English learners as authorized by Education Code 60640; see section "Tests Included in the State Assessment System" above.

- 4.3. The ~~primary language assessment~~ **CSA** shall be administered to English learners within the testing window specified in item #2-1.

Note: Within the available testing windows specified above, the district may designate specific testing dates that will be used within the district. 5 CCR 855, ~~as amended by Register 2015, No. 48~~, allows the district to designate one selected testing period for each school or track subject to the conditions specified below. If the district does not designate a selected testing period for a school or track, then the available testing windows specified in items #1-2 ~~below~~ **above** shall be the selected testing period for that school or track.

Within the above testing windows, the Superintendent or designee may designate one testing period for each school or track or, if a school has multiple tracks, a selected testing period for each track. The district shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-4-2 above. (5 CCR 855)

Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.

### Testing Variations

Note: The following section describes allowable testing resources that may be used during test administration pursuant to 5 CCR ~~853.5-853.8, 854.1-854.4~~ **as amended by Register 2015, No. 48**. For further information, see the CDE's matrix of allowable testing variations, available on its web site.

AR 6162.51(h)

### STATE ACADEMIC ACHIEVEMENT TESTS (continued)

~~All CAASPP achievement tests and the primary language test~~ shall be administered in accordance with the manuals or other instructions provided by the test contractor or CDE except that, as appropriate, the following testing variations may be used: (5 CCR 850, 853-~~853.8-854.4~~)

1. Universal tools specified in 5 CCR ~~853.5~~ **854.1-854.4** may be used with any student.
2. Designated supports specified in 5 CCR ~~853.5~~ **and, if an English learner, in 5 CCR 853.7, 854.1-854.4** may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.

3. Accommodations specified in 5 CCR ~~853.5~~ **854.1-854.4** may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.

Note: 5 CCR ~~853.8~~, as added by Register 2015, No. 48, **854.9** authorizes the use of "unlisted resources" (i.e., resources that have not been identified as a universal tool, designated support, or accommodation) with students with disabilities, provided that the resource is designated in the student's IEP or Section 504 plan and the CDE has approved the use of the resource. Pursuant to 5 CCR ~~853.8~~ **854.9**, the district must electronically submit a request to the CDE at least 10 business days prior to the first day of CAASPP testing, and the district will receive a response from the CDE within four business days of submitting the request. The CDE will not approve the use of an unlisted resource that threatens the security of the test or changes the construct being measured, including, but not limited to, those resources specified in 5 CCR ~~853.8~~ **854.9**. The district may nevertheless use a disapproved unlisted resource that changes the construct being measured, but the student will not be counted in the participation rate for state and federal accountability measures.

4. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction and/or assessment and the CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the district or school site test coordinator may electronically submit a request to the CDE for approval to use that unlisted resource during that year. If the CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures. (5 CCR ~~853.8~~ **854.9**)

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## STATE ACADEMIC ACHIEVEMENT TESTS (continued)

Note: 5 CCR 853.8, as amended by Register 2015, No. 48, authorizes the use of "instructional supports" (i.e., all supports that may be used in daily instruction or assessment, including language and physical supports) during administration of the CAA, as described in the following paragraph.

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals. (5 CCR 850, ~~853.6~~ **854.5**)

## Report of Test Results

Note: Education Code 60641 requires that valid test results for individual students, when available, be reported to the student's parents/guardians, school, and teacher(s). Pursuant to Education Code 60641, it is the

Legislature's intent that districts are not precluded from using electronic media formats to provide this report, provided that the format secures the confidentiality of the student and the student's results. In addition, district personnel are not required to prepare individualized explanations of each student's test scores as part of the report described in the following paragraph.

For any state assessments that produce valid individual student results, the Superintendent or designee shall forward or transmit the student's test results to ~~his/her~~ **the student's** parents/guardians within 20 working days from receipt of the results from the test contractor or, if the district receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the district. An individual student's scores shall also be reported to ~~his/her~~ **the** school and teacher(s) and shall be included in ~~his/her~~ **the** student record. (Education Code 60641; 5 CCR 863)

*(cf. 5125 - Student Records)*

With parent/guardian consent, the Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission. (Education Code 60641)

The Superintendent or designee shall present districtwide, school-level, and grade-level results to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student. (Education Code 49076, 60641)

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Policy Reference UPDATE Service

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**Board Policy**

**Facilities**

BP 7211(a)

**DEVELOPER FEES**

Note: ~~Developer fees are one method of financing facilities available to the district. As amended by SB 50 (Ch. 407, Statutes of 1998), Government Code 65995 prohibit cities and counties from requiring development fees in excess of the maximum amounts set forth in Education Code 17620 to help fund school facilities. Government Code 65995 and, as amended by AB 127 (Ch. 35, Statutes of 2006), Government Code 65997 essentially repeal, until 2012, the Mira/Hart/Murrietta line of case law which had granted cities or counties the authority to deny development projects based on a determination as to whether school facilities were adequate to meet the demands created by the development. Districts with current Mira agreements should consult legal counsel in order to determine whether that agreement can be "grandfathered," and therefore exempted from the SB 50 requirements.~~

~~See AR 7211 for detailed findings that must be made by the Governing Board prior to the levying of any developer fees. The following policy and regulation are optional.~~

The following policy is optional. Education Code 17620-17621 and Government Code 65995-65995.7 provide authority for three levels of developer fees that may be levied by school districts on residential, commercial, and industrial construction to mitigate the impact of increased enrollment on school facilities. Before imposing developer fees, the Governing Board must conduct a fee justification study and comply with other requirements.

Due to the failure of state bond measure Proposition 13 in March 2020, Government Code 65997 is operative until a new state bond measure is approved. Pursuant to Government Code 65997, public agencies may, on the basis of the inadequacy of school facilities, deny or refuse to approve a "legislative" act but may not require the payment of a fee in excess of that imposed pursuant to Government Code 65995-65995.7. Courts have distinguished between legislative acts (e.g., zoning ordinances) and adjudicative acts (e.g., subdivision approvals, variances, and conditional use permits). Districts with specific questions as to the operation of Government Code 65997 should consult legal counsel.

Level 1 fees, the basic mitigation fee, may be applied to residential, commercial, and industrial construction projects and must be within the limits established by law and the State Allocation Board (SAB). Level 2 fees apply only to residential construction, and the amount of the fee varies across districts as determined through a school facilities needs analysis. Level 3 fees may be double the amount of Level 2 fees, but may only be collected when SAB certifies that state funds for new school facility construction are not available.

Pursuant to Education Code 17620, some types of construction may be exempted from the developer fee. Districts should consult with legal counsel as appropriate.

In order to finance the construction or reconstruction of school facilities needed to accommodate ~~students coming~~ **increased student enrollment resulting** from new development, the Governing Board may establish, levy, and collect developer fees on residential, commercial, and industrial construction within the district, subject to restrictions specified by law ~~and administrative regulation~~.

BP 7211(b)

## DEVELOPER FEES (continued)

### Level 1 ~~Funding~~ Fees: Residential, Commercial and Industrial Construction

Note: In order to levy or increase developer fees, Government Code 66001 requires that a district develop a Fee Justification Study which justifies the amount of the fee. The State Allocation Board sets the developer fee rates; these rates will be increased. For Level 1 fees, Government Code 65995 establishes a maximum amount of fee, which is adjusted for inflation by SAB every two years. In order to levy developer fees, Government Code 66001 requires that the Board conduct a fee justification study which demonstrates a reasonable relationship between residential, commercial, and industrial development in the district and the need for additional school facilities. It is important to note that, in order to increase their rates, Pursuant to Government Code 66001 and 66016, before increasing any fee, requires districts to must update their fee justification study and to satisfy the notice and hearing requirements, as specified below. Education Code 17622 requires separate, special findings when levying fees on spaces enclosed for agricultural purposes.

Courts have held that boards must be able to show that a valid method was used in the fee justification study. In Summerhill Winchester LLC v. Campbell Union School District, the Court of Appeal concluded that a fee justification study must include the following three factors: (1) a projection of the total amount of new housing expected to be built within the district; (2) an estimate of how many

students will be generated by the new development; and (3) an estimate of what it will cost to provide the necessary school facilities for the new students. Districts with questions about the adequacy of a fee justification study or how to analyze the reasonableness of a fee in relation to the type of development at issue should consult legal counsel.

Before taking action to establish, increase, or impose **Level 1** developer fees, the **Governing Board** shall conduct a fee justification study which: (Government Code 66001)

1. Identifies the purpose of the fee and the use to which the fee will be put
2. Determines a reasonable relationship between the fee's use and the type of development project for which the fee is imposed
3. Determines a reasonable relationship between the need for the ~~public~~-facility and the type of development project for which the fee is imposed
4. Determines a reasonable relationship between the amount of the fee and the cost of the ~~public~~ facility or portion of the ~~public~~ facility attributed to the development for which the fee is imposed

Before levying developer fees or prior to increasing an existing fee, the Board shall ~~schedule~~ **hold** a public hearing. The Superintendent or designee shall mail notice of the time and place of the meeting **at which a public hearing shall occur**, including a general explanation of the matter to be considered and a statement that the required data are available, at least 14 days prior to the meeting to any interested party who has requested such information. Any written request for mailed notices shall be valid for one year from the date on which it is filed

BP 7211(c)

#### **DEVELOPER FEES** (continued)

unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 66016)

Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition, and school construction shall be made available to the public at least 10 days before the hearing. (Government Code 66016)

At the hearing, the Board shall adopt a resolution for the levying of the developer fees. (Government Code 66016)

The resolution shall set forth:

1. The purpose of the fee, **the use to which the fee is to be put**, and the public improvement(s) that the fee will be used to finance (Government Code **66001**, 66006)

2. The Board's findings of reasonable relationship which justify the fees pursuant to Government Code 66001
3. **If the district requires payment of the fee at a time earlier than the date of final inspection or the issuance of a certificate of occupancy, The— the district's determination of either of the following conditions which allow collection of the fees at the time when building permits are issued:** (Government Code 66007)
  - a. That the fees are to reimburse the district for previous expenditures
  - b. That the fees shall be collected for public improvements or facilities for which an account has been established, funds have been appropriated, and the district has adopted a proposed construction schedule or plan

**In the case of any commercial or industrial development, the Board shall make findings on either an individual project basis or on the basis of categories of commercial or industrial development. Those categories may include, but are not limited to, the following uses: office, retail, transportation, communications and utilities, light industrial, heavy industrial, research and development, and warehouse. The Board shall also conduct a study to determine the impact of the increased number of employees anticipated to result from the commercial or industrial development upon the cost of providing school facilities within the district. (Education Code 17621)**

BP 7211(d)

#### DEVELOPER FEES (continued)

#### **Level 2 Funding Fees: Residential Construction**

Note: Government Code 65995.5 allows the Board to impose a fee on residential construction that is higher than the Level 1 fee limit set forth in Government Code 65995 if the district **makes is considered eligible pursuant to Education Code 17071.10-17078.10 and a timely application to SAB for new construction funding under the State Facilities Program for which is made to the State Allocation Board it is determined to be eligible by SAB pursuant to Education Code 17071.10-17071.76.** In addition, Government Code 65995.5 requires the district to adopt a "~~Facility Needs Analysis~~" **facility needs analysis** and to satisfy the cost-saving/revenue-enhancing measures described in that section. The **facility needs analysis** ~~Needs Analysis~~ required by Government Code 65995.6 serves a similar purpose as the ~~Fee Justification Study~~ **fee justification study** detailed above, but specifies different legal requirements, as well as a different approval and adoption process. Government Code 65995.5 clarifies that developer fees may be expended on the costs of performing the needs analysis as well as on the administrative costs associated with collecting the fees.

In order to impose **Level 2** residential construction fees within the limits of Government Code 65995.5, the Board shall, **in addition to fulfilling the requirements above for Level 1 fees, undertake the following:** (Government Code 65995.5)



1. Make a timely application to the State Allocation Board (**SAB**) for new construction funding ~~for which it is eligible~~ **and be determined to be eligible by SAB**
2. Conduct and adopt a school facility needs analysis pursuant to Government Code 65995.6
3. Satisfy at least two of the requirements set forth in Government Code 65995.5(b)(3)(A-D) ~~(Government Code 65995.5)~~

Note: Government Code 65352.2, as added by AB 1367 (Ch. 396, Statutes of 2001), requires the district to provide the notification specified below to the appropriate city or county planning agency. If the parties decide to meet, Government Code 65352.2 specifies issues that may be considered at the meeting.

At least 45 days prior to completion of the school facility needs analysis, the Board shall notify and provide copies of the analysis to the planning commission or agency of the city or county with land use jurisdiction within the district. Upon request of either party, the Board and city or county shall meet within 15 days following notification. (Government Code 65352.2)

*(cf. 7131 - Relations with Local Agencies)*

The Board shall adopt the school facility needs analysis by resolution at a public hearing. (Government Code 65995.6)

BP 7211(e)

#### **DEVELOPER FEES** (continued)

This analysis ~~may~~ **shall** not be adopted until the analysis, in its final form, has been made available to the public for a period of not less than 30 days. Prior to its adoption, the public shall have the opportunity to review and comment on the analysis and the Board shall respond to written comments it receives regarding the analysis. (Government Code 65995.6)

~~Ne~~ **Not** less than 30 days prior to the hearing, notice of the time and place of the hearing, including the location and procedure for viewing or requesting a copy of the proposed analysis, shall be published in at least one newspaper of general circulation within the jurisdiction of the district. If there is no paper of general circulation, the notice shall be posted in at least three conspicuous places within the district's jurisdiction not less than 30 days prior to the hearing. (Government Code 65995.6)

In addition, the Superintendent or designee shall mail a copy of the needs analysis not less than 30 days prior to the hearing to any person who has made a written request if the written request was made 45 days prior to the hearing. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 65995.6)

During the period of public review, the analysis shall be provided to the local agency responsible for land use planning for its review and comment. (Government Code 65995.6)

Note: Government Code 65995.6 provides that if the school facility needs analysis is revised during the period of public review or at the public hearing, the approval process must recommence (e.g., another 30-day review period, published notice, etc.).

The school facility needs analysis may be revised at any time. The revision is subject to the same conditions and requirements applicable to the adoption of the analysis. The existing school building capacity shall be recalculated as part of any revision to the needs analysis. (Government Code 65995.6)

Note: Pursuant to Government Code 65995.6, the fees take effect immediately upon adoption and are effective for only one year. After one year, the district must repeat the adoption process.

The fees authorized by Government Code 65995.6 and ~~Government Code~~ 65995.7 shall be adopted by resolution as part of the adoption or revision of the school facilities needs analysis. The fees shall take effect immediately upon adoption of the resolution and may not be effective for more than one year. (Government Code 65995.6)

### **Level 3 Funding Fees: Residential Construction**

Note: Government Code 65995.7 ~~has~~ authorized a district that is eligible to receive the Level 2 funding the authority to levy a still higher fee on residential construction (Level 3 funding) upon a determination by SAB that state funds are no longer available.

BP 7211(f)

### **DEVELOPER FEES (continued)**

When Level 3 fees are authorized by law and the district qualifies for Level 2 ~~funding fees~~ pursuant to Government Code 65995.5, the Board may assess a fee on residential construction pursuant to ~~the requirements of~~ Government Code 65995.7.

~~Pursuant to Government Code 65995.7, the~~ The notice and hearing requirements, resolution requirement, and term of effectiveness for Level 3 **funding fees** shall be the same as the requirements for Level 2 **funding fees** as specified above. **(Government Code 65995.7)**

### **Appeals Process for Protests by Developers**

Note: In addition to authorizing developer protests in accordance with Government Code 66020 and 66021, Education Code 17621 requires the Board to provide an appeals process for commercial/industrial fees when the district has analyzed the impact of these projects on a categorical rather than individual basis.

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. ~~(Education Code 17621)~~

## Use of Fees

Note: Pursuant to Government Code 66006, the district may establish a reasonable annual charge, based on estimated cost, for sending the following notice.

The Board shall review ~~the above~~ information **provided by the Superintendent or designee pursuant to Government Code 66006 regarding each account or fund into which developer fees have been deposited**, at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. Fifteen-day prior notice of this meeting shall be mailed to any parties filing a written request pursuant to Government Code 66006. (Government Code 66006)

Note: Pursuant to Government Code 66001, if the following findings are not made every five years as required, the district may be required to refund the moneys in the account or fund pursuant to Government Code 66006(e).

In addition to discharging its public disclosure duties regarding the levying of developer fees, the Board shall, for the fifth fiscal year after the first deposit into the account or fund and every five years thereafter, make all of the following findings with respect to the portion of the account or fund that remains unexpended, whether committed or uncommitted: (Government Code 66001)

1. Identify the purpose to which the fee is to be put
2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged

BP 7211(g)

## DEVELOPER FEES (continued)

3. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements originally identified
4. Designate the approximate dates on which the funding referred to in item #3 is expected to be deposited into the appropriate account or fund

### *Legal Reference:*

#### EDUCATION CODE

*17070.10-17077.10 17079.30 Leroy F. Greene School Facilities Act of 1998*

*17582 District deferred maintenance fund*

*17620-17626 Levies against development projects by school districts*

*101122 Schedule for allocation of proceeds from sale of bonds*

#### GOVERNMENT CODE

*6061 One time notice*

*6066 Two weeks' notice*

*65352.2 Level 2 funding notification requirement*

65864-65869.5 *Development agreements*  
 65995-65998 *Payment of fees against a development project*  
 66000-66008 *Fees for development projects*  
 66016-~~66018-5~~ ~~66019~~ *Development project fees Procedures for adopting various fees*  
 66020-66025 *Protests, legal actions, and audits*  
CODE OF REGULATIONS, TITLE 2  
 1859-1859.~~106-108~~ *School facility program*  
COURT DECISIONS  
*Tanimura & Antle Fresh Foods, Inc. v. Salinas Union High School District* (2019) 34 Cal. App. 5th 775  
*Summerhill Winchester LLC v. Campbell Union School District* (2018) 30 Cal. App. 5th 545  
*Cresta Bella, LP v. Poway Unified School District* (2013) 218 Cal.App.4th 438  
*Warmington Old Town Associates* (2002) 101 Cal.App.4th 840  
*Dolan v. City of Tigard* (1994) 114 S.Ct. 2309  
*Garrick Development Company v. Hayward Unified School District* (1992) 3 Cal.App.4th 320

Management Resources:

WEB SITES

Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>  
<https://www.dgs.ca.gov/OPSC>

(2/99) 6/21

Policy Reference UPDATE Service

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# CSBA Sample Administrative Regulation

## Facilities

AR 7211(a)

### DEVELOPER FEES

Note: Government Code 65995 provides authority for three different levels of developer fees to be levied by school districts. Pursuant to Education Code 17620 and Government Code 65995, Level 1 fees for residential, commercial and industrial construction may be assessed as long as the district's Developer Fee Justification Study, as required by Government Code 66001, justifies the amount. Pursuant to Education Code 17620, some types of construction may be exempted. Districts should consult with legal counsel as appropriate.

#### **Level 1 Funding Fees: Residential, Commercial and Industrial Construction**

Note: In order to levy or increase developer fees, Government Code 66001 requires that a district develop a Fee Justification Study which justifies the amount of the fee. The State Allocation Board sets the developer fee rates; these rates will be increased every two years. It is important to note that, in order to increase their rates, Government Code 66001 and 66016 requires districts to update their Fee Justification Study and to satisfy the notice and hearing requirements, as specified below. Education Code 17622 requires separate, special findings when levying fees on spaces enclosed for agricultural purposes.

~~Before taking action to establish, increase or impose developer fees, the Governing Board shall conduct a fee justification study which: (Government Code 66001)~~

- ~~1. — Identifies the purpose of the fee and the use to which the fee will be put~~
- ~~2. — Determines a reasonable relationship between the fee's use and the type of development project for which the fee is imposed~~
- ~~3. — Determines a reasonable relationship between the need for the public facility and the type of development project for which the fee is imposed~~
- ~~4. — Determines a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributed to the development for which the fee is imposed~~

#### **Level 1 Funding Fees: Notice and Hearing Requirements**

~~Before levying developer fees or prior to increasing an existing fee, the Board shall schedule a public hearing. The Superintendent or designee shall mail notice of the time and place of the meeting, including a general explanation of the matter to be considered and a statement that the required data are available, at least 14 days prior to the meeting to any interested party who has requested such information. Any written request for mailed notices shall be~~

AR 7211(b)

#### **DEVELOPER FEES (continued)**

~~valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 66016)~~

~~Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition and school construction shall be made available to the public at least 10 days before the hearing. (Government Code 66016)~~

~~At the hearing, the Board shall adopt a resolution for the levying of the developer fees. (Government Code 66016) The resolution shall set forth:~~

- ~~1. — The purpose of the fee and the public improvement(s) that the fee will be used to finance (Government Code 66006)~~
- ~~2. — The Board's findings of reasonable relationship which justify the fees pursuant to Government Code 66001~~

3. ~~The district's determination of either of the following conditions: (Government Code 66007)~~

Note: ~~In order to collect fees earlier than the date of final inspection or the issuance of a certificate of occupancy, the district must determine either item #a or #b below.~~

- a. ~~That the fees are to reimburse the district for previous expenditures~~
- b. ~~That the fees shall be collected for public improvements or facilities for which an account has been established, funds have been appropriated and the district has adopted a proposed construction schedule or plan~~

### **Level 2 Funding Fees: Residential Construction**

Note: ~~Government Code 65995.5 allows the Board to impose a fee on residential construction that is higher than the Level 1 fee limit set forth in Government Code 65995 if the district is considered eligible pursuant to Education Code 17071.10-17078.10 and a timely application is made to the State Allocation Board. In addition, Government Code 65995.5 requires the district to adopt a "Facility Needs Analysis" and to satisfy the cost-saving/revenue-enhancing measures described in that section. Government Code 65995.5 clarifies that developer fees may be expended on the costs of performing the needs analysis as well as on the administrative costs associated with collecting the fees.~~

~~In order to impose residential construction fees within the limits of Government Code 65995.5, the Board shall: (Government Code 65995.5)~~

AR 7211(c)

### **DEVELOPER FEES (continued)**

1. ~~Make a timely application to the State Allocation Board for new construction funding for which it is eligible~~

Note: ~~The Needs Analysis required by Government Code 65995.6 serves a similar purpose as the Fee Justification Study detailed above, but specifies different legal requirements, as well as a different approval and adoption process.~~

2. ~~Conduct and adopt a school facility needs analysis pursuant to Government Code 65995.6~~
3. ~~Satisfy at least two of the requirements set forth in Government Code 65995.5(b)(3)(A-D) (Government Code 65995.5)~~

### **Level 2 Funding Fees: Notice and Hearing Requirements**

Note: ~~Government Code 65352.2, as added by AB 1367 (Ch. 396, Statutes of 2001), requires the district to provide the notification specified below to the appropriate city or county planning agency. If the parties decide to meet, Government Code 65352.2 specifies issues that may be considered at the meeting.~~

At least 45 days prior to completion of the school facility needs analysis, the Board shall notify and provide copies of the analysis to the planning commission or agency of the city or county with land use jurisdiction within the district. Upon request of either party, the Board and city or county shall meet within 15 days following notification. (Government Code 65352.2)

*(cf. 7131—Relations with Local Agencies)*

The Board shall adopt the school facility needs analysis by resolution at a public hearing. (Government Code 65995.6)

Note: Government Code 65995.6 provides that if the school facility needs analysis is revised during the period of public review or at the public hearing, the approval process must recommence (e.g., another 30-day review period, published notice, etc.):

This analysis may not be adopted until the analysis, in its final form, has been made available to the public for a period of not less than 30 days. Prior to its adoption, the public shall have the opportunity to review and comment on the analysis and the Board shall respond to written comments it receives regarding the analysis. (Government Code 65995.6)

During the period of public review, the analysis shall be provided to the local agency responsible for land use planning for its review and comment. (Government Code 65995.6)

AR 7211(d)

#### **DEVELOPER FEES (continued)**

No less than 30 days prior to the hearing, notice of the time and place of the hearing, including the location and procedure for viewing or requesting a copy of the proposed analysis, shall be published in at least one newspaper of general circulation within the jurisdiction of the district. If there is no paper of general circulation, the notice shall be posted in at least three conspicuous places within the district's jurisdiction not less than 30 days prior to the hearing. (Government Code 65995.6)

In addition, the Superintendent or designee shall mail a copy of the needs analysis not less than 30 days prior to the hearing to any person who has made a written request if the written request was made 45 days prior to the hearing. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 65995.6)

The school facility needs analysis may be revised at any time. The revision is subject to the same conditions and requirements applicable to the adoption of the analysis. The existing school building capacity shall be recalculated as part of any revision to the needs analysis. (Government Code 65995.6)

Note: Pursuant to Government Code 65995.6, the fees take effect immediately upon adoption and are effective for only one year. After one year, the district must repeat the adoption process.

The fees authorized by Government Code 65995.6 and Government Code 65995.7 shall be adopted by resolution as part of the adoption or revision of the school facilities needs analysis. The fees shall take effect immediately upon adoption of the resolution and may not be effective for more than one year. (Government Code 65995.6)

### **Level 3 Funding Fees: Residential Construction**

Note: Government Code 65995.7 has authorized a district that is eligible to receive the Level 2 funding the authority to levy a still higher fee on residential construction (Level 3 Funding) upon a determination by the State Allocation Board that state funds are no longer available. However, with the passage of the 2002 School Facilities Bond (Proposition 47) and its implementing legislation, AB 16 (Ch. 33, Statutes of 2002), districts are prohibited from levying Level 3 fees until the 2004 primary election.

When Level 3 fees are authorized by law and the district qualifies for Level 2 funding pursuant to Government Code 65995.5, the Board may assess a fee on residential construction pursuant to the requirements of Government Code 65995.7.

### **Level 3 Funding Fees: Notice and Hearing Requirements**

Pursuant to Government Code 65995.7, the notice and hearing requirements, resolution requirement, and term of effectiveness for Level 3 funding shall be the same as the requirements for Level 2 funding as specified above.

AR 7211(d)

## **DEVELOPER FEES (continued)**

### **All Developer Funding Fees: Additional Requirements**

The district shall send a copy of any **Governing Board** resolution adopting or increasing **Level 1, 2, or 3** developer fees to the city and county, accompanied by all relevant supporting documentation and a map indicating the boundaries of the area subject to the fee. (Education Code 17621)

In cooperation with local governmental agencies issuing building permits, the Superintendent or designee shall establish a means by which all of the following shall be accomplished:

1. The project applicant shall receive a written statement of the amount of the fees and notification that the 90-day approval period during which the applicant may protest has begun. (Government Code 66020)

Note: Item #2 below is **optional** and is intended to ensure that the district will have evidence that the required notification was delivered.

2. The Superintendent or designee shall receive and retain acknowledgment that the above notification was received.



3. Before a permit is issued and upon the payment of the applicable fee or requirement, the Board shall immediately certify that the fee has been paid or that the district has determined that the fee does not apply to the development project. (Education Code 17620)

Developer fees shall be deposited, invested, accounted for, and expended pursuant to Government Code 66006. Developer fees shall be deposited in a separate capital facilities account, except for temporary investments allowed by law, and shall be used only for the purpose for which they were collected. Interest income earned by the capital facilities account shall also be deposited in that account and used only for the purpose for which the fee was originally collected. (Government Code 66006)

For each separate account so established, the Superintendent or designee shall, within 180 days after the last day of each fiscal year, make available to the public **and the Board** the following information for the fiscal year: (Government Code 66006)

1. A brief description of the type of fee in the account or fund
2. The amount of the fee
3. The beginning and ending balance of the account or fund
4. The amount of the fees collected and the interest earned

AR 7211(e)

**DEVELOPER FEES** (continued)

5. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees
6. An identification of an approximate date by which the construction of the public improvement will commence if the district determines that sufficient funds have been collected to complete financing on an incomplete public improvement
7. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan
8. The amount of refunds made pursuant to Government Code 66001(e) and any allocations made pursuant to Government Code 66001(f)

~~The Board shall review the above information at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. Fifteen~~

~~day prior notice of this meeting shall be mailed to any parties filing a written request pursuant to Government Code 66006. (Government Code 66006)~~

Note: Pursuant to Government Code 66006, the district may establish a reasonable annual charge, based on estimated cost, for sending the above notice.

~~In addition to discharging its public disclosure duties regarding the levying of developer fees, the Board shall, for the fifth fiscal year after the first deposit into the account or fund and every five years thereafter, make all of the following findings with respect to the portion of the account or fund that remains unexpended, whether committed or uncommitted: (Government Code 66001)~~

Note: Pursuant to Government Code 66001, if the findings are not made every five years as required, the district may be required to refund the moneys in the account or fund pursuant to Government Code 66006(e).

- ~~1. — Identify the purpose to which the fee is to be put~~
- ~~2. — Demonstrate a reasonable relationship between the fee and the purpose for which it is charged~~
- ~~3. — Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements originally identified~~

AR 7211(f)

#### **DEVELOPER FEES (continued)**

- ~~4. — Designate the approximate dates on which the funding referred to in item #3 is expected to be deposited into the appropriate account or fund~~

When sufficient funds have been collected to complete the financing of public improvements but such improvements remain incomplete, the district shall, within 180 days of the date that a determination of sufficient funding was made, either identify an approximate date by which construction will begin or refund the unexpended revenues in accordance with Government Code 66001. (Government Code 66001)

#### **Appeals Process for Protests by Developers**

Note: Pursuant to Education Code 17621, a developer may protest the imposition of any developer fees listed above in accordance with the requirements in Government Code 66020.

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. (Education Code 17621)

Developers of residential, commercial, and industrial projects who claim that the developer fee has been inappropriately levied shall use the following procedures: (Government Code 66020)

1. The developer shall tender any required payment in full or provide satisfactory evidence of arrangements to pay the fee when due or ensure performance of the conditions necessary to meet the requirements of the imposition.
2. The developer shall serve written notice to the Board. ~~This notice~~ **which** shall include:
  - a. A statement that the required payment is tendered or will be tendered when due, or that any conditions which have been imposed are provided for or satisfied, under protest
  - b. A statement informing the Board of the factual elements of the dispute and the legal theory forming the basis for the protest
3. The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees.

At the time of the imposition of the fee, the Superintendent or designee shall provide each project applicant written notice that the 90-day period in which the applicant may initiate a protest has begun. The developer may file an action to attack, review, set aside, void, or

AR 7211(g)

**DEVELOPER FEES** (continued)

annul the imposition of the fees imposed on the development project within 180 days of delivery of the notice. (Government Code 66020)

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**Policy Reference UPDATE Service**

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## CSBA MANUAL MAINTENANCE SERVICE CHECKLIST – July 2021

District Name: Hamilton Unified School District

Contact Name: Tiffany Wilhelm Phone: 530-826-3261 Email: twilhelm@husdschools.org

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 6157	Distance Learning	<b>Delete BP</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
BP 6158	Independent Study		
AR 6158	Independent Study		

## CSBA POLICY GUIDE SHEET July 2021

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.

### **DELETE - Board Policy 6157 - Distance Learning**

Policy deleted due to expiration of emergency legislation that temporarily waived apportionment requirements to permit distance learning for the 2020-2021 school year.

### **Board Policy 6158 - Independent Study**

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires all districts, for the 2021-22 school year, to offer independent study to meet the educational needs of students unless a waiver is obtained and to adopt policy with specified components in order to generate apportionment for independent study. Policy updates the minimum period of time permitted for independent study to be three consecutive school days, requires an evaluation to determine if the student should continue in independent study if the student fails to make satisfactory educational progress, and requires that content be aligned to grade level standards including the requirement for high schools to offer access to all courses offered by the district for graduation and approved as creditable for A-G admission criteria. Policy also updated to include the requirement for live interaction and/or synchronous instruction based on grade level, tiered reengagement strategies for students not generating attendance for a specified period of time, expeditious transition for students whose families wish to return to in-person instruction, notice to parents/guardians of specified information, the provision of a student-parent-educator conference, upon request, prior to enrollment and/or disenrollment, and the keeping of additional records including documentation of each student's participation in live interaction and synchronous instruction on each school day, as applicable. Policy updated to include material formerly in the AR regarding requirements for independent study and written agreements as well as new requirements regarding the same, including that written agreements must include a detailed statement of academic and other supports that will be provided to address the needs of particular students, that the agreement may be signed electronically as specified, and that, for the 2021-22 school year, the written agreement must be signed no later than 30 days after the first day of instruction. Policy updated to include material formerly in the AR regarding course-based independent study and to generally align the requirements of course-based independent study with the requirements for general independent study.

### **Administrative Regulation 6158 - Independent Study**

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which includes, adding definitions for "live interaction," "student-parent-educator conference" and "synchronous instruction," the requirement for all districts for the 2021-22 school year to offer independent study to meet the educational needs of students unless the district has obtained a waiver, that independent study may be offered to students whose health would be put at risk by in-person instruction as determined by the parent/guardian, the assurance of access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work, and the documentation of each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable. Material regarding requirements for independent study, written agreements and course-based independent study moved to BP.

# CSBA Sample Board Policy

Instruction

BP 6157(a)

## DISTANCE LEARNING

Note: The following optional policy may be subject to collective bargaining agreements and should be revised to reflect district practice.

For further information regarding the implementation of distance learning in the event of a school closure, see the California Department of Education's COVID-19 Guidance for K-12 Schools.

The Governing Board recognizes that distance learning can be a viable alternative instructional strategy that supports student achievement of academic goals. Distance learning opportunities may be offered to students participating in independent study, credit recovery courses, enrichment courses, or other courses identified by the Superintendent or designee, or in the event that a school site is physically closed due to widespread illness, natural disaster, or other emergency.

*(cf. 3516—Emergencies and Disaster Preparedness Plan)*

*(cf. 3516.5—Emergency Schedules)*

*(cf. 4113.5/4213.5/4313.5—Working Remotely)*

*(cf. 6158—Independent Study)*

The district may offer distance learning through a variety of delivery methods as appropriate for the grade level and subject matter. Distance learning opportunities may include video, audio, and/or written instruction in which the primary mode of communication between the student and teacher is online interaction, instructional television, live or prerecorded video, telecourses, and other instruction that relies on computer or communications technology. They may also include the use of print materials with written or oral feedback.

The Superintendent or designee shall review and select distance learning courses, which may include those taught by district staff or others, that are of high academic quality and are aligned with district standards and curricula. As appropriate, courses may be self-directed to allow students to complete assignments at their own pace and/or may involve real-time interaction among the teacher and students.

*(cf. 6141—Curriculum Development and Evaluation)*

*(cf. 6143—Courses of Study)*

The Superintendent or designee shall, in collaboration with teachers, plan for schoolwide or long-term distance learning in the event of a school closure. In developing the plan, the Superintendent or designee shall analyze the course sequence, prioritize content and standards to be completed, and recommend the grading criteria. In such circumstances, students' social-emotional wellness shall be taken into account, and schedules and learning experiences shall be designed to build continuity, routine, and regular connections with students.

**~~DISTANCE LEARNING~~** (continued)

~~(cf. 5141.5—Mental Health)~~

~~As needed, the Superintendent or designee shall provide teachers with training and ongoing support, including technological support and guidance, to effectively implement distance learning. The district shall also provide opportunities for teachers to communicate and collaborate with each other to exchange information on effective practices.~~

~~(cf. 4131—Staff Development)~~

~~Staff shall comply with all copyright regulations in developing materials to be used in distance education courses.~~

~~(cf. 6162.6—Use of Copyrighted Materials)~~

~~The district shall take steps to ensure that distance learning opportunities are available to all students, including economically disadvantaged students, students with disabilities, and English learners. Teachers may use multiple methods of providing instruction to meet student needs. All online programming and Internet content shall meet accessibility standards for students with disabilities, including compatibility with commonly used assistive technologies.~~

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

~~(cf. 0415—Equity)~~

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

~~(cf. 6174—Education for English Learners)~~

~~The Superintendent or designee shall assess students' access to technological devices and the Internet and, consistent with the district's budget and technology plan, may loan devices to students to use at home and/or assist families in identifying free service providers. Students are expected to use district technology responsibly in accordance with the district's Acceptable Use Agreement. To the extent possible, the district shall make technical and academic support available to students.~~

~~(cf. 0440—District Technology Plan)~~

~~(cf. 3311.4—Procurement of Technological Equipment)~~

~~(cf. 3515.4—Recovery for Property Loss or Damage)~~

~~(cf. 6163.4—Student Use of Technology)~~

~~Teachers shall provide regular communications to students and parents/guardians about expectations, assignments, and available resources to assist the student in successful completion of distance learning coursework.~~

~~(cf. 6020—Parent Involvement)~~



**DISTANCE LEARNING** (continued)

Grading of distance learning assignments and assessments of end-of-course knowledge and understanding of the subject matter shall be consistent with district policy on grading for equivalent courses.

*(ef. 5121—Grades/Evaluation of Student Achievement)*

*(ef. 6146.3—Reciprocity of Academic Credit)*

*(ef. 6146.11—Alternative Credits Toward Graduation)*

*Legal Reference:*EDUCATION CODE

*35182.5—Contracts for electronic products or services; prohibitions*

*51210–51212—Course of study for grades 1–6*

*51220–51229—Course of study for grades 7–12*

*51740–51741—Authority to provide instruction by correspondence*

*51745–51749.3—Independent study*

*51865—California distance learning policy*

PUBLIC CONTRACT CODE

*20118.2—Contracting by school districts; technological equipment*

UNITED STATES CODE, TITLE 20

*7131—Internet safety*

UNITED STATES CODE, TITLE 47

*254—Universal service discounts (E-rate); Internet safety*

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*COVID-19 Guidance for K-12 Schools*

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

*Web Content Accessibility Guidelines*

WEB SITES

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

*World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>*

# CSBA Sample Board Policy

Instruction

BP 6158(a)

## INDEPENDENT STUDY

Note: Education Code 51745-51749.6 authorize districts to establish independent study programs to meet the educational needs of students. **Pursuant to Education Code 51745, as amended by AB 130 (Ch. 44, Statutes of 2021), for the 2021-22 school year, all districts are required to offer independent study to meet the educational needs of students.** ~~Independent study may be offered as a program within a school, as a charter school, or as an alternative school of choice pursuant to Education Code 58500-58512; see AR 0420.4 - Charter School Authorization, BP 6146.11 - Alternative Credits Toward Graduation, and BP/AR 6181 - Alternative Schools/Programs of Choice.~~

Education Code 51747, **as amended by AB 130, mandates** that the Governing Board adopt a policy with specified ~~components~~ **requirements** as a condition of receiving state apportionments for independent study students. **In addition to meeting the requirements specified by Education Code 51747, board policies must comply with rules and regulations adopted by the Superintendent of Public Instruction (SPI). Boards are encouraged to review independent study policies as the SPI adopts revised rules to reflect the new requirements of AB 130.**

**Commencing with the 2021-22 fiscal year Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, the State Controller is required to incorporate verification of the adoption of the policies, including loss of apportionment for independent study for districts found to be noncompliant.**

~~In addition, Education Code 51749.5, as added by SB 858 (Ch. 32, Statutes of 2014), mandates~~ that the Board adopt policy with specified components as a condition of offering a program of course-based independent study ~~beginning in the 2015-16 school year~~. The mandated components are reflected throughout this policy and the accompanying administrative regulation.

When developing policy on independent study, 5 CCR 11701 requires the Board to consider, in a public hearing, (1) the scope of its existing or prospective use of independent study as an instructional strategy, (2) its purposes in authorizing independent study, and (3) factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult students.

**In the event of a school closure necessitated by an emergency condition pursuant to Education Code 46392, districts must develop a plan for offering independent study to affected students pursuant to Education Code 46393, as added by AB 130. See BP 3516.5 - Emergency Schedules.**

Independent study may be offered as a program within a school, as a charter school, or as an alternative school of choice pursuant to Education Code 58500-58512; see AR 0420.4 - Charter School Authorization, BP 6146.11 - Alternative Credits Toward Graduation; and BP/AR 6181 - Alternative Schools/Programs of Choice.

The Governing Board authorizes independent study as an optional alternative instructional strategy for ~~eligible~~ students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are

**INDEPENDENT STUDY** (continued)

unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, ~~a home-based format~~, and an online course.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 6181 - Alternative Schools/Programs of Choice)*

A student's participation in independent study shall be voluntary. **(Education Code 51747, 51749.5)** ~~Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction. (Education Code 51747, 5 CCR 11700)~~

**Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)**

Note: Pursuant to Education Code 46300, **as amended by AB 130**, the attendance of students participating in independent study for **three five** or more consecutive school days will be included in computing average daily attendance for apportionment purposes. The following **optional** paragraph is for use by districts that wish to limit independent study to periods of **three five** or more consecutive school days.

The minimum period of time for any independent study option shall be **three five** consecutive school days.

**Written Agreements**

Note: Education Code 51747 **mandates** that the Board adopt a policy providing that a current written agreement (i.e., the "master agreement") will be maintained for each student who participates in independent study for five or more consecutive school days. As amended by SB 858 (Ch. 32, Statutes of 2014), Education Code 51747 provides that no independent study agreement can be valid for longer than one school year.

In addition, Education Code 51749.5, as added by SB 858, **mandates** that the Board adopt a policy providing that a "learning agreement" be maintained for each student participating in course-based independent study.

**INDEPENDENT STUDY (continued)**

See the accompanying administrative regulation for required content of these agreements.

~~The Superintendent or designee shall ensure that a written master agreement and, as appropriate, a learning agreement for students participating in course-based independent study exist for each participating student as prescribed by law and the accompanying administrative regulation. (Education Code 51747, 51749.5)~~

~~The master agreement shall specify the length of time in which each independent study assignment must be completed.~~

**General Independent Study Requirements**

**Note:** Education Code 51745, as amended by AB 130, requires districts to offer independent study for the 2021-22 school year only. Districts may meet the requirement for the 2021-22 school year by contracting with a county office of education or by entering into an interdistrict transfer agreement with another district pursuant to Education Code 46600. In addition, the requirement to offer independent study for the 2021-22 school year may be waived for districts by the county superintendent of schools in the county in which the district is located if the district demonstrates that (1) offering independent study would create an unreasonable fiscal burden on the district or county office of education due to low numbers of students participating or other extenuating circumstances; and (2) the Board does not have the option to enter into an interdistrict transfer agreement with another district or to contract with a county office of education to provide an independent study option.

For single-district counties, the waiver must be granted by the SPI.

**For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)**

~~Parents/guardians of students who are interested in independent study shall contact the Superintendent or designee.~~

**For the 2022-23 school year and thereafter, the Superintendent or designee may continue to ~~shall~~ offer and approve independent study for an individual student ~~only~~ upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than ~~he/she~~ the **student** would in the regular classroom setting.**

*(cf. 5147 - Dropout Prevention)*

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6200 - Adult Education)*

**INDEPENDENT STUDY (continued)**

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy on the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment. 5 CCR 11700 defines "type of program" as the statutory program category for purposes of attendance accounting, such as adult education or continuation high school. In addition, 5 CCR 11701 **mandates** that Board policy reflect an awareness that excessive leniency in the duration of independent study assignments can result in a student falling so far behind his/her peers as to increase, rather than decrease, the risk of dropping out of school.

The following paragraph sets one week for all grade levels and types of programs as the maximum length of time an independent study assignment should be completed, and **should be revised to reflect the length of time determined by the Board.** In order to ensure that apportionments are received, the length of time determined by the Board in its policy should be reflected in the district's written agreement. See the section on "**Master Agreement Written Agreements**" below ~~and in the accompanying administrative regulation.~~

Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments **shall be completed no more than one week after assigned** ~~no more than one week~~ for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy which specifies **the level of satisfactory educational progress and** the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. **The following paragraph specifies a maximum of three assignments and should be revised to reflect the Board's determination of the number of missed assignments that will trigger an evaluation.**

The number of missed assignments that will trigger an evaluation must be included in the student's written agreement; ~~see the accompanying administrative regulation. In order to ensure that apportionments are received, the district's written agreement should also be revised to reflect the number of assignments determined by the Board in its policy.~~

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student **fails to make satisfactory educational progress and/or** misses three assignments. **Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)**

1. **The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060**
2. **The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments**
3. **Learning required concepts, as determined by the supervising teacher**

**INDEPENDENT STUDY** (continued)

- 4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher**

**Note:** Education Code 51747, as amended by AB 130, mandates the Board to adopt policy that includes the provision of content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this requirement includes access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria. See BP/AR 6143 - Courses of Study.

**The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria. (Education Code 51747)**

**Note:** Education Code 51747, as amended by AB 130, mandates the Board to adopt policy that includes plans, by grade level, to provide students with specified levels of live interaction and/or synchronous instruction as described below and defined in the accompanying administrative regulation. This requirement only applies to students participating in an independent study program for 15 school days or more.

**The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)**

- 1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction**
- 2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction**
- 3. For students in grades 9-12, opportunities for at least weekly synchronous instruction**

**Note:** Education Code 51747, as amended by AB 130, mandates the Board to adopt policy that includes procedures for tiered reengagement strategies for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week. This requirement only applies to students participating in an independent study program for 15 school days or more.

**INDEPENDENT STUDY (continued)**

**The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students participating in an independent study program for 15 school days or more. The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)**

- 1. Verification of current contact information for each enrolled student**
- 2. Notification to parents/guardians of lack of participation within one school day of the absence or lack of participation**
- 3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary**

**Note: Education Code 51747 requires districts to hold a student-parent-educator conference as defined by Education Code 51745.5, at specified times, as reflected below and in the accompanying regulation.**

- 4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being**

**Note: Education Code 51747, as amended by AB 130, mandates the Board to adopt policy that includes a plan to expeditiously, and not longer than five instructional days, transition students whose families wish to return to in-person instruction from independent study. This requirement only applies to students participating in an independent study program for 15 school days or more.**

**The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)**

**Note: Education Code 51747, as amended by AB 130, mandates that the Board to adopt a policy providing that a current written agreement (i.e., the "master agreement") will be maintained for each student who participates in independent study and for whom apportionment is claimed. ~~five or more consecutive school days. As amended by SB 858 (Ch. 32, Statutes of 2014),~~ Education Code 51747 provides that no independent study agreement can be valid for longer than one school year. **For the 2021-22 school year only, the district is required to obtain a signed written agreement for independent study no later than 30 days after the first day of instruction.****

**INDEPENDENT STUDY (continued)**

In addition, Education Code 51749.5, ~~as added by SB 858,~~ **mandates** that the Board to adopt a policy providing that a "learning agreement" be maintained for each student participating in course-based independent study.

See the **section "Master Agreement" below** ~~accompanying administrative regulation~~ for required content of these agreements.

The Superintendent or designee shall ensure that a written master agreement ~~and, as appropriate, a learning agreement for students participating in course-based independent study,~~ **exist exists** for each participating student as prescribed by law. (Education Code 51747, 51749.5)

**Note: For the 2021-22 school year only, the district must provide notice with specified components of the independent study option available through Education Code 51747. Education Code 51747, as amended by AB 130, requires that the written information, in addition to being written in English, be written in the primary language if 15 percent or more of the students enrolled in a district that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the California Department of Education.**

**The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)**

**Note: Education Code 51747, as amended by AB 130, requires districts to hold a student-parent-educator conference upon the request of a parent/guardian prior to enrollment or disenrollment in independent study. The term student-parent-educator conference is defined in Education 51745.5, and as reflected in the accompanying regulation.**

**Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)**

~~Note: Education Code 51747 mandates that the Board, in a public hearing, adopt a policy which specifies the number of missed assignments allowed before an evaluation would be required to determine whether it~~



**INDEPENDENT STUDY** (continued)

~~is in a student's best interest to remain in independent study. The following paragraph specifies a maximum of three assignments and should be revised to reflect the Board's determination of the number of missed assignments that will trigger an evaluation.~~

~~The number of missed assignments that will trigger an evaluation must be included in the student's written agreement; see the accompanying administrative regulation. In order to ensure that apportionments are received, the district's written agreement should also be revised to reflect the number of assignments determined by the Board in its policy.~~

~~An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student misses three assignments, unless the student's written agreement specifies a lower or higher number of missed assignments based on the nature of the assignments, the total number of assignments, and/or other unique circumstances.~~

**Master Agreement**

Note: Education Code 51747 **mandates** that, in order to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are only provided for independent study of ~~five~~ **three** or more consecutive school days pursuant to Education Code 46300, **as amended by AB 130**, written agreements are required only in such instances.

Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all these components are included in the written agreement which the parent/guardian must sign before the commencement of independent study **pursuant to Education Code 51747**, the parent/guardian's signature on the agreement satisfies the requirement to obtain the parent/guardian's ~~his/her~~ written permission.

**However, for the 2021-22 school year the district must obtain a signed written agreement for independent study no later than 30 days after the first day of instruction, pursuant to Education Code 51747, as amended by AB 130.**

**For the 2021–22 school year only, the district shall obtain a signed written agreement for independent study no later than 30 days after the first day of instruction.**

A written agreement shall be developed and implemented for each student participating in independent study for ~~five~~ **three** or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

**INDEPENDENT STUDY** (continued)

1. The frequency, time, place and manner for submitting the student's assignments, **reporting the student's academic progress, and reporting communicating with a student's parent/guardian regarding the student's his/her academic progress**
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and **access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work**

Note: **As described in the section "General Independent Study Requirements" above, pursuant** ~~Pursuant~~ to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. ~~See the accompanying Board policy.~~ **As amended by AB 130, Education Code 51747 also requires that the written agreement contain a statement of the Board's policy regarding the level of satisfactory educational progress for students participating in independent study.**

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, **the level of satisfactory educational progress,** and the number of missed assignments, ~~by grade level and type of program,~~ which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for ~~the an elementary student grades,~~ other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. **A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.**
87. A statement that independent study is an optional educational alternative in which no student may be required to participate

**INDEPENDENT STUDY** (continued)

98. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

109. **Before the commencement of independent study, the agreement shall be signed and dated by** the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

**However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil, no later than 30 days after the first day of instruction.**

**Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)**

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

**Course-Based Independent Study**

Note: **This section is for districts that provide independent study courses to its students.** Education Code 51749.5-51749.6, **as amended by AB 130**, establish a course-based independent study option that may be offered if certain requirements are met, as described below. ~~As a condition of offering this option,~~ Education Code 51749.5 **mandates that boards in the districts** ~~district~~ adopt **policies** ~~policy or regulations~~ that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.

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

The ~~district's district shall offer~~ a course-based independent study program for students in grades K-12 **shall be** subject to the following requirements: (Education Code 51749.5)

1. **A signed learning agreement shall be completed and on file for each participating student pursuant to Education Code 51749.6**

## INDEPENDENT STUDY (continued)

42. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.

*(cf. 4112.2 - Certification)*

23. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality as ~~equivalent classroom-based courses~~ **and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction**, and shall be aligned to all relevant local and state content standards. **For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria.** This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. **The certification shall also include plans to provide opportunities for students in grades transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.**
34. Students enrolled in these **independent study** courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, ~~and 46300.4,~~ **47612, and 47612.1**, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, **47612**, 48204, and 51747.3.
45. ~~Teachers shall communicate with each student in person, by telephone, or by any other live visual or audio connection at least twice per calendar month to assess whether the student is making satisfactory educational progress. For this purpose, satisfactory educational progress includes, but is not limited to, applicable statewide accountability measures and the completion of assignments, examinations, or other indicators that the student is working on assignments, learning required concepts, and progressing toward successful completion of the course, as determined by the teacher providing instruction.~~

~~Written or computer-based evidence of satisfactory educational progress shall be retained for each course and student, including, at a minimum, a grade book or summary document that lists all assignments, examinations, and associated grades for each course.~~

**INDEPENDENT STUDY** (continued)

**For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.**

If satisfactory educational progress **in an independent study class** is not being made, the teacher shall notify the student and, if the student is under age 18 years, ~~his/her~~ **the student's** parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether ~~he/she~~ **the student** should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

**Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.**

*(cf. 5125 - Student Records)*

56. Examinations shall be administered by a proctor.
67. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

*(cf. 6162.51 - State Academic Achievement Tests)*

**INDEPENDENT STUDY** (continued)

78. A student shall not be required to enroll in courses included in ~~this~~ **the course-based independent study** program.
89. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
910. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.

*(cf. 6111 - School Calendar)*  
*(cf. 6112 - School Day)*

- ~~1011.~~ Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
- ~~112.~~ A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.

*(cf. 3260 - Fees and Charges)*

- ~~1213.~~ A student shall not be prohibited from participating in independent study solely on the basis that **the student** ~~he/she~~ does not have the materials, equipment, or ~~Internet~~ access to Internet **connectivity** necessary to participate in the course.
14. **A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation.**
15. **A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.**
16. **The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.**

**Learning Agreement for Course-Based Independent Study**

<p><b>Note: Education Code 51749.6, as amended by AB 130, requires that, before enrolling a student in course-based independent study, the district provide the student and, if the student is less than 18 years of age, the student's parent/guardian, with a written learning agreement that includes specified components.</b></p>
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**INDEPENDENT STUDY** (continued)

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, ~~his/her~~ **the student's** parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to **course-based independent study pursuant to Education Code 51749.5**
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources, ~~including materials and personnel~~, that will be made available to the student, **including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work**
- ~~6. A statement that the student is not required to enroll in courses in this program~~
6. **A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.**
- ~~7. Signatures of the student, the student's parent/guardian if the student is under age 18 years, and all teachers providing instruction~~
7. **A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall**

**INDEPENDENT STUDY (continued)**

**include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.**

- 8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.**
- 9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.**
- 10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.**
- 11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.**
- 12. Before the commencement of an independent study course, the learning agreement shall be signed and dated by the student, the student's parent/guardian or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.**

**However, for the 2021–22 school year only, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.**

**Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)**



**INDEPENDENT STUDY** (continued)

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

**Student-Parent-Educator Conferences ~~Teacher Conferences~~**

**Note:** Education Code 51747 and 51749.5, as amended by AB 130, require districts to hold student-parent-educator conferences as defined by Education Code 51745.5, at specified times. See the accompanying regulation for the definitions of student-parent-education conference.

**A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment in or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)**

~~Supervising teachers should establish an appropriate schedule for student-teacher conferences in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Teachers are expected to monitor student progress and work closely with each student to determine the amount and type of contact needed for the student to be successful in the program.~~

~~Missing appointments with the supervising teacher without valid reasons may trigger an evaluation to determine whether the student should remain in independent study.~~

**Home-Based Independent Study**

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

~~The Superintendent or designee shall encourage parents/guardians desiring to teach their children at home to have their children participate in independent study. Such participation allows continued contact and cooperation between the school system and the home-based student and ensures that the student will be offered a standards-based education substantially equivalent in quality and quantity to the district's classroom instruction.~~

**Records for Audit Purposes**

**Note:** Education Code 51745.6, 51747, 51747.5, and 51749.5, as amended by AB 130, require, commencing in the 2021-22 fiscal year, the State Controller to incorporate verifications of compliance with specified components of the laws into the Guide for Annual Audits of K-12 Local Education

## INDEPENDENT STUDY (continued)

**Agencies and State Compliance Reporting to the extent that these verifications are not yet included in the audit guide, with loss of apportionment for independent study for districts found to be noncompliant.**

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that **the teacher he/she** has personally evaluated the work or ~~that he/she has~~ personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. **Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)**
6. **Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)**

**Note: Education Code 51747.5, as amended by AB 130, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day. In addition, Education Code 51747.5 requires districts to maintain written or computer-based evidence of student engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and**

**INDEPENDENT STUDY** (continued)

associated grades. Commencing in the 2021-22 fiscal year, the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting will incorporate compliance reviews of these requirements.

**The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day. (Education Code 51747.5)**

The Superintendent or designee also shall maintain a **written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and ~~other evaluations issued to~~ assessments** for each student for independent study assignments. **(Education Code 51747.5)**

*(cf. 3580 - District Records)*

Note: Education Code 51747, ~~as amended by SB 828 (Ch. 29, Statutes of 2016),~~ authorizes specified records to be maintained in an electronic file, as provided in the following paragraph. Pursuant to Education Code 51747, an electronic file includes a computer or electronically stored image of an original document, including, but not limited to, a PDF, JPEG, or other digital file type, that may be sent via fax machine, email, or other electronic means.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

**Program Evaluation**

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

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

*(cf. 0500 - Accountability)*

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - State Academic Achievement Tests)*

*Legal Reference: (see next page)*

**INDEPENDENT STUDY** (continued)*Legal Reference:*EDUCATION CODE17289 *Exemption for facilities***41020 Audit guidelines**41976.2 *Independent study programs; adult education funding*42238 *Revenue limits*42238.05 *Local control funding formula; average daily attendance*44865 *Qualifications for home teachers and teachers in special classes and schools*46200-46208 *Instructional day and year*46300-46307.1 *Methods of computing average daily attendance***46600 Interdistrict attendance computation****46390-46393 Emergency average daily attendance****47612-47612.1 Charter school operation**47612.5 *Independent study in charter schools*48204 *Residency*48206.3 *Home or hospital instruction; students with temporary disabilities*48220 *Classes of children exempted*48340 *Improvement of pupil attendance*48915 *Expulsion; particular circumstances*48916.1 *Educational program requirements for expelled students*48917 *Suspension of expulsion order*49011 *Student fees*51225.3 *Requirements for high school graduation*51745-51749.6 *Independent study programs***52060 Local control and accountability plan**52522 *Adult education alternative instructional delivery*52523 *Adult education as supplement to high school curriculum; criteria*56026 *Individuals with exceptional needs*58500-58512 *Alternative schools and programs of choice*FAMILY CODE6550-6552 *Authorization affidavits*CODE OF REGULATIONS, TITLE 511700-11703 *Independent study*~~19819 *State audit compliance*~~UNITED STATES CODE, TITLE 206301 *Highly qualified teachers***6311 State plans**COURT DECISIONSModesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365EDUCATION AUDIT APPEALS PANEL DECISIONSLucerne Valley Unified School District, Case No. 03-02 (2005)*Management Resources: (see next page)*

## INDEPENDENT STUDY (continued)

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Elements of Exemplary Independent Study

California Digital Learning Integration and Standards Guidance, April 2021

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

(7/10 12/14) 7/21

**Policy Reference UPDATE Service**

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# CSBA Sample Administrative Regulation

Instruction

AR 6158(a)

## INDEPENDENT STUDY

### Definitions

Note: Education Code 51745.5, as added by AB 130 (Ch. 44, Statutes of 2021), defines the terms "live interaction," "student-parent-educator conference," and "synchronous instruction" as provided below.

***Live interaction*** means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

***Student-parent-educator conference*** means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

***Synchronous instruction*** means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5. (Education Code 51745.5)

### Educational Opportunities

Note: Pursuant to Education Code 51745, as amended by AB 130, the district is required to offer independent study to meet the educational needs of students for the 2021-22 school year unless the district obtains a waiver from such requirement.

**For the 2021-22 school year, the district shall offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the district has obtained a waiver. (Education Code 51745)**

Note: The following section is **optional**. Education Code 51745 lists educational opportunities that may be provided through independent study. The district may revise or expand items #1-65 below to reflect district practice.

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction

**INDEPENDENT STUDY** (continued)*(cf. 6143 - Courses of Study)*

2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
4. Continuing and special study during travel

*(cf. 5112.3 - Student Leave of Absence)*

5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
6. **Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction**

*(cf. 0420.4 - Charter School Authorization)**(cf. 6142.4 - Service Learning/Community Service Classes)**(cf. 6181 - Alternative Schools/Programs of Choice)*

In addition, when requested by a parent/guardian due to an emergency, ~~vacation~~, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in ~~his/her~~ **the student's** regular classes.

*(cf. 5113 - Absences and Excuses)*

Note: The following paragraph is for use by districts maintaining high schools.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

*(cf. 6146.1 - High School Graduation Requirements)***Equivalency**

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

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

**INDEPENDENT STUDY** (continued)

**Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)**

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. **Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value.** (Education Code 46300.6, 51747.3)

**Eligibility for Independent Study**

**Students are eligible for independent study as authorized in law, and as specified in board policy and administrative regulation.**

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

**For the 2022-23 school year and thereafter, ~~Provided that experienced certificated staff are available to effectively supervise students in independent study~~ the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. **The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction.** A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.**

Note: The following paragraph limits eligibility for independent study to those students for whom state apportionments can be claimed. Education Code 46300.2 provides that districts will receive state funding for independent study for students who are residents of the county or an adjacent county. Pursuant to Education Code 51747.3, students whose residency status is based on parent/guardian employment within district boundaries (Education Code 48204(b)) are not eligible for funds apportioned for average daily attendance (ADA).

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)



**INDEPENDENT STUDY** (continued)

*(cf. 5111.1 - District Residency)*

~~For a~~ A student with disabilities, as defined in Education Code 56026, **shall not participate participation** in independent study ~~shall be approved only if unless~~ **the student's his/her** individualized education program specifically provides for such participation. (Education Code 51745)

*(cf. 6159 - Individualized Education Program)*

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

*(cf. 6183 - Home and Hospital Instruction)*

Note: Education Code 46300.1 provides that the district may not receive apportionments pursuant to Education Code 42238 for independent study for students age 21 or older, or for students 19 or older who have not been continuously enrolled in grades K-12 since their 18th birthday. However, pursuant to Education Code 46300.4, these students may be eligible for independent study through the adult education program for courses required for high school graduation; ~~see~~ **See** BP/AR 6200 - Adult Education.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

*(cf. 6200 - Adult Education)*

Note: The following paragraph limits enrollment in independent study to those students for whom state apportionments can be claimed. Pursuant to Education Code 51745, no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program are eligible for apportionment credit for independent study. A pregnant student or a parenting student who is the primary caregiver for ~~his/her~~ **the student's** child(ren) is not included in this cap.

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

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

*(cf. 6184 - Continuation Education)*

**INDEPENDENT STUDY (continued)****Master Agreement**

Note: Education Code 51747 mandates that, in order for the district to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are provided only for independent study of five or more consecutive school days pursuant to Education Code 46300, written agreements are required only in such instances.

A written agreement shall be developed and implemented for each student participating in independent study for five or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but not be limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. — The manner, time, frequency, and place for submitting the student's assignments, and for reporting his/her progress
2. — The objectives and methods of study for the student's work and the methods used to evaluate that work
3. — The specific resources, including materials and personnel, that will be made available to the student

Note: Pursuant to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. See the accompanying Board policy.

4. — A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion and the number of missed assignments, by grade level and type of program, which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. — The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year

**INDEPENDENT STUDY (continued)**

6. ~~A statement of the number of course credits or, for an elementary student, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion~~
7. ~~A statement that independent study is an optional educational alternative in which no student may be required to participate~~
8. ~~In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction~~

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

~~Note: Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian, before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all these components are included in the written agreement which the parent/guardian must sign, the parent/guardian's signature on the agreement satisfies the requirement to obtain his/her written permission.~~

9. ~~Signatures of the student, the parent/guardian or caregiver of the student if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student~~

~~The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.~~

**Course-Based Independent Study**

~~Note: Education Code 51749.5-51749.6 establish a course-based independent study option that may be offered if certain requirements are met, as described below. As a condition of offering this option, Education Code 51749.5 mandates that the district adopt policy or regulations that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.~~

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

~~The district shall offer a course-based independent study program for students in grades K-12 subject to the following requirements: (Education Code 51749.5)~~

1. ~~Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.~~

**INDEPENDENT STUDY** (continued)

*(cf. 4112.2—Certification)*

2. ~~Courses shall be annually certified by Board resolution to be of the same rigor and educational quality as equivalent classroom-based courses and shall be aligned to all relevant local and state content standards. This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses.~~
  
3. ~~Students enrolled in these courses shall meet the applicable age requirements established pursuant to Education Code 46300.1 and 46300.4 and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 48204, and 51747.3.~~
  
4. ~~Teachers shall communicate with each student in person, by telephone, or by any other live visual or audio connection at least twice per calendar month to assess whether the student is making satisfactory educational progress. For this purpose, satisfactory educational progress includes, but is not limited to, applicable statewide accountability measures and the completion of assignments, examinations, or other indicators that the student is working on assignments, learning required concepts, and progressing toward successful completion of the course, as determined by the teacher providing instruction.~~

~~Written or computer-based evidence of satisfactory educational progress shall be retained for each course and student, including, at a minimum, a grade book or summary document that lists all assignments, examinations, and associated grades for each course.~~

~~If satisfactory educational progress is not being made, the teacher shall notify the student and, if the student is under age 18 years, his/her parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether he/she should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.~~

*(cf. 5125—Student Records)*

5. ~~Examinations shall be administered by a proctor.~~

## INDEPENDENT STUDY (continued)

6. ~~Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.~~

*(ef. 6162.51—State Academic Achievement Tests)*

7. ~~A student shall not be required to enroll in courses included in this program.~~
8. ~~The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.~~
9. ~~For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.~~

*(ef. 6111—School Calendar)*

*(ef. 6112—School Day)*

10. ~~Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.~~
11. ~~A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.~~

*(ef. 3260—Fees and Charges)*

12. ~~A student shall not be prohibited from participating in independent study solely on the basis that he/she does not have the materials, equipment, or Internet access necessary to participate in the course.~~

~~Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, his/her **the student's** parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)~~

1. ~~A summary of the district's policies and procedures related to this program~~
2. ~~The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 above~~

**INDEPENDENT STUDY** (continued)

3. ~~The duration of the learning agreement, which shall not exceed a school year or span multiple school years~~
4. ~~The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program~~
5. ~~The specific resources, including materials and personnel, that will be made available to the student~~
6. ~~A statement that the student is not required to enroll in courses in this program~~
7. ~~Signatures of the student, the student's parent/guardian if the student is under age 18 years, and all teachers providing instruction~~

~~The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 51749.6)~~

~~The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)~~

**Monitoring Student Progress**

Note: The following <b>optional</b> section may be revised to reflect district practice.
--

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of ~~his/her~~ **the student's** written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

**INDEPENDENT STUDY** (continued)

When the student has **failed to make satisfactory educational progress or** missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

~~Note: The CDE, in its Frequently Asked Questions available on its web site, clarifies that students in independent study are not subject to truancy laws. The determination of excused and unexcused absences is irrelevant because independent study students may complete assignments at any time and attendance is not the basis for credit.~~

~~Independent study students who are late, miss scheduled conferences, or do not submit assigned work on time shall not be reported as tardy or truant.~~

**Responsibilities of Independent Study Administrator**

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

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers **at the required teacher-student ratios pursuant to Education Code 51745.6** and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

**INDEPENDENT STUDY** (continued)**Assignment and Responsibilities of Independent Study Teachers**

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a ~~certificated~~ **district** employee who **possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who** consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

Note: Pursuant to Education Code 51745.6, the equivalency of teacher-student ratios as described below is a necessary condition for the district to receive apportionments for independent study. The district may exceed these ratios, but those additional units of independent study ADA would not be funded. ~~AB 104 (Ch. 13, Statutes of 2015) amended Education Code 51745.6 to eliminate grade span as a factor in the computation of the ratios.~~

**Pursuant to Education Code 51745.6, as amended by AB 130, the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting must incorporate verification of applicable teacher-student ratios commencing in the 2021-22 fiscal year.**

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

Note: The remainder of this section is **optional** and may be revised to reflect district practice.

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement **and signing the agreement**
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records **for Audit Purpose**" ~~below~~ **in the accompanying Board policy**
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress



**INDEPENDENT STUDY** (continued)

Note: Pursuant to Education Code 51747.5, the district may only claim apportionment credit for independent study based on the time value of student work products as personally judged in each instance by a certificated teacher. Education Code 51747.5 specifies that the teacher is not required to sign and date the work products.

7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement

**Note: Education Code 51747.5, as amended by AB 130, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day.**

9. **Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day for which independent study is provided**

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

*(cf. 4131 - Staff Development)*

**Records**

~~The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)~~

- ~~1. A copy of the Board policy, administrative regulation, and other procedures related to independent study~~
- ~~2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education~~
- ~~3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher~~

**INDEPENDENT STUDY** (continued)

4. ~~As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons~~

~~(cf. 3580—District Records)~~

~~The Superintendent or designee also shall maintain a record of grades and other evaluations issued to each student for independent study assignments.~~

Note: Education Code 51747, as amended by SB 828 (Ch. 29, Statutes of 2016), authorizes specified records to be maintained in an electronic file, as provided in the following paragraph. Pursuant to Education Code 51747, an electronic file includes a computer or electronically stored image of an original document, including, but not limited to, a PDF, JPEG, or other digital file type, that may be sent via fax machine, email, or other electronic means.

~~The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)~~

(5/16 7/16) 7/21

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13a</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve Other Duty (Adult Ed Teacher I position only) 2020-21 salary schedule containing 1% retro (1% retro approved at 5/19/21 board meeting).	
<b>Background:</b> The School Board approved a 1% retro on the 2020-21 Other Duty (Adult Ed Teacher I position only) salary schedule on 5/19/2021.	
<b>Status:</b> Pending board approval	
<b>Fiscal Impact:</b> A 1% retro was paid in 20-21. Cost of a 1% increase is referenced in Action Item number 13s from the 5/19/2021 board meeting. Pay date was 7/9/2021.	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Recommend board approve the Other Duty 2020-21 salary schedule containing a 1% retroactive (Adult Ed Teacher I position only).	

**Hamilton Unified School District  
OTHER DUTY  
Salary Schedule 2020-21**

<u>Position</u>	<u>Pay</u>
Driver Training	\$ 35.00
Gate Duty	\$ 30.00
Football Gate Duty	\$ 37.00
AG Project Visitation	One Period
Adult Ed. Teacher I	\$ 29.22
Student Helpers	\$ Minimum
Summer School Teacher	\$ 30.00

COLA - 1% approved 5/19/21 - retroed 7/9/21 to all Adult Ed Teacher I staff only, paid on this 20-21 salary schedule.

retro 2/2016: Adult Ed. Teacher I - 3.6% increase

HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13b</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve Other Duty 2021-22 salary schedule.	
<b>Background:</b> Salary schedule presented is for the 2021-22 school year. Furlough days have been reinstated.	
<b>Status:</b> Pending board approval	
<b>Fiscal Impact:</b> N/A since this agenda item is just to approve the salary schedule. Salaries for employees have been built into the 2021-22 original budget.	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Recommend board approve the Other Duty 2021-22 salary schedule.	

**Hamilton Unified School District  
OTHER DUTY  
Salary Schedule 2021-22**

<u>Position</u>	<u>Pay</u>
Driver Training	\$ 35.00
Gate Duty	\$ 30.00
Football Gate Duty	\$ 37.00
AG Project Visitation	One Period
Adult Ed. Teacher I	\$ 29.22
Student Helpers	\$ Minimum
Summer School Teacher	\$ 30.00

COLA - 1% approved 5/19/21 (1% for Adult Ed Teacher I only).

retro 2/2016: Adult Ed. Teacher I - 3.6% increase

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13c</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Appoint Lee Ann Grigsby to serve on Citizens' Bond Oversight Committee	
<b>Background:</b> With the passing of Measure "C" on November 6, 2018, state law required that Hamilton Unified School District appoint a Citizens' Bond Oversight Committee to review the District's expenditure of bond proceeds.  Per <u>Education Code 15278-15282</u> , the committee must consist of at least seven (7) members who shall serve for a minimum term of two (2) years, without compensation, for no more than three (3) consecutive terms.  <b>Committee Responsibilities</b>  In accordance with Education Code Section 15278(b), the Citizens' Oversight Committee shall: <ul style="list-style-type: none"><li>• Actively inform the public concerning the expenditure of bond revenues.</li><li>• Review and report on the proper expenditure of taxpayers' money for school construction.</li><li>• Advise the public as to whether the District is in compliance with applicable laws, rules and regulations.</li><li>• Ensure that Bond funds are spent only on projects listed in the Bond Project Lists</li><li>• Monitor progress of Bond projects</li><li>• Receive and review the annual performance and financial audits of bond projects.</li><li>• Provide information to the public on the progress of Bond projects and expenditures of Bond funds.</li></ul> Application on file at the Hamilton Unified School District Office.  All committee appointments are made by the Board of Education from applications submitted to the District.	
<b>Status:</b> Pending board approval	
<b>Fiscal Impact:</b> n/a	
<b>Educational Impact:</b> n/a	
<b>Recommendation:</b> Recommend board appoint Lee Ann Grigsby to serve on the Citizens' Bond Oversight Committee	

HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13d</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Adopt Resolution# 21-22-101: Authorize designated personnel (Dr. Powell and Mrs. Hamman) to sign contract documents for fiscal year 2021-22 for child care and development services – CDE.	
<b>Background:</b> This is an annual agreement between the District and State for our Pre-school program.	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board adopt Resolution# 21-22-101: Authorize designated personnel (Dr. Powell and Mrs. Hamman) to sign contract documents for fiscal year 2021-22 for child care and development services – CDE.	





LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

DATE: July 01, 2021

CONTRACT NUMBER: CSPP-1104

PROGRAM TYPE: CALIFORNIA STATE PRESCHOOL PROGRAM

PROJECT NUMBER: 11-7656-00-1

STATE AGENCY: CALIFORNIA DEPARTMENT OF EDUCATION

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 terms and conditions of the CURRENT APPLICATION; the GENERAL TERMS AND CONDITIONS (GTC04/2017)\*; the CALIFORNIA STATE PRESCHOOL PROGRAM REQUIREMENTS\*; the FUNDING TERMS AND CONDITIONS (FT&C)\* and any subsequent changes to the FT&C\*, which are by this reference made a part of this Agreement. Where the GTC04/2017 conflicts with either the Program Requirements or the FT&C, the Program Requirements or the FT&C will prevail.

Funding of this contract is contingent upon appropriation and availability of sufficient funds. This contract 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 contract.

The period of performance for this contract is July 01, 2021 through June 30, 2022. 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 per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$146,484.00. During the term of this contract, the MRA may be adjusted through an Allocation Letter issued to the Contractor by State Agency.

SERVICE REQUIREMENTS

Minimum Child Days of Enrollment (CDE) Minimum Days of Operation (MDO) Requirement 178 2,938.0

Any provision of this contract 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 contract.

Items shown with an Asterisk (\*), are hereby incorporated by this reference and made part of this Agreement as if attached hereto. Amendments to any of these asterisked documents during the term of this contract shall be incorporated by reference as of the date issued by State Agency without need for formal amendment. These documents can be viewed at http://www.cde.ca.gov/fg/aa/cd/ftc2021.asp.

Table with columns for STATE OF CALIFORNIA and CONTRACTOR, containing fields for signatures, titles, amounts, and program details.

# 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
Hamilton Unified School District	29-4432719

By (Authorized Signature)

Printed Name and Title of Person Signing

Dr. Jeremy Powell, Superintendent

Date Executed	Executed in the County of
July 28, 2021	Glenn

## 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](http://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 Worker's 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):

Hamilton Unified School District

2. Federal ID Number:

29-4432719

3. By (Authorized Signature):

4. Printed Name and Title of Person Signing:

Dr. Jeremy Powell, Superintendent

5. Date Executed:

7/28/21

6. Executed in the County and State of:

Glenn, CA

**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 2021-2022.

**RESOLUTION 21-22-101**

BE IT RESOLVED that the Governing Board of Hamilton Unified School District

authorizes entering into local agreement number CSPP-1104 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>Dr. Jeremy Powell</u>	<u>Superintendent</u>	_____
<u>Kristen Hamman</u>	<u>Chief Business Official</u>	_____
_____	_____	_____

PASSED AND ADOPTED THIS 28th day of July, 2020, by the Governing Board of Hamilton Unified School District of Glenn County, in the State of California.

I, Rod Boone, Clerk of the Governing Board of Hamilton Unified School District, of Glenn 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 Regular 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) July 28, 2021  
(Date)

HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13e</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve annual district designees for Glenn County Office of Education 2021-22.	
<b>Background:</b> This is an annual requirement that authorizes only certain District officials to sign vendor warrants, payroll registers and budget transfers.	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board approve annual district designees for Glenn County Office of Education 2021-22.	





# 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: July 28, 2021

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 2021-2022.

1. Kristen Hamman \_\_\_\_\_

2. Dr. Jeremy Powell \_\_\_\_\_

3. Cris Oseguera \_\_\_\_\_

4. Kathryn Thomas \_\_\_\_\_

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**BOARD OF TRUSTEES**

Hubert "Wendell" Lower, President | Rod Boone, Clerk  
Gabriel Leal, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee

HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13f</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve annual district designees district authority 2021-22.	
<b>Background:</b> This is an annual update to Glenn County for District authority in the absence of the superintendent.	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board approve district designees district authority 2021-22.	



# 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: July 28, 2021

Annually, the Superintendent appoints the succession of District Authority in the absence of the Superintendent.

For the 2021-22 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 July 28, 2021 Board Meeting.

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#### BOARD OF TRUSTEES

Hubert "Wendell" Lower, President | Rod Boone, Clerk  
Gabriel Leal, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee

# HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13g</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve 2021-22 Education Protection Account (EPA) Budget and Spending Plan	
<b>Background:</b>  The Education Protection Account (EPA) provides local educational agencies (LEAs) with general purpose state aid funding pursuant to Section 36 of Article XIII of the California Constitution. The EPA funding is a component of an LEA's total LCFF entitlement as calculated in the Principal Apportionment.  Each year, a spending plan must be approved by the governing board during a public meeting.	
<b>Status:</b> Pending Board Approval.	
<b>Fiscal Impact:</b> Attached Budget and Spending Plan is included in HUSD's 21-22 Original Budget.	
<b>Educational Impact:</b> n/a	
<b>Recommendation:</b> Recommend Board approve 2021-22 Education Protection Account (EPA) Budget and Spending Plan.	

## Hamilton Unified School District's

### 2021-22 Education Protection Account (EPA) Budget and Spending Plan

**Background:**

Proposition 30, *The Schools and Local Public Safety Protection Act of 2012*, approved by the voters on November 6, 2012, temporarily increases the state sales tax rate for all taxpayers and the personal income tax rates for upper-income taxpayers.

**Implementation:**

- These new state revenues will be deposited into a state account called the *Education Protection Account (EPA)*.
- School districts will receive funds from the EPA based on their proportionate share of the statewide Local Control Funding amount. Entitlements will be made quarterly.

**Further Reporting Requirements:**

- Each year, a spending plan must be approved by the governing board during a public meeting.
- EPA funds cannot be used for salaries or benefits of administrators or any other administrative costs.
- Each year, the district must publish on its website an accounting of how much money was received from the EPA and how the funds were expended.
- There will be a requirement for the annual financial audit to include verification that the EPA funds were used as specified by Proposition 30.
- The EPA entitlement and expenditures will be recorded in Resource Code 1400.

**District Spending Plan:**

As specified by Proposition 30, it is the district's intent to spend the EPA funds on "instructional activities"; primarily salaries and benefits, instructional supplies and technology needs, as detailed below.

<b>Books &amp; Reference Materials and Supplies</b>						<b>\$ 138,127</b>
<b>Other Operating Services/Licenses etc.</b>						<b>\$ 15,900</b>
<b>SELPA Excess Costs</b>						<b>\$ 233,518</b>
<b><u>Salaries</u></b>	<b><u>STRS/PERS</u></b>	<b><u>Medicare</u></b>	<b><u>Unemployment</u></b>	<b><u>Work Comp</u></b>	<b><u>H&amp;W</u></b>	<b><u>Total</u></b>
796,977	134,849	11,556	9,803	24,148	117,225	\$1,094,558
<b>Total Entitlement:</b>						<b><u>\$1,482,103</u></b>

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13h</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve HUSD 2021-22 Re-opening plan	
<b>Background:</b> Due to COVID, a plan was developed for the 2020-21 school year. This update to the plan is based on new CDC, CDPH and CDE guidance for the 2021-22 school year.	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board approve HUSD 2021-22 Re-opening plan	

# HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13i</b>	<b>Date: 7/28/2021</b>
<b>Agenda Item Description:</b> Approve HUSD 2021-22 AB130 Independent Study Program Waiver.	
<b>Background:</b> Under AB130 Independent Study – District must provide independent study to any student requesting it. As a provision, if implementing causes undue fiscal strain, District can have the County approve a waiver.  All COVID Independent Study requests will be handled through GCOE, William Finch Charter School.	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board approve HUSD 2021-22 AB130 Independent Study Program Waiver.	

**HAMILTON UNIFIED SCHOOL DISTRICT  
REGULAR BOARD MEETING MINUTES  
Hamilton High School Library/Zoom/Facebook Live  
Wednesday, June 23, 2021**

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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)

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*Hamilton Unified School District Board Meetings are open to the public. We are still adhering to social distancing for public safety so in-person seating capacity in the Hamilton High School Library is limited to thirteen attendees. 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 continue to 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/82794304936?pwd=cGpDS3dLcm11QXpOYXhLNjYxZXJiZz09>

Meeting ID: 827 9430 4936

Passcode: board

Dial in:

+1 669 900 6833

Meeting ID: 827 9430 4936

Passcode: 024993

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**1.0 OPENING BUSINESS:**

- a. Call to order and roll call at 5:30 p.m.

Hubert "Wendell" Lower, President  
 Genaro Reyes

Rod Boone, Clerk  
 Ray Odom

Gabriel Leal

**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. Public Employee Performance Evaluation. Government Code section 54957, subdivision (b)(1). Superintendent.
- c. Government Code Section 54957.6, Labor Negotiations. To confer with the District's Labor Negotiator, Superintendent Jeremy Powell regarding HTA and CSEA negotiations.
- d. 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.
- e. Conference with labor Negotiator Gov. Code sec. 54957.6, subd. (a). Agency designated representative: Dr. Jeremy Powell; Employee Organization: Hamilton Teachers Association.

*Report out action taken in closed session. Nothing to report out.*

**5.0 PUBLIC SESSION/FLAG SALUTE:** Re-open at 6:16 p.m. and flag salute by Tiffany Wilhelm

**6.0 ADOPT THE AGENDA: (M)**



Mr. Lower noted a correction to the consent agenda: The HHS calendar says Open House is 4/6/2022 but should read 3/31/2022.

Motion to adopt the agenda with that change by Mr. Leal 2<sup>nd</sup> by Mr. Odom. Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

**7.0 COMMUNICATIONS/REPORTS:**

- a. Board Member Comments/Reports.
  - i. Board members gave their appreciation to various end of year activities
- 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. 11)
- d. Chief Business Official Report by Kristen Hamman (written) (p. 12)
  - i. Dr. Powell drew attention to the list of funds and descriptions attached to report
  - ii. Mr. Odom asked questions about Developer Fee Funds
  - iii. Ms. Hamman and Mr. Cannon discussed uses for Developer Fee Funds
- e. Superintendent Report by Jeremy Powell (written) (p. 14)

**8.0 PRESENTATIONS:**

- a. Ed Specification Presentation – Tim Haley iEP2 (handout)
  - i. Following presentation and discussion, next steps were set out:
    - 1. Additional Staff Discussions
    - 2. Draft report at August regular meeting
    - 3. Final report for Board approval at September regular meeting
    - 4. Approved final report will be needed by CDE to proceed to design process

**9.0 CORRESPONDENCE:**

- a. None

**10.0 INFORMATION ITEMS:**

- a. HUSD Enrollment History for 5 years (p. 15)
- b. Bond Status (Fund 21) Update (p. 17)
  - i. It was pointed out that a potential reimbursable column was added to the expense
  - ii. Mr. Lower asked for clarification and was answered by Mr. Cannon
- c. HHS Site Expansion Permitting Status Update – Mike Cannon (p. 20)
- d. HUSD CDE Final Site Approval Letter May 10, 2021 (p. 22)
  - i. Mr. Cannon pointed out that this letter is a permit from the state good for five year
  - ii. Permit stays refreshed permanently once HUSD starts and sends to the state
  - iii. A brief discussion about safety issues with the new site ensued

**11.0 DISCUSSION ITEMS:**

- a. Local Indicators Report Results (p. 24)
  - i. Dr. Powell presented to the school board
- b. Return to in-person Board Meetings July 2021
  - i. A member of the public asked if zoom could continue with return to in-person meetings
  - ii. It was noted that our access to tech support does not allow for running meetings simultaneously in person and over zoom

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. No public comment.

**13.0 ACTION ITEMS:**

a. Approve Program Self-Evaluation State Preschool (p. 43)

Motion to approve by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

b. Declaration of Need for Fully Qualified Educators 2021-22 School year (p. 49)

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

c. Adopt 2021-22 District Original Budget (available for public review at District Office and on our website: [www.husdschools.org](http://www.husdschools.org) in the board packet for the June 9, 2021 Special Board Meeting) (p. 53)

Motion to adopt 2021-22 Budget by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

d. Adopt 2021-22 Local Control Accountability Plan (LCAP) and all related documents: (p. 54)

- i. Budget Overview for Parents (p. 105)
- ii. LCAP Federal Addendum (p. 110)
- iii. LCAP/LCP Annual Update (p. 130)

Motion to adopt 2021-22 LCAP & All Related documents by Mr. Leal 2<sup>nd</sup> by Mr. Odom. Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

e. Approve quote from Ferguson HVAC for air scrubbers filtration system. (p. 179)

Motion to approve by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

f. Appoint Scott Miller to serve on Citizens’ Bond Oversight Committee (p. 181)

g. Appoint Vicky Casillas to serve on Citizens’ Bond Oversight Committee (p. 182)

Motion to appoint Scott Miller & Vicky Casillas by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

h. Approve Classified Management/Confidential, Certificated Management, Chief Business Official, Other Duty (1% for Adult Ed Teacher 1 position only) 2020-21 salary schedules containing 1% retro (1% retro approved at 5/19/21 board meeting) (p. 183)

Motion to approve by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- i. Approve Classified, Classified Management/Confidential, Certificated Management, Chief Business Official, Other Duty, Certificated 2021-22 Salary Schedules (p. 189)

Ms. Hamman noted that in 2021-22 the furlough days were added back and that's the only change from 2020-21. It includes 1% increase that was approved in 2020-21 and no other increases.

Motion to approve by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- j. Approve Superintendent 2020-21 salary schedule containing 1% retro (1% retro approved at 5/19/21 board meeting) (p. 196)

Motion to approve 2020-21 Superintendent Salary Schedule by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- k. Approve Superintendent 2021-22 Salary Schedule (p. 198)

Mr. Lower noted that on p. 199 of the packet the number of days for the Superintendent will be changed from 240 days down to 225 with salary remaining the same.

Motion to approve 2021-22 Superintendent Salary Schedule as corrected by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- l. Approve Safe Return to In-Person Instruction and Continuity Plan (ESSER III) (p. 200)

Dr. Powell reviewed the plan and noted that the plan will need to be reviewed every six months.

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- m. Accept HUSD CDE ESSER III Assurances (p. 204)

Dr. Powell reviewed.

Motion to accept by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

- n. Approve HUSD EFPM Agreement for Services 2021-22 (p. 215)

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
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. Minutes from Regular Board Meeting on May 19 2021 (p. 227)
- b. Minutes from Special LCAP/Budget Hearing Meeting June 9, 2021 (p. 233)
- c. Williams Quarterly April 2021 (p. 235)
- d. National FFA Convention in person in Indianapolis, IN Tentative Dates: October 25-30, 2021 (p. 236)

- e. Hamilton Elementary School Site Staff Calendar 2021-22 School Year (p. 237)
- f. Hamilton High School Site Staff Calendar 2021-22 School Year (p. 238)
- g. Hamilton Unified School District Updated Calendar 2021-22 School Year (p. 239)
- h. Warrants and Expenditures (p. 240)
- 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. 9<sup>th</sup> x 3 (2021-22)

j. Personnel Actions as Presented:

i. New hires:

Doris Velasquez	Child Nutrition Assistant (7 hours per day) Effective 7/1/2021	HES
Aaron Johnson	Temporary Science Teacher 2021-22	HES
Ashley Hautala	Ag Teacher (starting 2021-22)	HHS
Trevor Heyl	Temporary Multiple Subject Teacher (starting 2021-22)	HES
Derek Nall	Temporary Physical Education Teacher (starting 2021-22)	HES
Tim DeVries	Additional Summer Maintenance Help (starting 6/10/2021-ending 7/30/2021)	HUSD
Susan Song	Temporary Science Teacher (starting 2021-22)	HHS

ii. Resignations/Retirement:

Doris Velasquez	Child Nutrition Assistant (5.5 hours per day) Effective June 30, 2021	HES/HHS
Martha Jaeger	7 <sup>th</sup> /8 <sup>th</sup> Grade Volleyball	HES

Mr. Lower noted a change to the consent agenda:  
HHS Calendar open house will be 3/31/2022 not 4/6/2022.

Motion to approve with the noted change by Mr. Odom 2<sup>nd</sup> by Mr. Leal. Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: Absent	Reyes: Absent
Odom: AYE	

**15.0 ADJOURNMENT: In memory of Luis Alvarez at 7:49 p.m.**

X  
\_\_\_\_\_  
Jeremy Powell, Ed.D.  
Superintendent

X  
\_\_\_\_\_  
Rod Boone  
HUSD Board Clerk

# HES Schedule | 2021-2022 STAFF CALENDAR

**Notes:**

Full Staff Development Days- No students.

**Saturday School**

**Holiday**

**Half days**

**Staff Meetings**

JULY 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

JANUARY 2022						
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					

- 1-7 Winter Break
- 3 Report cards mailed
- 11 PTO Meeting
- 13 Student recognition (6-8)
- 14 Student recognition (TK-5)/ Staff Meeting
- 17 M.L. King Day
- 19 Morning Coffee with Principal/HULC Meeting
- 20 Coffee chat
- 26 Board Meeting/LCAP Meeting
- 28 Staff Meeting

- 10 First Day of School/PTO Meeting
- 13 Staff Meeting
- 18 Back to School Night(K-5)
- 25 Board Meeting
- 27 Staff Meeting
- 31 Back to School Night (6-8)

AUGUST 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				

FEBRUARY 2022						
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					

- 2 SST meetings/Grading Window Opens
- 8 SSC & PTO Meeting
- 9 Grading Window Closes
- 10 Coffee chat
- 11 Staff Meeting/Progress Report Mailed
- 16 HULC Meeting
- 17 Morning Coffee with the Principal
- 18 Lincoln's Birthday
- 20 President's Day
- 23 Board Meeting
- 25 Staff Meeting
- 26 Saturday School

- 1 SST meetings/Grading window opens
- 6 Labor Day
- 7 Picture Day
- 8 Grading window closes
- 9 Coffee chat
- 10 Staff Meeting/Progress Reports Mailed
- 14 SSC & PTO Meeting
- 15 HULC Meeting
- 16 Morning Coffee with Principal
- 20 Non - School Day
- 22 Board Meeting/LCAP Meeting
- 24 Staff Meeting
- 25 Saturday School

SEPTEMBER 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		

MARCH 2022						
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 SST meetings
- 2 Parent Conferences 6-8<sup>th</sup> grade
- 3 Parent Conferences K-5<sup>th</sup> grade
- 8 SSC & PTO Meeting
- 10 Coffee chat
- 15 Grading Window Opens
- 16 HULC Meeting
- 17 Morning Coffee with Principal/End of 3<sup>rd</sup> Quarter
- 18 Non - School Day
- 22 Grading Window Closes
- 23 Board Meeting
- 24 Student recognition (6-8)
- 25 Student recognition (TK-5)/Staff Meeting/ Report Cards Mailed

- 6 SST meetings/Grading window opens/ Board Meeting
- 8 Staff Meeting/ End of 1<sup>st</sup> Quarter
- 11 DELAC/LCAP Meeting
- 12 Picture Make-up/SSC & PTO Meeting
- 13 Grading window closes/ Coffee chat
- 14 Student recognition (6-8)
- 15 Student recognition (TK-5)/Report Cards Mailed
- 19<sup>th</sup> Parent Conferences 6<sup>th</sup>-8<sup>th</sup> grade
- 20 HULC meeting
- 20<sup>th</sup> Parent Conferences 4<sup>th</sup>-5<sup>th</sup> grade
- 20<sup>th</sup>-21<sup>st</sup> Parent Conferences TK-3<sup>rd</sup> grade
- 21 Morning Coffee with Principal
- 27 Board meeting
- 29 Halloween Carnival

OCTOBER 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						

APRIL 2022						
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

- 6 SST meetings
- 7 LCAP Meeting
- 8 Staff Meeting
- 12 PTO Meeting
- 13 Spring Concert/HULC Meeting
- 14 Coffee chat/ Grading Window Opens
- 15 Good Friday
- 18-22 Spring Break
- 27 Board Meeting /LCAP Draft Review/Grading Window Closes
- 28 Morning Coffee with Principal
- 29 Progress Reports Mailed
- 30 El Dia del Niño

- 3 SST meetings/Grading window opens
- 9 PTO Meeting
- 10 Grading window closes
- 11 Veterans Day
- 12 Coffee chat/Staff Meeting/Progress Report Mailed
- 18 Morning Coffee with the principal
- 19 Staff Meeting
- 22-26 Thanksgiving Break

NOVEMBER 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			

MAY 2022						
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				

- 3 SSC & PTO Meeting
- 6 May Dance Festival
- 11 SST Meetings
- 12 Coffee chat
- 19 Morning Coffee with Principal
- 20 Parent Appreciation Breakfast/Staff Meeting
- 21 Saturday School
- 25 Board Meeting/HULC Meeting/Grading window opens
- 30 Memorial Day
- 31 TK-2 End of Year Awards
- TKD Kinder Grad/8<sup>th</sup> grade promotion pictures

- 1 HULC Meeting/Winter Concert
- 2 Christmas Program
- 4 Saturday School
- 8 SST meetings/Board Meeting
- 9 Coffee chat
- 10 Staff Meeting
- 14 PTO Meeting
- 15 Grading window opens
- 16 Morning Coffee with the Principal
- 17 End of 2<sup>nd</sup> Quarter
- 20-31 Winter Break
- 22 Grading window closes

DECEMBER 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	

JUNE 2022						
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		

- 1 3<sup>rd</sup>-5<sup>th</sup> End of Year Awards
- 2- 6<sup>th</sup>-8<sup>th</sup> End of Year Awards/8<sup>th</sup> grade promotion/Minimum Day/ Grading window closes
- 3 Kinder Graduation/Last Day of School/End of 4<sup>th</sup> Quarter
- 6 Report Cards Mailed
- 8 Board Meeting/Budget & LCAP Public Hearing
- 22 Board Meeting/Budget & LCAP Adoption



## Hamilton Elementary School – 2021-22

### Bell Schedule TK-5

<b>TK-1<sup>st</sup> Monday – Thursday</b>		<b>TK-1<sup>st</sup> Friday</b>	
<b>8:10-9:30</b>	Start of School/Instruction	<b>8:10-9:00</b>	Start of School/Instruction
<b>9:30-10:00</b>	Nutrition Break/Recess <ul style="list-style-type: none"> <li>• TK/K @ 9:30-9:45</li> <li>• 1<sup>st</sup> @ 9:45-10:00</li> </ul>	<b>9:00-9:30</b>	Nutrition Break/Recess <ul style="list-style-type: none"> <li>• TK/K @ 9:00-9:15</li> <li>• 1<sup>st</sup> @ 9:15-9:30</li> </ul>
<b>10:00-10:45</b>	Instruction	<b>9:30-10:40</b>	Instruction
<b>10:45-11:20</b>	*Lunch/Recess	<b>10:40-11:15</b>	*Lunch/Recess
<b>11:20-2:25</b>	Instruction/Dismissal	<b>11:15-12:30</b>	Instruction/Dismissal
<b>2<sup>nd</sup> -3<sup>rd</sup> Monday – Thursday</b>		<b>2<sup>nd</sup> -3<sup>rd</sup> Friday</b>	
<b>8:10-10:00</b>	Start of School/Instruction	<b>8:10-9:45</b>	Start of School/Instruction
<b>10:00-10:30</b>	Nutrition Break/Recess <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> @ 10:00-10:15</li> <li>• 3<sup>rd</sup> @ 10:15-10:30</li> </ul>	<b>9:45-10:15</b>	Nutrition Break/Recess <ul style="list-style-type: none"> <li>• 2<sup>nd</sup> @ 9:45-10:00</li> <li>• 3<sup>rd</sup> @ 10:00-10:15</li> </ul>
<b>10:30-11:10</b>	Instruction	<b>10:15-11:00</b>	Instruction
<b>11:10-11:45</b>	*Lunch/Recess	<b>11:00-11:35</b>	*Lunch/Recess
<b>11:45-2:25</b>	Instruction/Dismissal	<b>11:35-12:30</b>	Instruction/Dismissal
<b>4<sup>th</sup>-5<sup>th</sup> Monday – Thursday</b>		<b>4<sup>th</sup>-5<sup>th</sup> Friday</b>	
<b>8:10-10:15</b>	Start of School/Instruction	<b>8:10-10:15</b>	Start of School/Instruction
<b>10:30-10:45</b>	Nutrition Break/Recess	<b>10:15-10:30</b>	Nutrition Break/Recess
<b>10:45-12:10</b>	Instruction	<b>10:30-11:20</b>	Instruction
<b>12:10-12:45</b>	*Lunch/Recess	<b>11:20-11:55</b>	*Lunch/Recess
<b>12:45-2:25</b>	Instruction/Dismissal	<b>11:55-12:30</b>	Instruction/Dismissal

07/7/2021

## 2021-22 Hamilton Middle School Bell Schedule(s)

### **Monday-Thursday Regular Bell Schedule**

<b>Home Room</b>	8:10 a.m.	-	8:30 a.m.	(20 minutes)
<b>Period One/Four</b>	8:35 a.m.	-	9:55 a.m.	(80 minutes)
<i>Break/Passing</i>	9:55 a.m.	-	10:10 a.m.	(15 minutes)
<b>Period Two/Five</b>	10:10 a.m.	-	11:28 a.m.	(78 minutes)
<i>Lunch/Recess</i>	11:30 a.m.	-	12:05 p.m.	(35 minutes)
<b>Period Three/Six</b>	12:05 p.m.	-	1:25 p.m.	(80 minutes)
<b>Period Seven/Eight</b>	1:30 p.m.	-	2:25 p.m.	(55 minutes)
<b>Teacher prep</b>	2:25 p.m.	-	3:15 p.m.	(50 minutes)

### **Friday Bell Schedule & Minimum Day Bell Schedule**

(Alternating Fridays Periods 1,2,3 or Periods 4,5,6)  
Minimum Days- Students Dismissed at 12:30pm

<b>Period One/Four</b>	8:10 a.m.	-	9:15 a.m.	(65 minutes)
<b>Period Two/Five</b>	9:20 a.m.	-	10:20 a.m.	(60 minutes)
<b>Period Three/Six</b>	10:25 a.m.	-	11:35 a.m.	(70 minutes)
<i>Break/Lunch (no recess)</i>	11:40 a.m.	-	12:05 p.m.	(25 minutes)
<b>Home Room</b>	12:10 p.m.	-	12:30 p.m.	(20 minutes)
<b>Teacher Prep</b>	1:10 p.m.	-	3:15 p.m.	(125 minutes)

### 2021-2022 Middle School Scheduled Minimum Days

- All Fridays are Minimum Days
- Tuesday October 19, 2021 (Parent/Teacher Conferences)
- Wednesday March 2, 2022 (Parent/Teacher Conferences)
- Thursday June 2, 2022



**2021-22 Certification of Assurances**

Submission of Certification of Assurances is required every fiscal year. A complete list of legal and program assurances for the fiscal year can be found at <https://www.cde.ca.gov/fg/aa/co/ca21assurancetoc.asp>.

**CDE Program Contact:**

Consolidated Application Support Desk, Education Data Office, [ConAppSupport@cde.ca.gov](mailto:ConAppSupport@cde.ca.gov), 916-319-0297

**Consolidated Application Certification Statement**

I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to participate in the monitoring process regarding the use of these funds according to the standards and criteria set forth by the California Department of Education Federal Program Monitoring (FPM) Office. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this form are on file.

Authorized Representative's Full Name	Jeremy Powell
Authorized Representative's Signature	
Authorized Representative's Title	Superintendent
Authorized Representative's Signature Date	07/12/2021

**\*\*\*Warning\*\*\***

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

### 2021-22 Protected Prayer Certification

Every Student Succeeds Act (ESSA) Section 8524 specifies federal requirements regarding constitutionally protected prayer in public elementary and secondary schools. This form meets the annual requirement and provides written certification.

**CDE Program Contact:**

Carrie Lopes, Title I Policy, Program, and Support Office, [CLopes@cde.ca.gov](mailto:CLopes@cde.ca.gov), 916-319-0126

### Protected Prayer Certification Statement

The local educational agency (LEA) hereby assures and certifies to the California State Board of Education that the LEA has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools as set forth in the "Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools."

The LEA hereby assures that this page has been printed and contains an ink signature. The ink signature copy shall be made available to the California Department of Education upon request or as part of an audit, a compliance review, or a complaint investigation.

The authorized representative agrees to the above statement	Yes
Authorized Representative's Full Name	Jeremy Powell
Authorized Representative's Title	Superintendent
Authorized Representative's Signature Date	07/14/2021
Comment	
If the LEA is not able to certify at this time, then an explanation must be provided in the comment field. (Maximum 500 characters)	

**\*\*\*Warning\*\*\***

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## 2021-22 LCAP Federal Addendum Certification

**CDE Program Contact:**

Local Agency Systems Support Office, [LCAPAddendum@cde.ca.gov](mailto:LCAPAddendum@cde.ca.gov), 916-323-5233

**Initial Application**

To receive initial funding under the Every Student Succeeds Act (ESSA), a local educational agency (LEA) must have a plan approved by the State Educational Agency on file with the State. Within California, LEAs that apply for ESSA funds for the first time are required to complete the Local Control and Accountability Plan (LCAP), the LCAP Federal Addendum Template (Addendum), and the Consolidated Application (ConApp). The LCAP, in conjunction with the Addendum and the ConApp, serve to meet the requirements of the ESSA LEA Plan.

In order to initially apply for funds, the LEA must certify that the current LCAP has been approved by the local governing board or governing body of the LEA. As part of this certification, the LEA agrees to submit the LCAP Federal Addendum, that has been approved by the local governing board or governing body of the LEA, to the California Department of Education (CDE) and acknowledges that the LEA agrees to work with the CDE to ensure that the Addendum addresses all required provisions of the ESSA programs for which they are applying for federal education funds.

**Returning Application**

If the LEA certified a prior year LCAP Federal Addendum Certification data collection form in the Consolidated Application and Reporting System, then the LEA may use in this form the same original approval or adoption date used in the prior year form.

<b>County Office of Education (COE) or District</b>	06/23/2021
For a COE, enter the original approval date as the day the CDE approved the current LCAP. For a district, enter the original approval date as the day the COE approved the current LCAP	
<b>Direct Funded Charter</b>	
Enter the adoption date of the current LCAP	
Authorized Representative's Full Name	Jeremy Powell
Authorized Representative's Title	Superintendent

**\*\*\*Warning\*\*\***

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

**2021-22 Application for Funding**

**CDE Program Contact:**

Consolidated Application Support Desk, Education Data Office, [ConAppSupport@cde.ca.gov](mailto:ConAppSupport@cde.ca.gov), 916-319-0297

**Local Governing Board Approval**

The local educational agency (LEA) is required to review and receive approval of their Application for Funding selections with their local governing board.

Date of approval by local governing board	07/28/2021
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**District English Learner Advisory Committee Review**

Per Title 5 of the California Code of Regulations Section 11308, if your LEA has more than 50 English learners, then the LEA must establish a District English Learner Advisory Committee (DELAC) which shall review and advise on the development of the application for funding programs that serve English learners.

DELAC representative's full name (non-LEA employee)	Leina Garcia
DELAC review date	05/17/2021
Meeting minutes web address Please enter the web address of DELAC review meeting minutes (format <a href="http://SomeWebsiteName.xxx">http://SomeWebsiteName.xxx</a> ). If a web address is not available, then the LEA must keep the minutes on file which indicate that the application was viewed by the committee.	<a href="https://www.husdschools.org/">https://www.husdschools.org/</a>
DELAC comment If an advisory committee refused to review the application, or if DELAC review is not applicable, enter a comment. (Maximum 500 characters)	Our committee has met this year and will approve this filing in October

**Application for Categorical Programs**

To receive specific categorical funds for a school year, the LEA must apply for the funds by selecting Yes below. Only the categorical funds that the LEA is eligible to receive are displayed.

<b>Title I, Part A (Basic Grant)</b> ESSA Sec. 1111et seq. SACS 3010	Yes
<b>Title II, Part A (Supporting Effective Instruction)</b> ESEA Sec. 2104 SACS 4035	Yes
<b>Title III English Learner</b> ESEA Sec. 3102 SACS 4203	Yes
<b>Title III Immigrant</b> ESEA Sec. 3102 SACS 4201	Yes

**\*\*\*Warning\*\*\***

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### 2021-22 Application for Funding

**CDE Program Contact:**

Consolidated Application Support Desk, Education Data Office, [ConAppSupport@cde.ca.gov](mailto:ConAppSupport@cde.ca.gov), 916-319-0297

<b>Title IV, Part A (Student and School Support)</b> ESSA Sec. 4101 SACS 4127	Yes
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**\*\*\*Warning\*\*\***

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**2021-22 Title III English Learner Student Program Subgrant Budget**

The purpose of this data collection form is to provide a proposed budget for 2021-22 English learner (EL) Student Program Subgrant funds only per the Title III English Learner Students Program requirements (ESSA, Sections 3114, 3115, & 3116).

**CDE Program Contact:**

Geoffrey Ndirangu, Language Policy and Leadership Office, [GNdirang@cde.ca.gov](mailto:GNdirang@cde.ca.gov), 916-323-5831  
 Caroline Takahashi, Language Policy and Leadership Office, [CTakahashi@cde.ca.gov](mailto:CTakahashi@cde.ca.gov), 916-323-5739

**Estimated Allocation Calculation**

Estimated English learner per student allocation	\$126.25
Estimated English learner student count	210
Estimated English learner student program allocation	\$26,513

**Note: \$10,000 minimum program eligibility criteria**

If the local educational agency's estimated English learner student program allocation is less than \$10,000, then it does not meet the minimum program eligibility criteria for direct funding status and requires further action. To receive instructions regarding the consortium application process, please go to the California Department of Education Title III EL Consortium Details web page at <https://www.cde.ca.gov/sp/el/t3/elconsortium.asp>.

**Budget**

Professional development activities	\$8,776
Program and other authorized activities	\$8,776
English Proficiency and Academic Achievement	\$4,001
Parent, family, and community engagement	\$4,000
Direct administrative costs (Amount cannot exceed 2% of the estimated English learner student program allocation)	\$480
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$480
Total budget	\$26,513

**\*\*\*Warning\*\*\***

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## 2021-22 Title III Immigrant Student Program Subgrant Budget

The purpose of this data collection form is to provide a proposed budget for 2021-22 Immigrant Student Program Subgrant funds only per the Title III Immigrant Student Program requirements (ESSA, Sections 3114, 3115, & 3116).

### CDE Program Contact:

Geoffrey Ndirangu, Language Policy and Leadership Office, [GNdirang@cde.ca.gov](mailto:GNdirang@cde.ca.gov), 916-323-5831  
 Caroline Takahashi, Language Policy and Leadership Office, [CTakahashi@cde.ca.gov](mailto:CTakahashi@cde.ca.gov), 916-323-5739

### Estimated Allocation Calculation

Estimated immigrant per student allocation	\$157.20
Estimated immigrant student count	210
Estimated immigrant student program allocation	\$33,012

### Note: Eligibility criteria

A local educational agency which has 21 or more eligible immigrant students and has experienced a significant increase of one percent or more in eligible immigrant students enrollment in the current year, compared with the average of the two preceding fiscal years, is eligible to apply.

### Budget

Authorized activities	\$32,352
Direct administrative costs	\$400
(Amount should not exceed 2% of the estimated immigrant student program allocation)	
Indirect costs	\$260
(LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	
Total budget	\$33,012

**\*\*\*Warning\*\*\***

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### 2021-22 Substitute System for Time Accounting

This certification may be used by auditors and by California Department of Education oversight personnel when conducting audits and sub-recipient monitoring of the substitute time-and-effort system. Approval is automatically granted when the local educational agency (LEA) submits and certifies this data collection.

**CDE Program Contact:**

Hilary Thomson, Fiscal Oversight and Support Office, [HThomson@cde.ca.gov](mailto:HThomson@cde.ca.gov), 916-323-0765

The LEA certifies that only eligible employees will participate in the substitute system and that the system used to document employee work schedules includes sufficient controls to ensure that the schedules are accurate.

Detailed information on documenting salaries and wages, including both substitute systems of time accounting, are described in Procedure 905 of the California School Accounting Manual posted on the web at <https://www.cde.ca.gov/fg/ac/sa/>.

2021-22 Request for authorization	Yes
LEA certifies that the following is a full disclosure of any known deficiencies with the substitute system or known challenges with implementing the system (Maximum 500 characters)	None known

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**2020-21 Title II, Part A Fiscal Year Expenditure Report, 12 Months**

Report of year-to-date expenditures and encumbrances by activity. Activity period covered is July 1, 2020 through June 30, 2021.

**CDE Program Contact:**

Arianna Bobadilla (Fiscal), Division Support Office, [ABobadilla@cde.ca.gov](mailto:ABobadilla@cde.ca.gov), 916-319-0208  
 Lisa Fassett (Program), Standards Implementation Support Office, [LFassett@cde.ca.gov](mailto:LFassett@cde.ca.gov), 916-323-4963

2020-21 Title II, Part A allocation	\$21,286
Transferred-in amount	\$0
Transferred-out amount	\$0
2020-21 Total allocation	\$21,286

**Professional Development Expenditures**

Professional development for teachers	\$4,200
Professional development for administrators	\$0
All other professional development expenditures	\$995

**Recruitment, Training, and Retention Expenditures**

Recruitment activities	\$0
Training activities	\$1,000
Retention activities	\$0
All other recruitment, training, and retention expenditures	\$0

**Miscellaneous Expenditures**

Class size reduction	\$0
Administrative and indirect costs	\$0
Equitable services for nonprofit private schools	\$0
All other allowable expenditures and encumbrances	\$0
Total expenditures and encumbrances	\$6,195
2020-21 Unspent funds	\$15,091

**\*\*\*Warning\*\*\***

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**2020-21 Title III English Learner YTD Expenditure Report, 12 Months**

A report of year-to-date (YTD) expenditures by activity. Activity period covered is July 1, 2020 through June 30, 2021.

**CDE Program Contact:**

Caroline Takahashi, Language Policy and Leadership Office, [CTakahashi@cde.ca.gov](mailto:CTakahashi@cde.ca.gov), 916-323-5739  
 Geoffrey Ndirangu, Language Policy and Leadership Office, [GNdirang@cde.ca.gov](mailto:GNdirang@cde.ca.gov), 916-323-5831

**Required and authorized Title III English Learner (EL) student program activities**

An eligible entity receiving funds under the Every Student Succeeds Act section 3115 (c)-(d) shall use the funds for the supplementary services as part of the language instruction program for EL students.

Refer to the Program Information link above for required and authorized EL student program activities.

Refer to the Data Entry Instructions link above for Expenditure Report Instructions.

2020-21 Title III EL student program allocation	\$21,105
Transferred-in amount	\$0
2020-21 Total allocation	\$21,105
<b>Object Code - Activity</b>	
1000-1999 Certificated personnel salaries	\$0
2000-2999 Classified personnel salaries	\$0
3000-3999 Employee benefits	\$0
4000-4999 Books and supplies	\$0
5000-5999 Services and other operating expenditures	\$12,267
Direct administrative costs (amount cannot exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$0
Total year-to-date expenditures	\$12,267
2020-21 Unspent funds	\$8,838

**\*\*\*Warning\*\*\***

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### 2020-21 Title III Immigrant YTD Expenditure Report, 12 Months

A report of year-to-date (YTD) expenditures by activity. Activity period covered is July 1, 2020 through June 30, 2021.

**CDE Program Contact:**

Caroline Takahashi, Language Policy and Leadership Office, [CTakahashi@cde.ca.gov](mailto:CTakahashi@cde.ca.gov), 916-323-5739  
 Geoffrey Ndirangu, Language Policy and Leadership Office, [GNdirang@cde.ca.gov](mailto:GNdirang@cde.ca.gov), 916-323-5831

**Authorized Title III Immigrant student program activities**

An eligible entity receiving funds under the Every Student Succeeds Act section 3114(d)(1) shall use the funds to pay for supplemental activities that provide enhanced instructional opportunities for immigrant children and youth.

Refer to the Program Information link above for authorized Immigrant student program activities.

Refer to the Data Entry Instructions link above for Expenditure Report Instructions.

2020-21 Title III immigrant student program allocation	\$3,329
Transferred-in amount	\$0
2020-21 Total allocation	\$3,329
<b>Object Code - Activity</b>	
1000-1999 Certificated personnel salaries	\$0
2000-2999 Classified personnel salaries	\$0
3000-3999 Employee benefits	\$0
4000-4999 Books and supplies	\$1
5000-5999 Services and other operating expenditures	\$0
Direct administrative costs (amount should not exceed 2% of the student program allocation plus transferred-in amount)	\$0
Indirect costs (LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs)	\$0
Total year-to-date expenditures	\$1
2020-21 Unspent funds	\$3,328

**\*\*\*Warning\*\*\***

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## 2020-21 Homeless Education Policy, Requirements, and Implementation

The purpose of this data collection is to meet federal requirements specified in 42 United States Code 11431 et seq. (Education for Homeless Children and Youths Act) and some federal requirements in Title I, Part A of the Elementary and Secondary Education Act (ESEA). This collection includes monitoring local educational agencies (LEAs) and their compliance with key provisions of the Education for Homeless Children and Youths Act including the collection of contact information for each required designated LEA's homeless liaison.

### CDE Program Contact:

Leanne Wheeler, Integrated Student Support and Programs Office, [LWheeler@cde.ca.gov](mailto:LWheeler@cde.ca.gov), 916-319-0383  
 Karmina Barrales, Integrated Student Support and Programs Office, [KBarrales@cde.ca.gov](mailto:KBarrales@cde.ca.gov), 916-327-9692

## Homeless Education Certification

The LEA hereby assures that the LEA has met the following requirements:

1. Designated a staff person as the liaison for homeless children and youths;
2. Developed a written policy that supports the enrollment and retention of homeless children and youths in schools of the LEA which:
  - a) Includes policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless;
  - b) Includes a dispute resolution process;
  - c) Ensures that transportation is provided for a homeless child or youth to and from the school of origin if requested by the parent, guardian or homeless liaison;
3. Disseminated public notice of the educational rights of homeless children and youths where such children and youths receive services under the provisions of the Education for Homeless Children and Youths Act.

## Homeless Liaison Contact Information

Homeless liaison first name	Jeremy
Homeless liaison last name	Powell
Homeless liaison title	Superintendent
Homeless liaison email address (Format: abc@xyz.zyx)	jpowell@hudsonschools.org
Homeless liaison telephone number (Format: 999-999-9999)	530-826-3261
Homeless liaison telephone extension	
Enter the full-time equivalent (FTE) for all personnel directly responsible for the implementation of homeless education (Format: 0.00)	3.0

## Homeless Liaison Training Information

**\*\*\*Warning\*\*\***

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## 2020-21 Homeless Education Policy, Requirements, and Implementation

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### CDE Program Contact:

Leanne Wheeler, Integrated Student Support and Programs Office, [LWheeler@cde.ca.gov](mailto:LWheeler@cde.ca.gov), 916-319-0383  
 Karmina Barrales, Integrated Student Support and Programs Office, [KBarrales@cde.ca.gov](mailto:KBarrales@cde.ca.gov), 916-327-9692

Has the homeless liaison attended and/or participated in a homeless education liaison training within the last two years	Yes
Has the homeless liaison provided training to the following personnel:	
Principals and other school leaders	Yes
Attendance officers and registrars	Yes
Teachers and instructional assistants	Yes
School counselors	Yes

### Homeless Education Policy and Requirements

Does the LEA have a written homeless education policy	Yes
No policy comment	
Provide an explanation why the LEA does not have a homeless education policy. (Maximum 500 characters)	
Date LEA's board approved the homeless education policy	01/30/2017
Does the LEA meet the above federal requirements	Yes
Compliance comment	
Provide an explanation why the LEA does not comply with federal requirements. (Maximum 500 characters)	

### Title I, Part A Homeless Expenditures

2020-21 Title I, Part A LEA allocation	\$161,579
2020-21 Title I, Part A direct or indirect services to homeless children reservation	\$3,638
Amount of 2020-21 Title I, Part A funds expended or encumbered for direct or indirect services to homeless children	\$3,638
Homeless services provided  (Maximum 500 characters)	Additional Academic Support 1:1 counseling
No expenditures or encumbrances comment  Provide an explanation why there are no Title I, Part A expenditures or encumbrances for homeless services. (Maximum 500 characters)	

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Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	ABA num Func Obj	Account num Sit Bdr DD	T9MPS	EE	ES	E-Term	E-ExtRef
											Liq	Ant	Net	Amount
001075/00	AT&T													
	PO-000403	06/12/2021	JUNE ELEM;16589152	1	01-0000-0-0000-2700-5990-000-0000-0000	NN	P				0.00			115.29
	PO-000403	06/12/2021	JUNE HS/DIST;16587708	1	01-0000-0-0000-2700-5990-000-0000-0000	NN	P				0.00			191.45
														306.74
														TOTAL PAYMENT AMOUNT
001396/00	BROWN INDUSTRIES INC													
	210498	PO-021550	05/29/2021	121-06592;ANNUAL STAFF AWARDS	1	01-0000-0-1110-1000-4300-000-0000-0000	YN	F			122.68			117.29
														117.29
														8.50
														TOTAL PAYMENT AMOUNT
001074/00	CALIFORNIA ASSN FOR		953151449											
	210541	PO-021591	06/10/2021	DLI20568;MSAWYER&KTHOMAS	2	01-4203-0-0000-2700-5200-800-000-0000	NN	F			650.00			650.00
	210541	PO-021591	06/10/2021	DLI20568;MALVAREZ&BODINEZ	1	01-4203-0-1110-1000-5200-800-000-0000	NN	F			650.00			1,300.00
														TOTAL PAYMENT AMOUNT
000234/00	CAROLINA BIOLOGICAL SPLY CO													
	210558	PO-021607	06/12/2021	51424695RI	1	01-3550-0-3800-1000-4400-100-000-0000	NN	P			543.07			543.07
														TOTAL PAYMENT AMOUNT
000407/00	CASAS													
	210559	PO-021609	06/16/2021	211308;LUPE MERCADO	1	11-6391-0-4110-1000-5200-000-000-0000	NN	F			175.00			175.00
	210559	PO-021609	06/16/2021	211308;SYLVIA ROBLES	1	11-6391-0-4110-1000-5200-000-000-0000	NN	F			175.00			350.00
														TOTAL PAYMENT AMOUNT
002024/00	CHICO PRINTING													
	210096	PO-021170	06/10/2021	CLOSE/CANCEL	1	01-0000-0-0000-2700-4300-800-000-0000	NN	C			100.00			0.00
	210096	PO-021170	06/10/2021	CLOSE/CANCEL	2	01-0000-0-1110-1000-4300-800-000-0000	NN	C			0.00			0.00
														TOTAL PAYMENT AMOUNT
001161/00	CHICO SPRINKLER INC													
	210049	PO-000419	06/10/2021	123787;RAINBIRD PARTS	1	01-8150-0-0000-8100-4300-000-000-0000	NN	P			0.00			97.45
														97.45
														TOTAL PAYMENT AMOUNT

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	Bdr	DD	TRMPS	EE	ES	E-Term	E-ExtRef
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001498/00	CHRISTY WHITE ASSOCIATES		272956198																	
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PO-000446	06/16/2021	16915;19-20 DIST AUDIT		1	01-0000-0-0000-7191-5810-000-000-00000	NN	F				1,800.00 *							0.00	1,800.00	1,800.00
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TOTAL PAYMENT AMOUNT 1,800.00

000792/00	CONSTRUCTIVE PLAYTHINGS																				
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PO-021593	06/15/2021	5183018700;PRESCH SUPPLIES		1	12-6105-0-1110-1000-4300-000-000-00000	NN	F				355.66 *							284.52	355.66	355.66
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TOTAL PAYMENT AMOUNT 355.66

001488/00	CONTINENTAL ATHLETIC SUPPLY																				
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PO-021578	06/18/2021	0104208-IN		1	01-0000-0-1110-1000-5890-100-006-00000	NN	F				5,947.66 *							5,875.25	5,947.66	5,947.66
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TOTAL PAYMENT AMOUNT 5,947.66

001470/00	CRIS OSEGUERA																				
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PV-000098	06/10/2021	MAR-JUNE MILEAGE REIMB			01-0000-0-0000-2700-5200-100-006-00000	NN														411.08	73.70	484.78
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TOTAL PAYMENT AMOUNT 484.78

001118/00	CSU CHICO																					
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PV-000097	06/10/2021	011627;SPRING 2021 INTERN FEES			01-0000-0-1110-1000-5890-800-000-00000	NN					1,500.00 *									1,500.00	1,500.00
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TOTAL PAYMENT AMOUNT 1,500.00

000506/00	CVS PHARMACY INC																					
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PO-021145	05/21/2021	CLOSE			12-6105-0-1110-1000-4300-000-000-00000	NN	C				0.00 *							122.04	0.00	0.00
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TOTAL PAYMENT AMOUNT 0.00

000338/00	GLENN COUNTY OFFICE OF ED																					
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PO-021519	06/07/2021	6570;JUNE NEWSLETTER ENG/SPAN		1	01-3010-0-1110-1000-5890-800-000-00000	NN	F				83.66 *							160.88	83.66	83.66
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TOTAL PAYMENT AMOUNT 83.66

Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	ABA num	Account num	EE	ES	E-ExtRef			
Req Reference	Date			Fd Res	Y Goal	Func Obj	Sit	Bdr	DD	T9MPS	Liq Amt	Net Amount

001273/00	JANELLE KAY		812341909									
210555	PO-021602	05/21/2021 DIGITAL HEALTH CURRICULUM		1	01-1100-0-1110-1000-5890-800-000-000000	NY F					375.00	375.00
TOTAL PAYMENT AMOUNT												375.00

001283/00	JOHN'S TIRE & MUFFLER SERVICE	825167211										
	PO-000410	06/16/2021 MOWER FLAT REPAIR		1	01-8150-0-0000-8100-5630-000-600-000000	NY P					0.00	44.55
	PO-000410	06/16/2021 OUT OF BUSINESS/CLOSE PO		1	01-8150-0-0000-8100-5630-000-000-000000	NY C					0.00	0.00
TOTAL PAYMENT AMOUNT												44.55

000308/00	KEITH DIETLE	557828633										
210477	PO-021526	05/21/2021 CLOSE		1	11-6391-0-4110-1000-5890-000-028-000000	NY C					580.00	0.00
TOTAL PAYMENT AMOUNT												0.00

001388/00	LARRY'S PEST & WEED CONTROL	141953612										
	CM-000020	06/15/2021 CREDIT ON ACCT			01-0000-0-0000-8100-5590-000-000-000000	Y					0.00	-27.50
	PO-000440	06/16/2021 FEB SERV;W13265		1	01-0000-0-0000-8100-5590-000-000-000000	NY P					0.00	560.00
	PO-000440	06/16/2021 JUNE SERV;W12572		1	01-0000-0-0000-8100-5590-000-000-000000	NY P					0.00	560.00
TOTAL PAYMENT AMOUNT												1,092.50

000014/00	MARK THAU	452828294										
210535	PO-021586	06/08/2021 SR GRAD PHOTOS		1	01-3212-0-1110-1000-5890-100-000-000000	NY F					1,115.00	1,115.00
TOTAL PAYMENT AMOUNT												1,115.00

000096/00	MILLER GLASS INC											
	PO-000434	06/04/2021 3-344968;AG BLDG WINDOW REPAIR		1	01-8150-0-0000-8100-5630-000-000-000000	NN P					0.00	876.78
TOTAL PAYMENT AMOUNT												876.78

000592/00	MISSION UNIFORM & LINEN											
210561	PO-021611	06/16/2021 514998860;ELEM WOLF MATS		1	01-0000-0-1110-1000-4300-800-000-000000	NN F					514.80	514.80
TOTAL PAYMENT AMOUNT												514.80



Vendor/Addr	Remit name	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	BdR	DD	T9MPS	EE	ES	E-Term	E-ExtRef
Req Reference	Date															Liq	Ant	Net	Amount

000524/00	MTB WELDING SUPPLY																			
210120	PO-021200	06/10/2021	01345302	5	01-0350-0-6000-1000-4300-100-053-00000	NN	F											0.00	86.57	86.57
TOTAL PAYMENT AMOUNT																				

000903/00	NATIONAL BUSINESS FURNITURE																			
210547	PO-021595	06/10/2021	MK562771-SAF	1	01-3010-0-1110-1000-4300-800-000-00000	NN	P											479.52	479.52	479.52
210547	PO-021595	06/10/2021	MK562771-ADO	1	01-3010-0-1110-1000-4300-800-000-00000	NN	P											228.03	228.03	228.03
TOTAL PAYMENT AMOUNT																				

000027/00	ORLAND HARDWARE																			
	PO-000417	06/16/2021	CLOSE	2	01-3210-0-0000-8100-4300-000-000-00000	NN	C											0.00	0.00	0.00
	PO-000417	06/16/2021	CLOSE	3	01-3220-0-1110-1000-4300-000-000-00000	NN	C											0.00	0.00	0.00
TOTAL PAYMENT AMOUNT																				

000868/00	PONCI'S WELDING																			
210570	PO-021620	06/10/2021	76245;MOWER REPAIRS	1	01-8150-0-0000-8100-5630-000-000-00000	NN	F											75.00	75.00	75.00
TOTAL PAYMENT AMOUNT																				

000144/00	ROBERTSON ERICKSON INC																			
210030	PO-021152	05/31/2021	7371;FINAL PLOT MAP	1	21-0000-0-0000-8500-6100-000-000-00000	NN	P											1,225.00	1,225.00	1,225.00
TOTAL PAYMENT AMOUNT																				

001382/00	U S BANK CORPORATE																			
210523	PO-021571	06/18/2021	CLOSE/CANCEL	1	01-0000-0-1110-1000-4400-100-006-00000	NN	C											709.40	0.00	0.00
TOTAL PAYMENT AMOUNT																				

001040/00	WILSON PRINTING																			
210551	PO-021599	06/16/2021	19776;TAX \$ AT WORK	1	01-0000-0-0000-7150-5890-000-000-00000	NY	F											289.58	289.58	289.58
TOTAL PAYMENT AMOUNT																				

TOTAL BATCH PAYMENT																19,288.64	***	0.00	19,288.64
TOTAL USE TAX AMOUNT																8.50			8.50

Vendor/Addr	Remit name	Reg Reference	Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Sit	BGR	DD	T9mps	EE	ES	E-Term	E-ExtRef	Net Amount	

TOTAL DISTRICT PAYMENT 19,288.64 \*\*\* 0.00 19,288.64  
 TOTAL USE TAX AMOUNT 8.50

TOTAL FOR ALL DISTRICTS: 19,288.64 \*\*\* 0.00 19,288.64  
 TOTAL USE TAX AMOUNT 8.50

Number of checks to be printed: 23, not counting voids due to stub overflows.  
 Number of zero dollar checks: 5, will be skipped.

Printed: 06/22/2021 17:55:33

*Chris [Signature]* 9/19/21  
 Ag pending

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type Fd Res	ABA num Y Goal Func Obj	Account num Sit Bdr DD	EE ES Liq Amt	E-Term E-ExtRef	E-ExtRef Net Amount
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001143/00	ACTUARIAL RETIREMENT								
210534	PO-021585	06/24/2021 1049; GASB 75 2021 REPT		1	01-0000-0-0000-2700-5890-000-0000-000000 NN F	500.00 *	500.00		500.00
			TOTAL PAYMENT AMOUNT						500.00

001239/00	ALAN JOKSCH								
PV-000101	06/27/2021	REIMB PROPANE; A/E FORKLIFT		11-6391-0-4110-1000-4392-000-021-000000 NN	30.86 *				30.86
			TOTAL PAYMENT AMOUNT						30.86

000047/00	CENGAGE LEARNING		592124491						
210560	PO-021610	06/21/2021 74514959; STAND-OUT 1,2,3		1	11-6391-0-4110-1000-4200-000-000-000000 NN F	1,309.54 *	1,301.48		1,309.54
			TOTAL PAYMENT AMOUNT						1,309.54

000764/00	DANIELSON CO								
PO-000425	06/15/2021	251542		1	13-5310-0-0000-3700-4300-000-000-000000 NN P		0.00		10.68
PO-000425	06/15/2021	251542		4	13-5320-0-0000-3700-4700-000-049-000000 NN P	813.04 *	0.00		802.36
			TOTAL PAYMENT AMOUNT						813.04

002047/00	DANNIS WOLIVER KELLEY		943172834						
PO-000423	06/24/2021	APRIL 2021; ATTORNEY #3407		1	01-0000-0-0000-7110-5815-000-000-000000 NE P		0.00		3,189.00
PO-000423	06/24/2021	MAY 2021; ATTORNEY #3407		1	01-0000-0-0000-7110-5815-000-000-000000 NE P		0.00		831.00
PO-000423	06/24/2021	APRIL 2021; ATTORNEY #3407		2	21-0000-0-0000-8500-5815-000-000-000000 NE P		0.00		2,130.00
PO-000423	06/24/2021	MAY 2021; ATTORNEY #3407		2	21-0000-0-0000-8500-5815-000-000-000000 NE P	11,173.50 *	0.00		5,023.50
			TOTAL PAYMENT AMOUNT						11,173.50

000424/00	DELL MARKETING		742616805						
210578	PO-021629	06/22/2021 10497733423; KEYBRD/MOUSE SETS		1	11-6391-0-4110-1000-4400-000-027-000000 NN P	184.45 *	184.45		184.45
			TOTAL PAYMENT AMOUNT						184.45

001042/00	EDUCATIONAL FACILITIES PROGRAM		050597395						
210029	PO-021150	06/18/2021 JUNE 2021; INV#19 2021		1	21-0000-0-0000-8500-5890-000-000-000000 NY F	1,680.00 *	1,680.00		1,680.00
			TOTAL PAYMENT AMOUNT						1,680.00

Vendor/Addr Reg Reference	Remit name Date	Description	Tax ID num	Deposit type Fd Res	Y Goal	ABA num Func Obj	Account num Sit Bdr DD	T9MPS	EE Liq Amt	E-ExtRef Net Amount
001192/00	FUNANDFUNCTION		000000000							
210557	PO-021504	06/15/2021 514574; CALMING ROOM SUPPLIES	1 01-3010-0-1110-1000-4300-800-0000-000000	NN	F		887.78 *		887.78	887.78
TOTAL PAYMENT AMOUNT										

000176/00	GLENN CO ENVIRONMENTAL HEALTH	946000691								
210587	PO-021640	06/27/2021 WATER HEATER PLAN APPROVAL	1 13-5310-0-0000-3700-5890-000-0000-000000	NN	F		115.00 *		115.00	115.00
TOTAL PAYMENT AMOUNT										

000782/00	GREENHOUSE MEGASTORE									
210516	PO-021565	06/21/2021 49108	1 01-6387-0-3800-1000-4400-100-000-000000	NN	F		10,969.26 *		10,969.26	10,969.26
TOTAL PAYMENT AMOUNT										

000307/00	HAMILTON HIGH SCHOOL									
PV-000099	06/11/2021	PETTY CASH REIMB; JUNE 2021	01-0000-0-1110-1000-4300-000-000-000000	NN						25.88
PV-000099	06/11/2021	PETTY CASH REIMB; JUNE 2021	01-0000-0-1110-1000-5890-800-000-000000	NN						14.65
PV-000099	06/11/2021	PETTY CASH REIMB; JUNE 2021	01-0000-0-0000-2700-5990-000-000-000000	NN						8.00
PV-000099	06/11/2021	PETTY CASH REIMB; JUNE 2021	01-8150-0-0000-8100-4300-000-000-000000	NN						56.76
PV-000099	06/11/2021	PETTY CASH REIMB; JUNE 2021	01-8150-0-0000-8100-5630-000-000-000000	NN						20.00
TOTAL PAYMENT AMOUNT										

000072/00	HILLYARD INC									
PO-000412	06/16/2021	604362895	1 01-8150-0-0000-8100-4300-000-000-000000	NN	P				0.00	1,024.10
210550	PO-021598	06/21/2021 212613; TRIDENT EXTRACTOR	2 01-7422-0-0000-8100-4400-000-000-000000	NN	F				4,542.51	4,542.51
210550	PO-021598	06/21/2021 CLOSE/STRING CHANGE	1 01-8150-0-0000-8100-4400-000-000-000000	NN	C				4,542.51	0.00
TOTAL PAYMENT AMOUNT										

001208/00	INKWELL									
210576	PO-021627	06/21/2021 29001; HS CONF ROOM CHAIRS	1 01-0000-0-1110-1000-4300-100-000-000000	NN	F		884.81 *		884.81	884.81
TOTAL PAYMENT AMOUNT										

000445/00	IT SAVVY									
210540	PO-021590	06/24/2021 01276259; CORELDRAW LIC/ACCESS	1 01-7010-0-3800-1000-4300-100-000-000000	NN	F		1,233.90 *		1,233.90	1,233.90
TOTAL PAYMENT AMOUNT										

Vendor/Addr	Remit name	Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	Bdr	DD	TRMPS	EE	ES	E-Term	E-ExtRef	
Req Reference																	Liq	Ant		Net	Amount

001292/00	NORTHSTATE SCREENPRINTING																																									
210519	PO-021576	06/22/2021	192230;HC PFA SHIRTS		1	01-7010-0-3800-1000-4300-100-000-000000	NN	F									304.29				304.29																					
TOTAL PAYMENT AMOUNT																						304.29 *																				

000309/00	OFFICE DEPOT INC																																									
210094	PO-021175	06/12/2021	176641366001		2	01-0000-0-1110-1000-4300-800-000-000000	NN	P									28.95				28.95																					
210094	PO-021175	06/14/2021	178633043001		2	01-0000-0-1110-1000-4300-800-000-000000	NN	P									91.40				91.40																					
210508	PO-021561	06/11/2021	174709334003		12	-6105-0-1110-1000-4300-000-000-000000	NN	P									4.52				4.52																					
210524	PO-021572	06/22/2021	179990865001		1	12-6105-0-1110-1000-4300-000-000-000000	NN	P									30.02				30.02																					
210524	PO-021572	06/22/2021	179990867001		1	12-6105-0-1110-1000-4300-000-000-000000	NN	P									18.33				18.33																					
210524	PO-021572	06/22/2021	179990863001		1	12-6105-0-1110-1000-4300-000-000-000000	NN	P									29.81				29.81																					
210524	PO-021572	06/22/2021	179979974001		1	12-6105-0-1110-1000-4300-000-000-000000	NN	P									56.18				56.18																					
TOTAL PAYMENT AMOUNT																						259.21 *																				

000027/00	ORLAND HARDWARE																																									
	PO-000417	06/04/2021	469010		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
	PO-000417	06/17/2021	470380		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
	PO-000417	06/24/2021	471075		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
210118	PO-021190	06/24/2021	469019		5	01-7010-0-3800-1000-4300-100-000-000000	NN	P									0.00				0.00																					
210510	PO-021563	06/03/2021	468924		1	01-3550-0-3800-1000-4300-100-000-000000	NN	P									958.29				958.29																					
210510	PO-021563	06/03/2021	468926		1	01-3550-0-3800-1000-4300-100-000-000000	NN	P									57.87				57.87																					
TOTAL PAYMENT AMOUNT																						1,364.44 *																				

000083/00	PASCO																																									
210542	PO-021600	06/18/2021	21IN006004;SENSOR/PH TEST		1	01-3550-0-3800-1000-4300-000-000-000000	NN	F									1,852.55				1,716.01																					
TOTAL PAYMENT AMOUNT																						1,716.01 *																				

000512/00	PLATT ELECTRIC SUPPLY INC																																									
	PO-000432	06/18/2021	1R81961		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
	PO-000432	06/10/2021	2906356		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
	PO-000432		1R75395		1	01-8150-0-0000-8100-4300-000-000-000000	NN	P									0.00				0.00																					
TOTAL PAYMENT AMOUNT																						913.43 *																				

Vendor/Addr Remit name Description Tax ID num Deposit type Pd Res Y Goal Func Obj ABA num Account num EE ES E-Term E-ExtRef  
 Req Reference Date

000763/00 PROPACIFIC FRESH  
 PO-000407 06/21/2021 6872858 3 13-5320-0-0000-3700-4700-000-049-00000 NN P 0.00 299.99  
 PO-000407 06/14/2021 6871743 3 13-5320-0-0000-3700-4700-000-049-00000 NN P 0.00 292.18  
 TOTAL PAYMENT AMOUNT 592.17 \* 592.17 \* 592.17

000134/00 QUILL CORPORATION  
 PO-021125 12/16/2020 13116615 2 01-0000-0-0000-7300-4300-000-000-00000 NN P 0.00 116.86  
 PO-021125 12/16/2020 13116615 3 01-0000-0-1110-1000-4300-000-000-00000 NN P 0.00 76.80  
 210411 PO-021460 12/16/2020 14509638;M ALVAREZ 2 01-0000-0-1110-1000-4300-800-000-00000 NN F 31.91 31.91  
 TOTAL PAYMENT AMOUNT 225.57 \* 225.57

001510/00 RAY MORGAN COMPANY  
 210046 PO-000413 06/21/2021 3359365;JUNE ELLAB USAGE 10 01-0000-0-3200-1000-4300-300-000-00000 NN P 0.00 11.19  
 210046 PO-000413 06/21/2021 3359365;JUNE ELEM USAGE 9 01-0000-0-1110-1000-4300-800-000-00000 NN P 0.00 105.99  
 210046 PO-000413 06/21/2021 3359365;JUNE HS USAGE 8 01-0000-0-1110-1000-4300-100-000-00000 NN P 0.00 116.82  
 210046 PO-000413 06/21/2021 3359365;JUNE DIST B&W USAGE 7 01-0000-0-0000-2700-4300-000-000-00000 NN P 0.00 35.90  
 210046 PO-000413 06/21/2021 3359365;JUNE DIST COLOR USAGE 7 01-0000-0-0000-2700-4300-000-000-00000 NN P 0.00 161.75  
 210046 PO-000413 06/21/2021 3359365;JUNE ADULT ED USAGE 11 11-6391-0-4110-1000-4300-000-000-00000 NN P 0.00 15.40  
 210046 PO-000413 06/21/2021 3359365;JUNE PRESCH USAGE 12 12-6105-0-1110-1000-4300-000-000-00000 NN P 0.00 11.19  
 TOTAL PAYMENT AMOUNT 458.24 \* 458.24

000454/00 SCHOLASTIC CLASS MAGAZINES  
 210438 PO-021491 06/20/2021 21-491.SCH NEWS 1-2 1 01-4203-0-1110-1000-4300-100-000-00000 YN F 209.44 209.44  
 TOTAL PAYMENT AMOUNT 209.44 \* 209.44  
 TOTAL USE TAX AMOUNT 15.18

000160/00 TEACHER CREATED MATERIALS 0000000000  
 210554 PO-021601 06/21/2021 2409100-2;PARENT GUIDE ENG 1 12-6105-0-1110-1000-4300-000-000-00000 NN P 160.61 160.61  
 210554 PO-021601 06/21/2021 2409100-1;PARENT GUIDE SPANISH 1 12-6105-0-1110-1000-4300-000-000-00000 NN P 64.24 64.24  
 210554 PO-021601 06/21/2021 2409100;BACKPACKS PREK-K 1 12-6105-0-1110-1000-4300-000-000-00000 NN F 801.24 801.24  
 TOTAL PAYMENT AMOUNT 1,090.33 \* 1,090.33

001382/00 U S BANK CORPORATE  
 CM-000021 06/24/2021 BASEBALL 21-536 RETURN/CREDIT 01-3212-0-1110-1000-4300-100-000-00000 N 509.78 509.78  
 CM-000022 06/24/2021 CREDIT PREV TAKEN HS ASE 01-0000-0-1110-1000-4300-100-000-00000 N -65.50 -65.50  
 PO-000447 06/24/2021 CRAIGSLIST ADS JUNE 1 01-0000-0-0000-7400-5830-000-000-00000 NN P 0.00 0.00

Vendor/Addr Reg Reference	Remit name Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	BAR	DD	T9MPS	EE	ES	B-term Liq Amt	E-ExtRef Net Amount		
001382	(CONTINUED)																				
210031	PO-021110	06/24/2021	JUNE ZOOM ACCESS JP	5	01-0000-0-0000	-7150	-5890	-000	-0000	0000	NN	P						14.99	14.99		
210031	PO-021110	06/24/2021	JP TRAVEL	6	01-0000-0-0000	-7150	-5200	-000	-0000	0000	NN	P						0.00	983.81		
210148	PO-021205	06/24/2021	AG FUEL/TRAVEL	1	01-7010-0-3800	-1000	-4392	-100	-0000	0000	NN	P						135.95	541.88		
210520	PO-021568	06/24/2021	PLUM PAPER/PLANNERS	1	01-7010-0-3800	-1000	-4300	-100	-0000	0000	YN	F						341.31	111.13		
210513	PO-021574	06/24/2021	ELEM CALM ROOM SUPPLIES	1	01-3010-0-1110	-1000	-4300	-800	-0000	0000	NN	F						3,170.32	341.31		
210538	PO-021588	06/24/2021	COOLERS FOR DIST SERVER ROOM	1	01-0000-0-0000	-8100	-4400	-000	-0000	0000	NN	F						539.86	265.81		
210539	PO-021589	06/24/2021	JL LOWES TEST/SENSOR KITS	1	01-7010-0-3800	-1000	-4300	-100	-0000	0000	NN	F						177.55	177.55		
210528	PO-021606	06/24/2021	HOME DEPOT/MAINT SUPPLIES	1	01-8150-0-0000	-8100	-4300	-000	-0000	0000	NN	F						492.08	177.55		
210536	PO-021608	06/24/2021	CALM CORNER SUPPLIES	1	01-3010-0-1110	-1000	-4300	-800	-0000	0000	NN	F						5,090.09	177.55		
210563	PO-021613	06/24/2021	AG DEPT COOLERS	1	01-7422-0-0000	-8500	-6200	-100	-0000	0000	NN	F						115.96	115.96		
210567	PO-021617	06/24/2021	CITIZENSHIP BOOKS	1	11-6391-0-4110	-1000	-4200	-000	-0000	0000	NN	F						123.38	123.38		
210573	PO-021623	06/24/2021	MAINT PROJ SUPPLIES	1	01-8150-0-0000	-8100	-4300	-000	-0000	0000	NN	F						133.50	133.50		
	PV-000100	06/24/2021	MAINT/OREILLYS PARTS	1	01-8150-0-0000	-8100	-4300	-000	-0000	0000	NN	F						458.78	133.50		
			JUNE; 4246044555628555															11,525.31	458.78		
			TOTAL PAYMENT AMOUNT																11,525.31	11,525.31	
			TOTAL USE TAX AMOUNT																	8.06	8.06

001035/00	UNIVERGE BLUE-NEC CLOUD	0000000000																		
210396	PO-000451	06/01/2021	JUNE 2021; IN81924 DIST	1	01-0000-0-0000	-2700	-5990	-000	-0000	0000	NN	P						0.00	79.36	
210396	PO-000451	06/01/2021	JUNE 2021; IN81924 HS	2	01-0000-0-0000	-2700	-5990	-100	-0000	0000	NN	P						0.00	119.04	
210396	PO-000451	06/01/2021	JUNE 2021; IN81908 ELEM	3	01-0000-0-0000	-2700	-5990	-800	-0000	0000	NN	P						0.00	197.33	
			TOTAL PAYMENT AMOUNT																	395.73
			TOTAL USE TAX AMOUNT																	

000595/00	WORTHINGTON DIRECT	0000000000																		
210543	PO-021592	06/10/2021	PRESCHOOL FURNITURE	1	12-6105-0-1110	-1000	-4300	-000	-0000	0000	NN	F						1,309.59	1,309.62	
			TOTAL PAYMENT AMOUNT																	1,309.62

			TOTAL BATCH PAYMENT																	55,837.83
			TOTAL USE TAX AMOUNT																	23.24

			TOTAL DISTRICT PAYMENT																	55,837.83
			TOTAL USE TAX AMOUNT																	23.24

			TOTAL FOR ALL DISTRICTS:																	55,837.83
			TOTAL USE TAX AMOUNT																	23.24

Number of checks to be printed: 27, not counting voids due to stub overflows.

Printed: 06/29/2021 15:56:28

Prepared by: *Chris D. Davis* 6/29/21  
 Date: \_\_\_\_\_  
 Authenticated by: \_\_\_\_\_  
 Date: \_\_\_\_\_

012 HAMILTON UNIFIED SCHOOL DIST. J46731 APY500 L.00.19 06/25/21 08:40 PAGE 1  
 ACCOUNTS PAYABLE PRELIST BATCH: 0060 BATCH 60: JULY 28, 2021 << Open >>

Vendor/Addr Remit name Date Description 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  
 000584/00 STANDARD

PO-000408 06/25/2021 JUNE 2021 1 01-0000-0-0000-0000-9573-000-000-00000 NN P 0.00 313.92  
 TOTAL PAYMENT AMOUNT 313.92 \*

TOTAL BATCH PAYMENT 313.92 \*\*\* 0.00 313.92  
 TOTAL DISTRICT PAYMENT 313.92 \*\*\*\* 0.00 313.92  
 TOTAL FOR ALL DISTRICTS: 313.92 \*\*\*\*\* 0.00 313.92

Number of checks to be printed: 1, not counting voids due to stub overflows.

Prepared by	Date
<i>John T...</i>	6/25/21
Authorized by	Date



012 HAMILTON UNIFIED SCHOOL DIST. J47542  
 BATCH 1: JULY 28, 2021

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0001 BATCH 1: JULY 28, 2021

APY500 L.00.19 07/12/21 12:54 PAGE 1  
 << Open >>

Vendor/Addr	Remit name	Req Reference	Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	BDR	DD	T9MPS	EE	ES	E-Term	E-ExtrRef	Liq Amt	Net Amount	
000008/00	CALIFORNIA'S VALUED TRUST H/W																							
	PO-000444	07/02/2021	JULY 2021			1	01-0000-0-0000-0000-9571-000-000-000000	NN	P													0.00	6,481.51	
	PO-000444	07/02/2021	JULY 2021			2	01-0000-0-0000-0000-9572-000-000-000000	NN	P													0.00	81,567.17	
	PO-000444	07/02/2021	JULY 2021			3	01-0000-0-0000-0000-9573-000-000-000000	NN	P													0.00	2,788.11	
																								90,836.79
																								90,836.79

000522/00 LESLIE ANDERSON-MILLS 573472011

PO-000433 07/02/2021 JULY 2021 - CASH IN LIEU 1 01-0000-0-1110-1000-3701-000-000-000000 NY P 0.00 791.67  
 TOTAL PAYMENT AMOUNT 791.67 \* 791.67

TOTAL BATCH PAYMENT 91,628.46 \*\*\* 0.00 91,628.46  
 TOTAL DISTRICT PAYMENT 91,628.46 \*\*\*\*\* 0.00 91,628.46  
 TOTAL FOR ALL DISTRICTS: 91,628.46 \*\*\*\*\* 0.00 91,628.46

Number of checks to be printed: 2, not counting voids due to stub overflows.

Prepared by	Date
<i>John Tom</i>	7/12/21
Authorized by	Date



Vendor/Addr Remit name	Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	EdR	DD	T9MPS	EE	ES	E-Term	E-ExtRef
Req Reference																Liq Amt			Net Amount

002029/00 CRISTINA RIOS

CL-000001	06/30/2021	MEAL/TOLLS STUDENT VISIT		01-0000-0-1110-1000-5200-100-000-00000	NN	F										60.45			60.45
TOTAL PAYMENT AMOUNT																			
60.45 *																			

000762/00 CRYSTAL CREAMERY

CL-000012	05/28/2021	19372909		13-5310-0-0000-3700-4700-000-000-00000	NN	P										215.30			215.30
CL-000012	05/27/2021	19372963		13-5310-0-0000-3700-4700-000-000-00000	NN	P										215.30			215.30
CL-000012	05/31/2021	19372983		13-5310-0-0000-3700-4700-000-000-00000	NN	P										359.80			359.80
CL-000012	06/14/2021	19407247		13-5310-0-0000-3700-4700-000-000-00000	NN	P										195.09			195.09
CL-000012	06/14/2021	194109246		13-5310-0-0000-3700-4700-000-000-00000	NN	P										185.96			185.96
CL-000013	06/24/2021	19432175		13-5320-0-0000-3700-4700-000-049-00000	NN	P										223.62			223.62
CL-000013	06/14/2021	19409247		13-5320-0-0000-3700-4700-000-049-00000	NN	P										195.09			195.09
CL-000013	05/27/2021	19372963		13-5320-0-0000-3700-4700-000-049-00000	NN	P										107.65			107.65
CL-000013	05/24/2021	19372909		13-5320-0-0000-3700-4700-000-049-00000	NN	P										107.65			107.65
CL-000013	06/17/2021	19409246		13-5320-0-0000-3700-4700-000-049-00000	NN	P										185.97			185.97
CL-000013	05/31/2021	19372983		13-5320-0-0000-3700-4700-000-049-00000	NN	P										179.90			179.90
CL-000013	06/28/2021	402818		13-5320-0-0000-3700-4700-000-049-00000	NN	F										159.74			159.74
TOTAL PAYMENT AMOUNT																			
2,331.07 *																			

000764/00 DANIELSON CO

CL-000014	06/29/2021	252108		13-5310-0-0000-3700-4300-000-000-00000	NN	F										10.67			10.67
CL-000015	06/29/2021	252108		13-5310-0-0000-3700-4700-000-000-00000	NN	F										711.53			711.53
CL-000016	06/29/2021	252108		13-5320-0-0000-3700-4700-000-049-00000	NN	F										711.53			711.53
TOTAL PAYMENT AMOUNT																			
1,433.73 *																			

000424/00 DELL MARKETING

CL-000017	06/30/2021	10499805614-4 LATITUDES A/E		11-6391-0-4110-1000-4300-000-027-00000	NN	F										7,833.50			7,833.50
TOTAL PAYMENT AMOUNT																			
7,833.50 *																			

001279/00 ERIN JOHNSON

CL-000002	06/30/2021	4/1/21-6/30/21 MILEAGE		01-0000-0-1110-1000-5200-100-006-00000	NN	F										431.76			431.76
TOTAL PAYMENT AMOUNT																			
431.76 *																			

Accounts Payable Preamble  
 Vendor/Addr Remit name Description Tax ID num Deposit type ABA num Account num EE ES E-Term E-ExtRef  
 Reg Reference Date Pd Res Y Goal Func Obj Sit Bkr DD T9MPS Liq Amt Net Amount

000801/00 HUNT & SONS INC 942209320  
 CL-000019 06/30/2021 983023 01-0000-0-0000-3600-4392-000-000-000000 NN F 1,627.27 1,627.27  
 CL-000020 06/30/2021 982183-PARK FUEL 01-0000-0-0000-8100-4392-000-000-000000 NN F 525.13 525.13  
 TOTAL PAYMENT AMOUNT 2,152.40 \* 2,152.40

000349/00 LARKIN AUTO ELECTRIC 564958031  
 PO-000401 07/06/2021 2686-GMC SIERRA 1 01-8150-0-0000-8100-5630-000-000-000000 NY P 0.00 0.00  
 TOTAL PAYMENT AMOUNT 253.85 \* 253.85

000148/00 LRT GRAPHICS  
 CL-000021 07/07/2021 28378 11-6391-0-4110-1000-4300-000-000-000000 NN F 438.13 438.13  
 TOTAL PAYMENT AMOUNT 438.13 \* 438.13

000125/00 MCGRAW-HILL SCHOOL EDUCATION  
 PV-000001 07/01/2021 18-120; SHIP CHGS FOR MULTYR 01-0001-0-1110-1000-4200-800-000-000000 NN  
 TOTAL PAYMENT AMOUNT 127.56 \* 127.56

000592/00 MISSION UNIFORM & LINEN  
 PO-000405 07/08/2021 515101491 1 13-5310-0-0000-3700-4300-000-000-000000 NN P 92.10 92.10  
 TOTAL PAYMENT AMOUNT 92.10 \* 92.10

000524/00 MJB WELDING SUPPLY  
 CL-000022 06/30/2021 01347558-TANK RENTALS 01-0350-0-6000-1000-5890-100-053-000000 NN F 21.00 21.00  
 TOTAL PAYMENT AMOUNT 21.00 \* 21.00

000903/00 NATIONAL BUSINESS FURNITURE 0000000000  
 CL-000044 06/23/2021 MK562771-NOU 01-3010-0-1110-1000-4300-800-000-000000 NN F 319.08 319.08  
 TOTAL PAYMENT AMOUNT 319.08 \* 319.08

Vendor/Addr Req Reference Date	Remit name Description	Tax ID num	Deposit type Fd Res Y Goal Func Obj	ABA num Sit Bdr DD	Account num	T9MFS	EE Liq Amt	E-Term Net Amount	E-ExtRef Net Amount
000776/00	NEW READERS PRESS								
CL-000023	06/29/2021 5028-CITIZENSHIP		11-6391-0-4110-1000-4200-000-000-00000	NN P			241.31		241.31
CL-000023	06/29/2021 4989-CIVICS		11-6391-0-4110-1000-4200-000-000-00000	NN F			519.90		519.90
		TOTAL PAYMENT AMOUNT		761.21 *					761.21
000027/00	ORLAND HARDWARE								
CL-000045	06/30/2021 468924-SHORT PAID		01-3550-0-3800-1000-4300-100-000-00000	NN F			10.00		10.00
		TOTAL PAYMENT AMOUNT		10.00 *					10.00
000763/00	PROPACIFIC FRESH								
CL-000027	06/28/2021 6873946		13-5310-0-0000-3700-4700-000-000-00000	NN F			251.99		251.99
CL-000028	06/28/2021 6873946		13-5320-0-0000-3700-4700-000-049-00000	NN F			252.00		252.00
		TOTAL PAYMENT AMOUNT		503.99 *					503.99
000134/00	QUILL CORPORATION								
CL-000029	06/21/2021 17555780		01-0000-0-1110-1000-4300-000-000-00000	NN F			156.85		156.85
CL-000030	06/21/2021 17555780		01-0000-0-0000-7300-4300-000-000-00000	NN F			103.77		103.77
CL-000031	06/21/2021 17558166		01-0000-0-1110-1000-4300-100-000-00000	NN P			110.34		110.34
CL-000031	06/21/2021 17530746		01-0000-0-1110-1000-4300-100-000-00000	NN P			16.54		16.54
CL-000031	06/21/2021 17555181		01-0000-0-1110-1000-4300-100-000-00000	NN F			149.38		149.38
CL-000032	06/21/2021 17555752		12-6105-0-1110-1000-4300-000-000-00000	NN P			14.40		14.40
CL-000032	06/21/2021 17592769		12-6105-0-1110-1000-4300-000-000-00000	NN F			31.85		31.85
		TOTAL PAYMENT AMOUNT		583.13 *					583.13

TOTAL BATCH PAYMENT	22,680.41 ***	0.00	22,680.41
TOTAL DISTRICT PAYMENT	22,680.41 ****	0.00	22,680.41
TOTAL FOR ALL DISTRICTS:	22,680.41 ****	0.00	22,680.41

Number of checks to be printed: 22, not counting voids due to stub overflows.

Printed: 07/20/2021 13:16:31

Prepared by: *Chris Pires 7/11/21*

Authenticated by: \_\_\_\_\_

Vendor/Addr Remit name Description Tax ID num Deposit type Fd Res Y Goal Func Obj Sit Bdr DD T9MPS EE ES E-Term E-ExtRef  
 Req Reference , Date

000005/00 ACEA  
 220019 PO-022116 07/01/2021 J POWELL MEMBERSHIP DUES 1 01-0000-0-0000-7150-5300-000-000-000000 NN F 1,372.69 1,372.69  
 TOTAL PAYMENT AMOUNT 1,372.69 \*

000884/00 AERIES SOFTWARE INC 0000000000  
 220015 PO-022112 07/01/2021 M&S-8181,ANNUAL RENEWAL 1 01-0000-0-1110-1000-5990-000-000-000000 NN F 17,084.60 17,084.60  
 TOTAL PAYMENT AMOUNT 17,084.60 \*

001075/00 AT&T  
 PO-000403 07/12/2021 JULY 16731045-HS/DIST 1 01-0000-0-0000-2700-5990-000-000-000000 NN P 0.00 1.07  
 PO-000403 07/12/2021 JULY 16732489-ELEM 1 01-0000-0-0000-2700-5990-000-000-000000 NN P 0.00 0.03  
 TOTAL PAYMENT AMOUNT 1.10 \*

000794/00 BUSWEST - NORTH  
 PO-000421 07/15/2021 XA410027255:01 1 01-0000-0-0000-3600-4300-000-000-000000 NN P 0.00 162.36  
 TOTAL PAYMENT AMOUNT 162.36 \*

000233/00 CALIFORNIA DEPARTMENT OF ED  
 CL-000049 06/28/2021 21 SF-3759500 13-5310-0-0000-3700-4700-000-000-000000 NN F 1,043.10 1,043.10  
 TOTAL PAYMENT AMOUNT 1,043.10 \*

000104/00 CALIFORNIA SCHOOL BOARDS ASSN  
 220017 PO-022114 07/01/2021 21-22 ANNUAL MEMBERSHIP DUES 1 01-0000-0-0000-2700-5300-000-000-000000 NN F 5,717.00 5,717.00  
 TOTAL PAYMENT AMOUNT 5,717.00 \*

000039/00 COSTCO WHOLESALE MEMBERSHIP  
 220010 PO-022106 07/01/2021 MEMBERSHIP RENEWAL 1 01-0000-0-0000-2700-5300-000-000-000000 NN F 180.00 180.00  
 TOTAL PAYMENT AMOUNT 180.00 \*

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type Fd Res Y	Goal	Func	Obj	ABA num	Account num Sit Bdr DD	T9MFS	EE	ES	E-Term Liq Amt	E-ExtRef Net Amount
002044/00	CALLSTRS													
220004	PO-022101	07/01/2021 INV#656237091200;UNIT#11612	1	01-0000-0-0000-7150-3701-000-000-000000	NN	F					5,264.79		16,684.30	
220004	PO-022101	07/01/2021 INV#656237091200;UNIT#11612	2	01-0000-0-1110-1000-3701-000-000-000000	NN	F				47,383.13			35,963.62	
				TOTAL PAYMENT AMOUNT				52,647.92 *					52,647.92	
000764/00	DANIELSON CO													
	PO-000425	07/01/2021 252416	5	01-3212-0-1110-1000-4300-000-000-000000	NN	P					0.00		58.71	
	PO-000425	07/06/2021 252416	2	13-5310-0-0000-3700-4700-000-000-000000	NN	P					0.00		411.34	
	PO-000425	07/06/2021 252416	4	13-5320-0-0000-3700-4700-000-049-000000	NN	P					0.00		411.34	
				TOTAL PAYMENT AMOUNT				881.39 *					881.39	
001023/00	FP MAILING SOLUTIONS													
	PO-000424	07/01/2021 R1104953014 7/1-9/30 DIST	1	01-0000-0-0000-2700-5620-000-000-000000	NN	P					0.00		66.93	
	PO-000424	07/01/2021 R1104953014 7/1-9/30 HS	2	01-0000-0-1110-1000-5620-100-000-000000	NN	P					0.00		100.38	
				TOTAL PAYMENT AMOUNT				167.31 *					167.31	
000881/00	FRONTLINE TECHNOLOGIES INC	232977046												
220016	PO-022113	07/01/2021 21-22 ANNUAL RENEWAL	1	01-0000-0-0000-2700-5890-000-000-000000	NN	F					4,632.51		4,632.51	
				TOTAL PAYMENT AMOUNT				4,632.51 *					4,632.51	
000727/00	GOLDEN STATE RISK													
220011	PO-022107	07/01/2021 HAMIUNI - 21-22 WORKCOMP	1	01-0000-0-0000-8100-9565-000-000-000000	NN	F					108,835.92		109,646.00	
220011	PO-022107	07/01/2021 HAMIUNI - 21-22 INSURANCE OTH	2	01-0000-0-0000-7600-5450-000-000-000000	NN	F					92,712.08		91,902.00	
				TOTAL PAYMENT AMOUNT				201,548.00 *					201,548.00	
000113/00	HAMILTON CITY COMMUNITY SVC													
	PO-000414	07/01/2021 JULY DIST 620 CR 203	1	01-0000-0-0000-8100-5590-000-000-000000	NN	P					0.00		667.72	
	PO-000414	07/01/2021 JULY HS 620 CR 203	2	01-0000-0-0000-8100-5590-100-000-000000	NN	P					0.00		1,001.57	
	PO-000414	07/01/2021 JULY ELLIAB 290 6TH	4	01-0000-0-0000-8100-5590-300-000-000000	NN	P					0.00		79.49	
	PO-000414	07/01/2021 JULY ELLIAB 277 CAPAV	3	01-0000-0-0000-8100-5590-800-000-000000	NN	P					0.00		2,384.70	
	PO-000414	07/01/2021 JULY ADULTED 535 SAC AVE	5	11-6391-0-4110-8100-5590-000-000-000000	NN	P					0.00		79.49	
	PO-000414	07/01/2021 JULY PRESCH 300 6TH	6	12-6105-0-1110-8100-5590-000-000-000000	NN	P					0.00		79.49	
				TOTAL PAYMENT AMOUNT				4,292.46 *					4,292.46	

Vendor/Addr Remit name Date Description 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 BGR DD T9MPS Liq Amt Net Amount

002006/00 HAMILTON UNIFIED SCHOOL DIST  
 CL-000047 06/30/2021 REFUNDS TO STUDENTS 13-5310-0-0000-0000-8634-000-000-000000 NN F 542.91 542.91  
 TOTAL PAYMENT AMOUNT 542.91 \*

000072/00 HILLYARD INC  
 CL-000050 06/23/2021 604369894 01-8150-0-0000-8100-4300-000-000-000000 NN F 1,267.28 1,267.28  
 CL-000054 06/30/2021 604377427 01-8150-0-0000-8100-4300-000-000-000000 NN F 101.83 101.83  
 PO-000412 07/07/2021 604383073 1 01-8150-0-0000-8100-4300-000-000-000000 NN P 0.00 0.00  
 TOTAL PAYMENT AMOUNT 1,828.44 \*

000349/00 LARKIN AUTO ELECTRIC 564958031  
 PO-000401 07/14/2021 2693-FORD TRANSIT 350 1 01-8150-0-0000-8100-5630-000-000-000000 NY P 203.39 203.39  
 TOTAL PAYMENT AMOUNT 203.39 \*

001450/00 MARIA REYES  
 CL-000046 06/29/2021 MREYES-REIME TRAVEL 01-0000-0-1110-1000-5200-100-000-000000 NN F 87.00 87.00  
 TOTAL PAYMENT AMOUNT 87.00 \*

000309/00 OFFICE DEPOT INC  
 CL-000051 06/23/2021 179990870002 12-6105-0-1110-1000-4300-000-000-000000 NN P 11.79 11.79  
 CL-000051 06/23/2021 179990866001 12-6105-0-1110-1000-4300-000-000-000000 NN F 5.62 5.62  
 TOTAL PAYMENT AMOUNT 17.41 \*

001407/00 PARAMEX SCREENING SERVICE 680179852  
 PO-000431 07/01/2021 ANNUAL MEMBERSHIP FEES 2 01-0000-0-0000-2700-5300-000-000-000000 N6 F 189.00 189.00  
 TOTAL PAYMENT AMOUNT 189.00 \*

000084/00 PG&E  
 CL-000024 07/12/2021 JUNE DIST;9921774729-6 01-0000-0-0000-8100-5590-000-000-000000 NN F 3,860.73 3,860.73  
 CL-000025 07/12/2021 JUNE HS;9921774729-6 01-0000-0-0000-8100-5590-100-000-000000 NN F 5,791.09 5,791.09  
 CL-000026 07/12/2021 JUNE ELEM;3699672995-4 01-0000-0-0000-8100-5590-800-000-000000 NN F 6,152.25 6,152.25  
 TOTAL PAYMENT AMOUNT 15,804.07 \*



Vendor/Addr Remit name	Date	Description	Tax ID num	Deposit type	Fd Res	Y	Goal	Func	Obj	ABA num	Account num	Sit	Bgr	DD	T9MPS	EE	ES	E-Term	E-ExtRef	
Req Reference																				Net Amount

000763/00	PROPACIFIC FRESH																				
PO-000407	07/06/2021	6874924		1	13	5310	0	0000	3700	4700	000	000	0000	NN	P					294.71	
PO-000407	07/06/2021	6874924		3	13	5320	0	0000	3700	4700	000	049	0000	NN	P					294.72	
				TOTAL PAYMENT AMOUNT																	589.43

000134/00	QUILL CORPORATION																				
CL-000052	06/30/2021	17677560		1	01	0000	0	3200	1000	4300	300	000	0000	NN	F					123.75	
				TOTAL PAYMENT AMOUNT																	123.75

001320/00	SCHOLASTIC INC																				
CL-000053	06/28/2021	30873140-ELEM LIBRARY		1	01	1100	0	1110	1000	4200	800	000	0000	NN	F					1,964.12	
				TOTAL PAYMENT AMOUNT																	1,964.12

000137/00	SCHOOL SERVICES OF CALIF INC																				
PO-000426	07/12/2021	JULY 0129850-IN		1	01	0000	0	1110	1000	5890	000	000	0000	NN	P					340.00	
				TOTAL PAYMENT AMOUNT																	340.00

000377/00	WASTE MANAGEMENT																				
PO-000402	07/01/2021	JULY DIST 40236285003		1	01	0000	0	0000	8100	5590	000	000	0000	NN	P					575.32	
PO-000402	07/01/2021	JULY DIST 40238905009		1	01	0000	0	0000	8100	5590	000	000	0000	NN	P					287.65	
PO-000402	07/01/2021	JULY HS 40236285003		2	01	0000	0	0000	8100	5590	100	000	0000	NN	P					862.96	
PO-000402	07/01/2021	JULY ELEM 40238285009		3	01	0000	0	0000	8100	5590	800	000	0000	NN	P					287.65	
PO-000402	07/01/2021	JULY ELEM 40238215004		3	01	0000	0	0000	8100	5590	800	000	0000	NN	P					403.47	
				TOTAL PAYMENT AMOUNT																	2,417.05

001078/00	WILGUS FIRE CONTROL INC																				

220008	PO-022111	07/01/2021	30962 FIRE ALARM ELEM		1	01	8150	0	0000	8100	5630	800	000	NN	P					228.48	
220008	PO-022111	07/01/2021	133536 FIRE EXTINGUISHER ELEM		1	01	8150	0	0000	8100	5630	800	000	NN	P					964.51	
				TOTAL PAYMENT AMOUNT																	1,192.99

001040/00	WILSON PRINTING																				

CL-000048	06/30/2021	19792-HS GRAD PROGRAMS		01	0000	0	1110	1000	4300	100	000	000	0000	NY	F					987.02	
				TOTAL PAYMENT AMOUNT																	987.02

012 HAMILTON UNIFIED SCHOOL DIST. J47889  
 BATCH 3-JULY 28 2021

ACCOUNTS PAYABLE PRELIST  
 BATCH: 0003 BATCH 3: JULY 28 2021

APY500 L.00.19 07/19/21 15:56 PAGE 5  
 << Open >>

Vendor/Addr Req Reference	Remit name Date	Description	Tax ID num	Deposit type Fd Res	Y	Goal	Func	Obj	ABA num Sit Bdr DD	Account num T9MFS	EE ES Liq Amt	E-ExtRef Net Amount		
TOTAL BATCH PAYMENT														
											316,017.02	***	0.00	316,017.02
TOTAL DISTRICT PAYMENT														
											316,017.02	****	0.00	316,017.02
TOTAL FOR ALL DISTRICTS:														
											316,017.02	****	0.00	316,017.02

Number of checks to be printed: 27, not counting voids due to stub overflows.

Printed: 07/20/2021 13:08:42

Prepared by <i>Chris R. Riva</i>	Date 7/20/21
Authorized by	Date

PO #	VENDOR NAME	STRING	AMOUNT	DETAIL
400	HUNT & SONS INC	01-0000-0-0000-3600-4392	\$ 8,500.00	BUS FUEL
400	HUNT & SONS INC	01-0000-0-0000-8100-4392	\$ 1,500.00	PARK FUEL
401	LARKIN AUTO ELECTRIC	01-8150-0-0000-8100-4300	\$ 500.00	VEHICLE PARTS
401	LARKIN AUTO ELECTRIC	01-8150-0-0000-8100-5630	\$ 2,500.00	VEHICLE REPAIRS
402	WASTE MANAGEMENT	01-0000-0-0000-8100-5590-100	\$ 9,500.00	GARBAGE COLLECTION-DIST/ELLAB/AE/PRESCH
402	WASTE MANAGEMENT	01-0000-0-0000-8100-5590-800	\$ 8,400.00	GARBAGE COLLECTION-DIST/HS
403	AT&T-CALNET 3	01-0000-0-0000-2700-5990	\$ 7,200.00	GARBAGE COLLECTION-ELEM
404	GAGER	13-5310-0-0000-3700-4300	\$ 4,000.00	PHONE SERVICE
405	MISSION UNIFORM & LINEN	13-5310-0-0000-3700-4300	\$ 700.00	DISH WASHER CAFE SUPPLIES
406	ALHAMBRA & SIERRA SPRINGS	01-0000-0-0000-2700-4300	\$ 1,700.00	CAFETERIA LINEN SERVICE
406	ALHAMBRA & SIERRA SPRINGS	01-0000-0-0000-2700-4300-100	\$ 250.00	DIST OFFICE
406	ALHAMBRA & SIERRA SPRINGS	01-0000-0-1110-1000-4300-800	\$ 350.00	HS SITE
406	ALHAMBRA & SIERRA SPRINGS	01-0000-0-3200-1000-4300-300	\$ 600.00	ELEMENTARY
406	ALHAMBRA & SIERRA SPRINGS	01-8150-0-0000-8100-4300	\$ 150.00	ELLA BARKLEY
406	ALHAMBRA & SIERRA SPRINGS	11-6391-0-4110-1000-4300	\$ 350.00	MAINTENANCE
407	PROPACIFIC FRESH	13-5310-0-0000-3700-4700	\$ 300.00	CAFETERIA SUPPLIES
407	PROPACIFIC FRESH	13-5310-0-0000-3700-4700-049	\$ 32,000.00	CAFETERIA PRODUCE
408	STANDARD	01-0000-0-0000-0000-9573	\$ 3,500.00	INSURANCE BENEFITS
411	JOHNNY'S LOCK & SAFE	01-8150-0-0000-8100-4300	\$ 4,500.00	MAINTENANCE SUPPLIES
411	JOHNNY'S LOCK & SAFE	01-8150-0-0000-8100-5630	\$ 300.00	REPAIRS TO LOCKS/DOORS
412	HILLYARD	01-8150-0-0000-8100-4300	\$ 150.00	KEYS/PARTS/SUPPLIES
413	RAY MORGAN (COLOR COPIES)	01-0000-0-1110-1000-4300-100	\$ 17,000.00	MAINTENANCE SUPPLIES
413	RAY MORGAN (COLOR COPIES)	01-0000-0-1110-1000-4300	\$ 1,200.00	B&W COPY USAGE HS
413	RAY MORGAN (COPIER LEASES)	01-0000-0-0000-2700-5620	\$ 1,100.00	B&W AND COLOR USAGE-DIST
413	RAY MORGAN (COPIER LEASES)	01-0000-0-1110-1000-5620-100	\$ 2,000.00	DIST-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	01-0000-0-1110-1000-5620-800	\$ 4,500.00	HS-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	01-0000-0-3200-1000-5620-300	\$ 12,000.00	ELEM-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	11-6391-0-4110-1000-5620	\$ 1,300.00	ELLAB-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	12-6105-0-1110-1000-5620	\$ 2,500.00	ADULT ED-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	01-0000-0-1110-1000-4300-800	\$ 1,300.00	PRESCHOOL-COPIER LEASES
413	RAY MORGAN (COPIER LEASES)	01-0000-0-3200-1000-4300-300	\$ 1,600.00	B&W COPY USAGE-ELEM
413	RAY MORGAN (COPIER LEASES)	11-6391-0-4110-1000-4300	\$ 100.00	B&W COPY USAGE-ELLAB
413	RAY MORGAN (COPIER LEASES)	12-6105-0-1110-1000-4300	\$ 250.00	B&W COPY USAGE-ADULT ED
413	RAY MORGAN (COPIER LEASES)	01-0000-0-0000-8100-5590	\$ 100.00	B&W COPY USAGE-PRESCH
414	HAMILTON CITY COMMUNITY SERV	01-0000-0-0000-8100-5590-100	\$ 4,000.00	SEWER/WATER SERVICE-DIST OFFICE
414	HAMILTON CITY COMMUNITY SERV	01-0000-0-0000-8100-5590-800	\$ 6,000.00	SEWER/WATER SERVICE-HS
414	HAMILTON CITY COMMUNITY SERV	01-0000-0-3200-8100-5590-300	\$ 15,000.00	SEWER/WATER SERVICE-ELEM
414	HAMILTON CITY COMMUNITY SERV	11-6391-0-4110-8100-5590	\$ 500.00	ELLA B SEWER/WATER
414	HAMILTON CITY COMMUNITY SERV	12-6105-0-1110-8100-5590	\$ 500.00	ADULT ED SEWER/WATER
415	GOLD STAR FOODS	13-5310-0-0000-3700-4300	\$ 500.00	PRESCHOOL SEWER/WATER
415	GOLD STAR FOODS	13-5310-0-0000-3700-4700	\$ 200.00	CAFETERIA SUPPLIES
415	GOLD STAR FOODS	13-5310-0-0000-3700-5890	\$ 500.00	CAFETERIA FOOD
416	PG&E	01-0000-0-0000-8100-5590	\$ 100.00	BOX & PROCESSING FEES
416	PG&E	01-0000-0-0000-8100-5590-100	\$ 40,000.00	DIST-ELLAB-PRESCH-ADULT ED
416	PG&E	01-0000-0-0000-8100-5590-800	\$ 60,000.00	HS
417	ORLAND HARDWARE	01-0000-0-0000-8100-5590-800	\$ 60,000.00	ELEM
418	NAPA AUTO PARTS	01-8150-0-0000-8100-4300	\$ 5,000.00	MAINTENANCE SUPPLIES
419	CHICO SPRINKLER INC	01-8150-0-0000-8100-4300	\$ 1,500.00	MAINTENANCE SUPPLIES
421	BUS WEST-NORTH	01-0000-0-0000-3600-4300	\$ 2,000.00	BUS PARTS/SUPPLIES
422	CALIFORNIA WATER SERVICE	01-0000-0-0000-8100-5590	\$ 7,500.00	WATER SERVICE-DIST/AE/PRESCH
422	CALIFORNIA WATER SERVICE	01-0000-0-0000-8100-5590-800	\$ 9,500.00	WATER SERVICE-HS
422	CALIFORNIA WATER SERVICE	01-0000-0-0000-8100-5590-300	\$ 20,000.00	WATER SERVICE-ELEM
423	DANNIS, WOLVER, KELLY (legal fees)	01-0000-0-0000-7110-5815	\$ 2,800.00	WATER SERVICE-ELLA B
423	DANNIS, WOLVER, KELLY (legal fees)	21-0000-0-0000-8500-5815	\$ 47,000.00	LEGAL FEES
424	FP MAILING SOLUTIONS-HS POSTAGE METER LEASE	01-0000-0-1110-1000-5620	\$ 66,000.00	LEGAL FEES-BOND/EXPANSION
424	FP MAILING SOLUTIONS-HS POSTAGE METER LEASE	01-0000-0-1110-1000-4300	\$ 300.00	POSTAGE METER LEASE-DIST
424	FP MAILING SOLUTIONS-HS POSTAGE METER LEASE	01-0000-0-1110-1000-4300	\$ 200.00	POSTAGE METER SUPPLIES-DIST

PO #	VENDOR NAME	STRING	AMOUNT	DETAIL
425	DANIELSONS CO	13-5310-0-0000-3700-4300	\$ 1,000.00	CAFETERIA SUPPLIES
425	DANIELSONS CO	13-5320-0-0000-3700-4300-049	\$ 500.00	CAFÉ-BOYS & GIRLS CLUB SUPPLIES
425	DANIELSONS CO	13-5310-0-0000-3700-4700	\$ 65,000.00	CAFETERIA FOOD
425	DANIELSONS CO	13-5320-0-0000-3700-4700-049	\$ 10,000.00	CAFÉ-BOYS & GIRLS CLUB FOOD
425	FP MAILING SOLUTIONS-HS POSTAGE METER LEASE	01-0000-0-1110-1000-5620-100	\$ 400.00	POSTAGE METER LEASE-HS
425	FP MAILING SOLUTIONS-HS POSTAGE METER LEASE	01-0000-0-1110-1000-4300-100	\$ 300.00	POSTAGE METER SUPPLIES-HS
426	SCHOOL SERVICES OF CA	01-0000-0-1110-1000-5890	\$ 4,000.00	ANNUAL SERVICES CONTRACT
427	US SPECIALTY COATINGS	01-8150-0-0000-8100-4300	\$ 1,000.00	FIELD PAINT
428	CALSTRS-JEM	01-0000-0-0000-2700-5890	\$ 500.00	ADMIN FEES
429	WEST COAST PAPER	01-8150-0-0000-8100-4300	\$ 4,000.00	ELEM/HS MAINT SUPPLIES
430	INDUSTRIAL POWER PRODUCTS	01-8150-0-0000-8100-4300	\$ 1,000.00	MAINT SUPPLIES
431	PARAMEX SCREENING SERVICES	01-0000-0-0000-3200-5890	\$ 500.00	BUS DRIVER-TESTING
432	PLATT	01-8150-0-0000-8100-4300	\$ 5,000.00	MAINT SUPPLIES
433	LESLIE ANDERSON-H&W BENEFIT PAYOUT PER CONTRACT	01-0000-0-1110-1000-3701	\$ 9,500.00	RETIREE H&W PAYOUT/PT OUT PER CONTRACT
434	MILLER GLASS	01-8150-0-0000-8100-5630	\$ 1,200.00	MAINT GLASS REPAIR
435	ABSOLUTE HEAT & AIR	01-8150-0-0000-8100-5630	\$ 2,500.00	EQUIPMENT REPAIRS-DIST
436	ABSOLUTE HEAT & AIR	01-0000-0-1110-1000-5630-100	\$ 200.00	EQUIPMENT REPAIRS-ELEM
436	ABSOLUTE HEAT & AIR	01-0000-0-1110-1000-5630-800	\$ 200.00	EQUIPMENT REPAIRS-ELEM
436	ABSOLUTE HEAT & AIR	01-0000-0-3200-1000-5630-300	\$ 200.00	EQUIPMENT REPAIRS-ELLA BARKLEY
436	GLENN COUNTY ROAD SHOP	01-0000-0-0000-3600-5630	\$ 2,500.00	BUS REPAIRS-SERVICE
436	GLENN COUNTY ROAD SHOP	01-8150-0-0000-8100-5630	\$ 500.00	OTHER VEHICLE REPAIRS-SERVICE
437	VOLTAGE SPECIALISTS	01-8150-0-0000-8100-5630	\$ 2,500.00	ALARM REPAIR/INSPECTION
438	CHEF STORE (FORMERLY:CASH & CARRY)	13-5310-0-0000-3700-4300	\$ 750.00	CAFETERIA SUPPLIES
438	CHEF STORE (FORMERLY:CASH & CARRY)	13-5310-0-0000-3700-4700	\$ 1,000.00	CAFETERIA FOOD
439	COMCAST INTERNET SERVICES	01-0000-0-0000-2700-5990	\$ 25,000.00	INTERNET SERVICE DIST WIDE-MOSTLY ERATE COVERED
440	LARRY'S PEST CONTROL	01-0000-0-0000-8100-5990	\$ 6,720.00	ALL SITES
441	APPEAL DEMOCRAT	01-0000-0-0000-2700-5990	\$ 250.00	CLASSIFIED ADDS
442	UNIVERGE BLUE-NEC CLOUD	01-0000-0-0000-2700-5990	\$ 1,000.00	PHONE SERVICE-DIST
442	UNIVERGE BLUE-NEC CLOUD	01-0000-0-0000-2700-5990-100	\$ 1,000.00	PHONE SERVICE-HS
442	UNIVERGE BLUE-NEC CLOUD	01-0000-0-0000-2700-5990-600	\$ 1,000.00	PHONE SERVICE-ELEM
443	PITNEY BOWES GLOBAL FINANCE-POSTAGE METER ELEM	01-0000-0-1110-1000-5620-800	\$ 700.00	ELEM POSTAGE METER LEASE
443	PITNEY BOWES GLOBAL FINANCE-POSTAGE METER ELEM	01-0000-0-1110-1000-4300-800	\$ 500.00	ELEM POSTAGE METER INK
444	CALIFORNIA'S VALUED TRUST	01-0000-0-0000-0000-9571	\$ 352,000.00	HEALTH BENEFITS EE
444	CALIFORNIA'S VALUED TRUST	01-0000-0-0000-0000-9572	\$ 712,000.00	HEALTH BENEFITS ER
444	CALIFORNIA'S VALUED TRUST	01-0000-0-0000-0000-9573	\$ 59,000.00	HEALTH BENEFITS RETIRE
445	CRYSTAL CREAMERY	13-5310-0-0000-3700-4700	\$ 15,000.00	MILK CAFÉ
445	CRYSTAL CREAMERY	13-5320-0-0000-3700-4700-000-049	\$ 4,000.00	MILK BOYS & GIRLS CLUB
446	CHRISTY WHITE ACCOUNTING	01-0000-0-0000-2700-5620	\$ 15,000.00	ANNUAL AUDIT FEES
447	US BANK-CRAIGSLIST-CLASSIFIED ADS	01-0000-0-0000-2700-5990	\$ 300.00	CLASSIFIED/JOB ADS
449	CAL PERS-RETIRE CONT	01-0000-0-1110-1000-3702	\$ 6,900.00	GOLDEN HANDSHAKE
449	CAL PERS-RETIRE CONT	01-0000-0-1110-1000-3701	\$ 14,200.00	GOLDEN HANDSHAKE
449	CAL PERS-RETIRE CONT	01-0000-0-0000-3700-3702	\$ 17,000.00	GOLDEN HANDSHAKE
449	CAL PERS-RETIRE CONT	01-0000-0-0000-8100-3702	\$ 14,300.00	GOLDEN HANDSHAKE
449	CAL PERS-RETIRE CONT	01-0000-0-0000-7300-3702	\$ 20,000.00	GOLDEN HANDSHAKE
450	VALLEY TRACTOR INC	01-8150-0-0000-8100-4300	\$ 250.00	MAINT SUPPLIES & PARTS
450	VALLEY TRACTOR INC	01-8150-0-0000-8100-5630	\$ 250.00	REPAIRS
			\$ 1,867,120.00	ESTIMATED COST TOTAL
SUBMITTED BY: CHRIS DEWITT				BOARD APPROVAL
APPROVED BY: <i>Chris Dewitt</i>				DATE: 7/11/21
APPROVED BY:				DATE: