

**HAMILTON UNIFIED SCHOOL DISTRICT  
REGULAR BOARD MEETING AGENDA  
Hamilton High School Library/Zoom/Facebook Live  
620 Canal Street, Hamilton City, CA 95951  
Monday, June 27, 2022**

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5:30 p.m.	Public session for purposes of opening the meeting only
5:30 p.m.	Closed session to discuss closed session items listed below (For Board Only)
6:00 p.m.	Reconvene to open session no <b>later</b> than 6:30 p.m.

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*Hamilton Unified School District Board Meetings are open to the public. Please join the meeting by attending in person or via the livestream on Facebook Live on the District's Facebook Group page or through the below Zoom link or dial by phone as listed below:*

Join Zoom Meeting

<https://us02web.zoom.us/j/84688330892?pwd=aGdCb1VRZFgyTURmeW5POUU5WHIVz09>

Meeting ID: 846 8833 0892

Passcode: board

Dial in by phone:

+1 669 900 6833 US

Meeting ID: 846 8833 0892

Passcode: 826421



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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, Personnel Issue. To consider public employee, evaluation, reassignment, resignation, release, dismissal, or discipline of a classified and/or certificated employee.
- 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 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 (p. 5)
  - ii. Nutrition Services Report by Sean Montgomery (p. 6)

- iii. Operations Report by Alan Joksch (p. 7)
- c. Principal and Dean of Student Reports (written)
  - i. Kathy Thomas, Hamilton Elementary School Principal (p. 8)
  - ii. Maria Reyes, District Dean of Students (p. 9)
  - iii. Cris Oseguera, Hamilton High School Principal (handout)
  - iv. Silvia Robles, Adult School (p. 10)
- d. Chief Business Official Report by Kristen Hamman (Budget included under action items)
- e. Superintendent Report by Jeremy Powell (p.11)

**8.0 PRESENTATIONS:**

- a. None

**9.0 CORRESPONDENCE:**

- a. None

**10.0 INFORMATION ITEMS:**

- a. HUSD Enrollment History for 5 years (p. 12)
- b. Bond Status (Fund 21) (No update due to GCOE outage) (p. 14)
- c. HUSD 2021 Universal Pre-Kindergarten (UPK) Plan for Board Consideration (p. 17)
- d. HUSD 2021 A-G Completion Improvement Grant Plan for Board Consideration (p. 47)

**11.0 DISCUSSION ITEMS:**

- a. Hamilton Elementary School principal job search update
- b. CSBA Policies review for first readings and discussion (p. 49)
  - i. Board Policy 0420.41: Charter School Oversight
  - ii. Exhibit(1) 0420.41: Charter School Oversight
  - iii. Exhibit(1) 1113: District and School Web Sites
  - iv. Administrative Regulation 1312.4: Williams Uniform Complaint Procedures
  - v. Exhibit(2) 1312.4: Williams Uniform Complaint Procedures
  - vi. Board Policy 3110: Transfer of Funds
  - vii. Administrative Regulation 3517: Facilities Inspection
  - viii. Exhibit(1) 3517: Facilities Inspection
  - ix. Board Policy 3523: Electronic Signatures
  - x. Administrative Regulation 3523: Electronic Signatures
  - xi. Board Policy 3550: Food Service/Child Nutrition Program
  - xii. Administrative Regulation 3550: Food Service/Child Nutrition Program
  - xiii. Board Policy 3551: Food Service Operations/Cafeteria Fund
    - 1. Option 2
  - xiv. Administrative Regulation 3551: Food Service Operations/Cafeteria Fund
  - xv. Board Policy 3553: Free and Reduced Price Meals
  - xvi. Administrative Regulation 3553: Free and Reduced Price Meals
  - xvii. Administrative Regulation 4112.2: Certification
  - xviii. Administrative Regulation 4161.8: Family Care and Medical Leave
    - 1. Option 1  
AND
    - 2. Option 1
  - xix. Administrative Regulation 4261.8: Family Care and Medical Leave
    - 1. Option 1  
AND
    - 2. Option 1
  - xx. Administrative Regulation 4361.8: Family Care and Medical Leave
    - 1. Option 1  
AND
    - 2. Option 1
  - xxi. Administrative Regulation 6173.1: Education for Foster Youth

**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 2021-22 HUSD Program Self-Evaluation State Preschool (p. 252)
- b. Approve Agricultural Career Technical Education Incentive Grant 2022-23 Application for Funding (p. 260)
- c. Adopt 2022-23 District Original Budget (available for public review at District Office and website: [www.husdschools.org](http://www.husdschools.org) in the board packet for the June 24, 2022 Public Hearing) (p. 268)
- d. Adopt 2022-23 Local Control Accountability Plan (LCAP) and all related documents (available for public review at District Office and website: [www.husdschools.org](http://www.husdschools.org) in the board packet for the June 24, 2022 Public Hearing) (p. 269):
  - i. Budget Overview for Parents
  - ii. LCAP Federal Addendum
  - iii. LCAP/LCP Annual Update
- e. Approve Tentative Agreement between CSEA and HUSD 2021-22 and 2022-23 (p. 270)
- f. Approve Classified 2022-23 Salary Schedule containing a 5% COLA, \$1000 health and welfare cap increase, \$400 master stipend increase, additional 1% column steps on the salary schedule and movement of positions and ranges on the salary schedule (p. 278)
- g. Approve contract for Parks Hardwood Floors to clean and re-coat the HHS Gym Floor (p. 281)
- h. Approve 2022-23 MOUS for the CA Agriculture Teachers' Induction Program between Davis Joint Union School District and Hamilton Unified School District (p. 285)
- i. Approve HUSD EFPM Agreement for Services 2022-23 (p. 291)
- j. Approve contract for Complete Asphalt Service Co., Inc. (CASCO) to pave Adult Ed parking lot at 535 Sacramento Ave. (p. 303)
- k. Adopt Resolution 21-22-109: Order of Election (p. 305)
- l. Approve Eagle Architects Contract for Hamilton Elementary Trash Enclosure (p. 307)
- m. Approve Annual District Designees for Glenn County Office of Education 2022-23 (p. 312)
- n. Approve Annual District Designees District Authority 2022-23 (p. 314)
- o. Approve Robertson Erickson contract for Hamilton Elementary Trash Enclosure (p. 316)
- p. Approve Superintendent 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase (p. 321)

**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 25, 2022 (p. 323)
- b. Minutes from Special Board Meeting on May 25, 2022 (p. 328)
- c. Warrants and Expenditures (p. 330)
- d. 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. 10<sup>th</sup> x 1
      - b. 9<sup>th</sup> x 1
- e. Personnel Actions as Presented:
  - i. New hires:
 

Ulises Tellechea	Elementary School Principal (TK-8), <i>pending clear live scan at Glenn County Office of Education</i>	HES
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  - ii. Resignations/Retirement:
 

Kathryn Thomas	Elementary School Principal (TK-8)	HES
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**15.0 ADJOURNMENT:**

**Technology Report**  
**Board Meeting on June 27, 2022**  
**Frank James, Director of Technology**

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**Completed and in Progress Tasks – June 2022**

- **District Alarm System:**
  - The selected vendor is going to review all sites to ensure we have everything covered.
  - Once that is completed and we have a final quote, will review with Superintendent.
- **Dell Server Outage:**
  - Last week we had a major hardware failure that led to the loss of our production server.
  - The fault was Dell's
  - We've recovered all of our Data
  - Dell has increased our warranty to 5 years as well as provided spare parts for our server that can be used to quickly respond to any future outages.
- **CalNet4:**
  - We're working on our new CalNet4 contract.
  - This provides discounts on phone services.
  - Active lines at each site have been reviewed to identify any lines no longer needed.
  - List of inactive lines will be provided to AT&T next week for disconnection.
- **New ISP:**
  - I've been working with Comcast to prepare for our new fiber internet circuit.
  - We will be upgrading during the first week of July.

## HUSD Food Service Report

### Board Meeting on June 27, 2022

Sean Montgomery, Director of Nutrition

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- We were in operation for 21 days in May.
- Elementary cafeteria served a total of 10,245 meals and snacks in the month of May.
  - 2,989 breakfasts.
  - 7,259 lunches.
  - 2,008 suppers (Boys and Girls Club)
  - 318 snacks (Boys and Girls Club)
- The high school cafeteria served a total of 6,181 meals.
  - 3,266 breakfasts
  - 2,915 lunches
- Total reimbursement for SBP and SLP \$66,790.47
  - Federal reimbursement total for the School Breakfast Program (SBP) \$16,286.46
  - State reimbursement for the School Breakfast Program (SBP) \$1,554.87
  - Federal reimbursement total for the School Lunch Program (SLP) \$46,418.87
  - State reimbursement for the School Lunch Program (SLP) \$2,530.27
- Total reimbursement for The Child & Adult Care Food Program (CACFP) \$8,189.36
  - Federal reimbursement total for suppers \$7,871.36
  - State reimbursement \$522.08
  - Federal reimbursement for p.m. snack program \$318
- The Cafeteria staff excelled during the month of May:
  - Provided support for the May Dance Festival
  - Sent over 500 meals on field trips
  - Donated time at a fund raiser for HHS MEChA program

## HUSD Maintenance Report

### Board Meeting on June 27, 2022

#### Alan Joksch, Director of Maintenance and Transportation

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##### Maintenance, Operations:

- Drawings are being submitted to DSA for the remodel of the upper grade restrooms at the Elementary.
- Pending Board approval, the High School Gym floor will be re-finished.
  - Re-finishing will allow one more year of use before it needs a complete strip, re-paint and re-surface.
- Pending Board approval, Improved parking at the Adult Ed on Sacramento Ave. is being planned.
- The Eastern Softball Dugout has been repaired.
  - It had extensive dry rot and needed to be fixed
- We hired a rodent eliminator to help control the gopher population at HES.
  - After a little more work, we plan to purchase top soil to float the Southern play field and fill in the dangerous holes.
- Summer Cleaning is well under way:
  - Most carpets have been cleaned. The remainders will be finished over the next few weeks.
  - Waxing of tiled floors is beginning, as we can move the furniture back onto the carpets.
- We will be prep the Football field as players will be on sight for a three day football camp at the end of the month.

##### Transportation:

- The vans are being used three or four days each week.
  - The boys and girls club, coaches and GCOE have had trips with them this month.
- We aided the Lions Club by bussing the local All Star Football team to Round Table pizza for dinner on the Thursday before the big game.
- In July, most of the district vehicles will be going in for annual servicing and inspections.

# HAMILTON ELEMENTARY SCHOOL

June 27, 2022

Submitted by

Kathryn Thomas, Principal

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Grade	Percentage	Grade	Percentage
TK	TK – 93.23%	5	5 – 95.61%
K	K – 89.96%	6	6 – 93.75%
1	1 – 92.09%	7	7 – 95.44%
2	2 – 92.05%	8	8 – 97.99%
3	3 – 93.80%	<b>Enrollment: 409</b>	
4	4 – 93.35%		

## Campus News:

- Three award ceremonies honored outstanding attendance, academics and improvement.
- 8th grade promotion was a huge success. The ceremony was presented in both languages to honor our community and district commitment to biliteracy.
- Kindergarten promotion brought a lot of joy to our parents, students and staff. Students sang for their parents and there was a beautiful “reception” following that allowed for pictures and end of the year celebration. Even our mascot Lobo made an appearance.
- All teachers checked out as of Tuesday, allowing for maintenance to get in and do their summer magic.

## Instructional news:

- A PLC and PD calendar is in place for 22-23 to help support the incoming Principal. Trainings are already secured with GCOE, to support UDL—requested by teachers, Rainbow Walker will be supporting PBIS at the 6-8 level, and teachers are registered for the summer QTEL training in SF next month (this team will be leading the charge for Quality teaching for all learners next year.)



## **Alternative Education Report**

**Board Meeting on Wednesday June 27, 2022**

**Maria Reyes, Dean of Students**

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- We finished the 2021-2022 school with four graduates and we now prepare for the 2022-2023 school year.
- Seniors were able to participate in Sober Grad this year and it was held at Cal-Skate.
- We had an end of year trip to Six Flags Discovery Kingdom.
- This last quarter had its success and challenges yet students were able to focus on their academic goals.
- Summer School is offered this summer from June 13<sup>th</sup> to July 1<sup>st</sup> from 8am to 12pm at Ella Barkley.
- As we prepare for the new school year, the maintenance staff will begin cleaning classrooms and office after summer school ends.
- For the 2022-23 school we will continue to have shared staff providing core classes and electives for students.

Have a Wonderful Summer!

**Hamilton Adult Education**  
**Board Meeting Report-June 27, 2022**  
**Silvia Robles/Director**

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**Completed and in Progress Tasks – June, 2022**

1. Enrollment and students served to date for all programs:
  - Citizenship..... 18
  - Computer Basics ..... 15
  - CPR/First Aid ..... 20
  - ESL..... 36
  - Floral Design ..... 39 Instances
  - Forklift Training..... 26
  - High School Diploma ..... 22
  - Job Readiness Prep ..... 0
  - TOTAL:.....176**
  
2. High School Diploma, concurrently enrolled credit completion
3. Enrolling for Forklift Training (last section for this year)
4. Agency end of year testing in progress
5. End of Year Data Report in progress

**HUSD Superintendent Report**  
**Board Meeting on June 23, 2021**  
**Jeremy Powell, Ed. D.**

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**Target Goals created by District Cabinet:**

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

The 2021-2022 school year proved that as a Unified District, great things can occur. Our District faced tremendous challenges this school year and through it all, we continued to support our students, staff, and community. We returned to a normal end of the school year with many of our missed activities proceeding as they have in previous years. We look ahead to the 2022-2023 school year with a continued focus on supporting our students academically, socially, and emotionally!

**District News:**

- We are excited to welcome [Ulises Tellechea](#) as our new Elementary School Principal. Mr. Tellechea comes to us with a strong background in working with, and developing, strong programs in his past work.

**2021-2022 Budget:**

- Because of the GCOE Technology issue, this year we have had to make MANY more assumptions with our ending budget and new year budget. Kristen has taken great care to ensure our finances continue to be as accurate as possible.
- The Legislature has yet to formally approve the governor's budget, however, we are hopeful this will be completed in the next few weeks.
- Our spending plans are strong and we are continuing to look for avenues of additional funding for the students' academics and support, as well as District facilities.

**Educational Services:**

- We are continuing to look for a Music Teacher. All other positions have been filled!

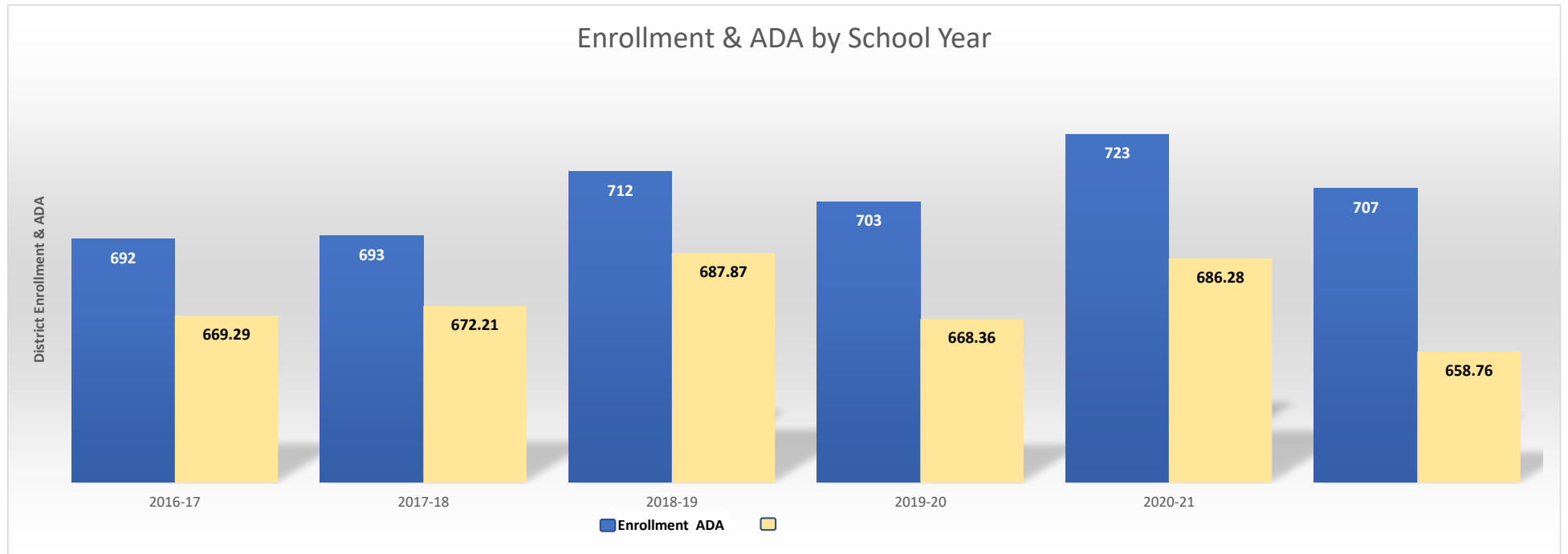
**Upcoming District Events:**

- 8/5: All District Employees In-Service Day
- 8/8: Teacher In-Service Day
- 8/9: First Day of the 2022-2023 School Year!

# HUSD ENROLLMENT OVER SIX YEARS 2016-2022

1	2	3	4	5	6
2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
264 HHS	269 HHS	286 HHS	265 HHS	295 HHS	288 HHS
14 EBHS	12 EBHS	9 EBHS	13 EBHS	11 EBHS	10 EBHS
414 K-5	279 K-5	292 K-5	272 K-5	269 K-5	260 K-5
6-8	133 6-8	125 6-8	153 6-8	146 6-8	149 6-8
692 ENROLLMENT	693 ENROLLMENT	712 ENROLLMENT	703 ENROLLMENT	723 ENROLLMENT	707 ENROLLMENT
669.29 ADA	672.21 ADA	687.87 ADA	668.36 ADA	686.28 ADA	658.76 ADA

Enrollment and ADA totals above are based on P2 Data Reporting except current year based on current reporting



# HUSD ENROLLMENT OVER SIX YEARS

## 2016-2022

2021-22 8/10-8/17		ADA
#STU	GRADE	
9	TK	
43	K	
41	1	
44	2	
45	3	
37	4	
39	5	
47	6	
45	7	
57	8	
65	9	
79	10	
75	11	
79	12	
705 TOTAL		

2021-22 8/2-8/27		ADA
#STU	GRADE	
8	TK	7.78
44	K	40.29
41	1	37.86
44	2	41.79
45	3	43.43
38	4	35.07
39	5	37.36
48	6	43.79
47	7	40.71
57	8	49.71
62	9	60.36
80	10	74.71
75	11	69.71
79	12	75.15
707 TOTAL		657.72

2021-22 8/30-9/24		ADA
#STU	GRADE	
8	TK	5.75
44	K	35.28
42	1	37.34
44	2	41.31
45	3	41.59
38	4	33.28
39	5	35.06
48	6	42.94
46	7	41.84
57	8	51.06
63	9	58.38
81	10	73.38
75	11	69.47
79	12	74.91
709 TOTAL		641.59

2021-22 9/27-10/22		ADA
#STU	GRADE	
8	TK	7.44
43	K	40.37
41	1	38.40
45	2	42.00
46	3	43.12
35	4	34.46
39	5	36.81
47	6	45.40
48	7	44.19
57	8	54.48
63	9	57.81
79	10	72.04
75	11	69.14
78	12	73.16
704 TOTAL		658.82

2021-22 10/25-11/19		ADA
#STU	GRADE	
7	TK	7.29
44	K	40.43
42	1	38.66
46	2	42.16
46	3	43.30
36	4	34.41
39	5	37.00
47	6	45.11
48	7	44.81
57	8	54.41
63	9	58.60
80	10	73.40
76	11	70.34
79	12	74.24
710 TOTAL		664.16

2021-22 12/20/21-1/14/22		ADA
#STU	GRADE	
7	TK	6.99
45	K	39.89
42	1	38.11
46	2	42.19
45	3	42.8
37	4	34.04
39	5	36.79
47	6	44.52
48	7	44.64
57	8	53.76
62	9	58.29
79	10	73.15
75	11	73.46
79	12	73.54
708 TOTAL		662.17

2021-22 01/17/22-2/11/22		ADA
#STU	GRADE	
7	TK	6.93
44	K	40.29
43	1	38.50
45	2	42.16
45	3	42.87
37	4	34.28
39	5	36.93
47	6	44.61
47	7	44.22
57	8	53.94
62	9	58.73
79	10	73.96
76	11	70.13
79	12	74.17
707 TOTAL		661.72

2021-22 02/14/22-03/11/22		ADA
#STU	GRADE	
7	TK	6.91
43	K	40.45
43	1	38.85
45	2	42.23
45	3	43.04
37	4	34.44
39	5	37.06
47	6	44.68
49	7	44.76
56	8	53.88
61	9	58.51
81	10	74.00
76	11	70.84
79	12	73.96
708 TOTAL		663.61

2021-22 3/14/22-4/8/22		ADA
#STU	GRADE	
7	TK	6.82
43	K	39.93
43	1	39.06
45	2	42.06
45	3	42.99
38	4	34.63
39	5	36.90
48	6	44.82
48	7	44.99
55	8	53.67
62	9	58.00
80	10	73.64
76	11	68.64
79	12	74.10
708 TOTAL		660.25

2021-22 5/9/22-6/3/22		ADA
#STU	GRADE	
7	TK	6.76
43	K	39.87
42	1	39.25
45	2	42.03
45	3	42.87
38	4	34.90
40	5	37.03
48	6	44.92
46	7	44.77
55	8	53.68
62	9	58.05
81	10	73.50
76	11	67.74
79	12	73.39
707 TOTAL		658.76

**Building Fund 21 (Bond) Expenditures for 2020-21  
For September 22, 2021 HUSD 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 Woliver Kelley	Legal fees related to land acquisition	\$ 490.50	Yes
423	10/21/2020	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 2,256.00	Yes
423	12/2/2020	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 90.00	Yes
423	12/9/2020	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 12,913.50	Yes
423	2/3/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 3,598.50	Yes
423	2/24/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 10,069.50	Yes
423	3/24/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 14,973.00	Yes
423	4/28/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 8,113.50	Yes
423	5/26/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 5,380.50	Yes
423	6/30/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 2,130.00	Yes
423	6/30/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 5,023.50	Yes
EP 71	6/30/2021	Dannis Woliver Kelley	Legal fees related to land acquisition	\$ 306.00	Yes
PV 12	10/7/2020	Department of Toxic Substances Control - DTSC	Property purchase testing	\$ 577.58	Yes
21-150	8/19/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 3,360.00	Yes
21-150	9/16/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 4,480.00	Yes
21-150	10/14/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 3,920.00	Yes
21-150	11/10/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 4,200.00	Yes
21-150	12/9/2020	Educational Facilities Program Management LLC	Program Management Services	\$ 2,520.00	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	\$ 1,120.00	Yes
21-150	6/30/2021	Educational Facilities Program Management LLC	Program Management Services	\$ 1,680.00	Yes
PV 32	11/10/2020	Hamilton Unified Revolving Fund for Glenn County	File a parcel map in Glenn County	\$ 1,136.00	No
PV 91	6/2/2021	Hamilton Unified Revolving Fund for Glenn County	Timios Title - closing costs for purchase of property	\$ 2,335.28	No
ER 5	6/30/2021	Revolving Ck# 1678 refund	refund - parcel map - See PV 32 dated 11/10/20	\$ (1,136.00)	No
20-495	6/16/2021	Integrated Educational	Building/Expansion Project	\$ 10,260.00	No
19-515	11/10/2020	Placeworks Inc.	CEQA Study/Expansion	\$ 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	Final survey and map package for county recorder	\$ 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	2/3/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 180.00	Yes
21-152	2/24/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 740.00	Yes
21-152	6/23/2021	Robertson Erickson Inc	Final survey and map package for county recorder	\$ 1,225.00	Yes
448	9/2/2020	Sacramento Valley Mirror	Legal ad for public hearing related to high school expansion	\$ 82.00	Yes
TV 301	3/19/2021	Timios Escrow	Deposit into escrow for acquisition of property	\$ 50,000.00	Yes
TV 353	5/7/2021	Timios Escrow	Purchase of property	\$ 1,073,500.00	Yes
<b>Total expenditures through 6/30/2021**</b>				<b>\$ 1,235,713.37</b>	

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

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

**FUND 21 (Bond) 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	10/2/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 5,009.48	Yes
19515	11/20/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 9,667.98	Yes
19515	11/20/2019	Placeworks Inc.	CEQA Review; expansion project	\$ 14,715.59	Yes
19515	6/17/2020	Placeworks Inc.	CEQA Review; expansion project	\$ 15,933.69	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



# Universal Prekindergarten Planning and Implementation Grant Program – Planning Template

A Resource for Local Educational Agencies  
Released – December 17, 2021

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## Universal Prekindergarten in California

Decades of research demonstrate that an early and strong foundation for learning matters. Children who have effective learning opportunities before kindergarten have an advantage in school and in life over children who do not, especially children with adverse childhood experiences. Children who attend quality preschool programs are more prepared for school in terms of their early literacy, language, and math skills, their executive function, and social emotional development. In some cases, preschool participants are less likely to be identified for special education services or to be held back in elementary school than children who do not attend developmentally-informed preschool programs that include strong educational components.

California is poised to realize universal prekindergarten (UPK) for all four-year-old children, and to expand services for three-year-old children through bold leadership and the unprecedented investments in the Budget Act of 2021, including universal transitional kindergarten (UTK) and expansion of the California State Preschool Program (CSPP).

The tumult of the COVID-19 pandemic accelerated a call to action to ensure a strong educational foundation for all children, emphasizing the critical role of our education system in supporting children and families' needs and how local flexibility fuels community capacity to meet their needs. California's leaders responded with historic investments in family support, child development and care, and education. Yet, as the Master Plan for Early Learning and Care highlights, realizing the promise of early childhood investments will require all partners—across early learning and care, early education, elementary education, and expanded learning and extended care communities—to work together to create a stronger system designed to meet the needs of the whole child.

### **The California Universal Prekindergarten Planning and Implementation Grant Program – Overview**

California seeks to set children on a trajectory of lifelong success by investing in early and equitable learning experiences, including infant and toddler supports, such as family leave and access to infant and toddler care, universal preschool for all four-year-old children, and enhanced educational experiences across an aligned preschool to third grade system.

The 2021–22 State Budget package established the UPK Planning and Implementation Grant Program as a state early learning initiative with the goal of expanding access to prekindergarten programs at local educational agencies (LEAs). This grant program provides \$200 million for the California Department of Education (CDE) to allocate directly to LEAs based on a statutory formula to support planning and implementation costs associated with expanding prekindergarten options, such as universally-available transitional kindergarten (TK), CSPP, and Head Start for eligible students, and other local and community-based partnerships. It is important for LEAs to include partners such as CSPP, Head Start, and other early learning and care providers in the co-creation of the local plan. Engaging all partners in the community will enhance resources for families and children and fully utilize and coordinate available resources, including facilities, staff, and funding.

Under the provisions of California Education Code (EC) Section 8281.5, grant funds are allocated to school districts, charter schools, and county offices of education (COEs) with kindergarten enrollment in specific years, according to a specified formula. In addition, funds are allocated to COEs to support countywide planning and capacity building around UPK.

Grant funds may be used for costs associated with creating or expanding CSPP or TK programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the LEA, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not limited to: (1) planning costs, (2) hiring and recruitment costs, (3) staff training and professional development, (4) classroom materials, and (5) supplies.

As a condition of receiving grant funds, state law requires each LEA to create a plan articulating,

how all children in the attendance area of the LEA will have access to full-day learning programs the year before kindergarten that meet the needs of parents, including through partnerships with the LEA's expanded learning offerings, the After-School Education and Safety Program, the California state preschool program, Head Start programs, and other community-based early learning and care programs (EC Section 8281.5).

Under state law, the plan must be developed for consideration by the LEA's governing board or body at a public meeting on or before June 30, 2022, after which the LEA must provide data, as specified by the State Superintendent of Public Instruction, to the CDE. The CDE must encumber funds by June 30, 2024. LEAs will have until June 30, 2025, to use the funds.

In addition, the 2021–22 State Budget also established the Expanded Learning Opportunities Program (ELO-P). The intent of the program is that all LEAs offer all unduplicated students in classroom-based instructional programs access to comprehensive afterschool and intersessional expanded learning opportunities. The ELO-P requires LEAs to offer in-person before or after-school expanded learning opportunities that, when added to the core instructional day, are no fewer than nine hours of combined instructional time and expanded learning opportunities per instructional day (EC Section 46120).

In 2021–22, all LEAs must offer all TK through sixth grade (TK–6) classroom-based, unduplicated pupils an ELO-P and provide access to 50 percent of TK–6 enrolled, classroom-based, unduplicated pupils. Commencing in 2022–23, as a condition of apportionment, LEAs with an Unduplicated Pupil Percentage (UPP) at or above 80 percent must offer an ELO-P to all TK–6 classroom-based pupils and provide access to all TK–6 classroom-based pupils upon parent or guardian request. LEAs with an UPP below 80 percent must offer an expanded learning opportunity to all TK–6 classroom-based, unduplicated pupils and provide access to 50 percent of TK–6 enrolled classroom-based, unduplicated pupils. LEAs receiving ELO-P funding must meet all TK–6 requirements, which include, but are not limited to, offering a minimum of a nine-hour day for students TK–6 during the school year, providing pupil access, and offering 30 non-school days of programming, such as during summer and intersession periods.

Summer and intersession programming are also offered through many other early learning programs such as CSPP, Head Start, and early learning and care providers. Sharing costs, staff, and resources can support implementation of TK that provides for full-day supports while also meeting parental needs and supporting parental choice of program and setting type. LEAs should consider how these services will be offered as part of their UPK Plan. For key definitions related to UPK in California, see Appendix I.

### **Planning Template Purpose**

The UPK Planning Template has been created to: (1) offer planning questions for LEA consideration in developing comprehensive plans for UPK that meet community and family needs, and (2) outline the data that will be required for submission to the CDE to meet the requirements of EC Section 8281.5.

This template includes recommended and required planning questions. Collectively, the recommended and required questions form a set of core planning questions the CDE believes are critical to supporting the development of a comprehensive, responsive, and community-centered UPK Plan.

- Recommended Questions: LEAs are highly encouraged to incorporate answers to these questions in their UPK Plans. Responses to these questions are not required for submission to the CDE but do support more holistic planning that meets the intent of these funds.
- Required questions: LEAs will be required to answer the required data questions outlined in this template in a survey that will be issued by the CDE following the June 30, 2022, deadline for LEAs to present their plans to their governing boards.

The CDE will be collecting information on the answers to the required questions after July 30, 2022, in a survey. This will allow the CDE to learn about how LEAs are planning to implement UPK, and to identify what additional support may be needed to help LEAs as they move along the implementation process.

The questions required for submission to the CDE should be answered based on what the LEA plans to implement in the 2022–23 school year. However, the CDE encourages that LEAs, when developing their UPK Plan for consideration by their local governing board, look beyond the first year of implementation and lay the foundation for the full implementation period. The CDE also encourages LEAs to look to their Local Control and Accountability Plans (LCAPs) to identify where their LCAPs already include relevant opportunities for alignment, and to consider the results of the UPK planning and implementation efforts as it pertains to future updates to their LCAPs.

The UPK Planning Template is organized as follows:

1. Self-Certification
2. Projected Enrollment and Needs Assessment
3. Focus Area Planning
  - a. Vision and Coherence
  - b. Community Engagement and Partnerships
  - c. Workforce Recruitment and Professional Learning
  - d. Curriculum, Instruction, and Assessment
  - e. LEA Facilities, Services, and Operations
4. Technical Assistance Questions

The CDE encourages COEs to use this template as a guide for developing their own plans for how they will support the districts in their county to assess options, make decisions, and construct a plan that includes the required questions and considers the recommended questions found in this template.

### **Accompanying Guidance**

To help introduce LEA leaders to early education concepts, agencies, and structures, the CDE will release an accompanying Guidance Document in early 2022, that will include information on the following:

1. Local LEA indirect service agencies and partners (for example, child care local planning council [LPC], Resource and Referral program [R&R], Alternative Payment Program [APP]);
2. Allowable ways to layer funding sources and programs to achieve full-day programming for four-year-old children;
3. Requirements for TK and early education facilities;
4. UPK workforce requirements for CSPP and TK educators, including the Early Learning Career Lattice, Commission on Teacher Credentialing (CTC) Child Development Teacher Permit information, information on the Multiple Subject Teaching Credential requirements, and TK educator professional learning;
5. Other available resources for UPK Implementation:
  - a. Workforce development grants and funds that can be accessed to help candidates obtain early education and TK qualifications (for example, federal stimulus funds, Educator Effectiveness Block Grant, and others);
  - b. Funding sources that can be utilized for facilities;
  - c. Funding sources that can be utilized for extended learning and care;
6. Research on the importance of participating in quality early education and research demonstrating the long-term impact on attendance, behavior, graduation rates, and academic and career success; and
7. Other resources aligned with the questions presented in the UPK Planning Template.

Additionally, the CDE will work with partners to ensure the release of additional information and technical assistance in the form of guidance, resources, tools, and regularly-scheduled webinars. Topics will include workforce, support for multilingual learners, and inclusive early education practices, among others.

### **Directions, Timeline, and Suggested Planning Process**

LEAs are encouraged to use this template to fulfill the EC Section 8281.5 requirement to create a UPK Plan that articulates how the LEA will facilitate access to full-day learning for all children the year before kindergarten, including their partnerships with CSPP, Head Start, other preschool partners, and extended learning and care partners. The CDE will

disseminate a survey to collect responses to the required questions in this template following the June 30, 2022, deadline for presenting plans to the local governing board.

The CDE recommends the following process and timeline after the release of this UPK Planning Template in December 2021:

1. LEAs convene a planning team, including staff from the early learning department and Head Start (if these exist), curriculum and instruction, student programs, workforce and human resources (HR), business services, special education, multilingual education, expanded and after-school learning, and facilities.
2. The CDE, along with partners, will release guidance, resources, and additional information to support LEAs in the development of their UPK plan. LEAs should review this guidance as part of their planning process, and COEs should use the guidance to inform the support they offer to LEAs.
3. COEs develop plans for how they will support LEAs in their county to assess options, make decisions, and construct plans that address the required questions and consider the recommended questions found in this template. COEs should communicate with the LEAs in their county about the types of information, resources, and technical assistance the COE is able to offer to support the UPK planning process.
4. LEAs conduct outreach and engagement activities with local R&Rs, LPCs, and existing extended learning and care providers including early learning and child care providers operating within the LEA's enrollment attendance boundary.
5. LEAs convene a public engagement process to gather input and perspectives to inform the plan. This engagement process should include parents, early learning communities (including CSPP, Head Start, and the Head Start Policy Council), and expanded learning communities (including the After-School Education and Safety [ASES] Program). To ensure meaningful engagement, the CDE recommends LEAs complete this by March 1, 2022.
6. If the LEA wants technical assistance from their COE, the CDE recommends LEAs submit a draft of the UPK Plan to their COE for review by April 15, 2022.
7. Planning teams meet with the COE to discuss the LEA's draft, including local constituency input, by June 1, 2022.
8. Planning teams present a draft plan to the school board by June 30, 2022.
9. The plan shall demonstrate how families will have access to full-day learning programs the year before kindergarten that meet the needs of parents, including through partnerships with the LEA's expanded learning offerings, the ASES Program, CSPP, Head Start programs, and other community-based early learning and care programs.

Following the presentation of the plan to the LEA's school board, the LEA shall respond to the CDE's subsequent requests for information no later than July 31, 2022.

## Key Considerations

### Transitional Kindergarten Implementation Timeline

As a condition of receipt of apportionment, school districts and charter schools must implement universally available TK for all four-year-old children by 2025–26 (EC 48000[c][1]). LEAs are encouraged to consider how this implementation timeline will impact elements of their UPK Plan, including whether implementing UTK on a fast timeline will allow the LEA to reach economies of scale with regard to the number of classrooms and TK teachers needed. The table below illustrates the UTK implementation timeline, including eligibility and ratios.

**Table: TK Eligibility, Ratio, and Class Size Requirements by Fiscal Year**

Type of Requirement	2021–22	2022–23	2023–24	2024–25	2025–26
<b>Eligibility</b>	Turn five between September 2 and December 2; at district discretion,	Turn five between September 2 and February 2; at district discretion,	Turn five between September 2 and April 2; at district discretion, turn	Turn five between September 2 and June 2; at district discretion, turn	Turn four by September 1

Type of Requirement	2021–22	2022–23	2023–24	2024–25	2025–26
	turn five between December 3 and the end of the school year	turn five between February 3 and the end of the school year	five between April 3 and the end of the school year	five between June 3 and the end of the school year	
<b>Ratios</b>	Not specified	1:12	1:10**	1:10**	1:10**
<b>Class Size</b>	24	24	24	24	24

\* average class size across the school site

\*\* Subject to future legislative appropriation

### Supporting a Preschool through Third Grade Continuum

The CDE recently launched a Preschool through Third Grade (P–3) Alignment Initiative rooted in research that suggests the gaps in children’s opportunities and learning outcomes demand system-level reform at the state, county, district, school, and community level. Through this work, the CDE hopes to disrupt inequities, address bias, and promote equitable opportunities for California’s early learners. UPK implementation presents a critical opportunity to strengthen P–3 alignment, as a means of sustaining and accelerating the improved child outcomes associated with high-quality, early learning experiences.

To ensure the LEA’s plan is aligned with the vision of a P–3 continuum, the development team for the LEA UPK Plan (for which this document is a template) should include staff from the early education department (if there is one), curriculum and instruction, student programs, workforce, HR, business services, special education, multilingual education, expanded learning and afterschool, and facilities. Furthermore, to create a strong UPK system that meets families’ needs, the voices and choices of parents should be centered. Furthermore, LEAs should conduct outreach to the early learning and care providers that operate within the zip codes that the LEA serves to include them in informing the development of the LEA’s UPK Plan.

As a best practice, the CDE recommends LEAs convene a public engagement process to gather input and perspectives to inform the plan by March 1, 2022. This engagement process should include parents, early education communities (including CSPP and Head Start), expanded learning communities (including the ASES Program), and early learning and care (including center- and home-based child care) in order to gather information from impacted communities to inform the development of this plan.

### Full-Day, Extended Learning and Care

State law does not require LEAs to operate a TK program that offers full-day early learning to all children the year before kindergarten; however LEAs must articulate how they plan to offer full-day, early learning programming to all students, and how they are partnering or plan to partner with other programs, such as those listed in the statute, to ensure that every child has access to extended learning and care that, combined, equates to a full-day of programming that meets the community’s needs.

Additionally, starting in the 2022–23 school year, LEAs receiving ELO-P funding must offer nine hours of combined instructional time and expanded learning opportunities per instructional day to all unduplicated children enrolled in TK and at least 30 intersession days; however, LEAs are not required to exclusively use ELO-P funding to meet the requirement. LEAs can instead partner with Head Start, CSPP, ASES, or other community-based child care programs to fund and provide the additional extended learning and care hours needed to reach nine hours. (EC Section 46120). This would allow the LEA to use ELO-P funds to provide additional service hours or services for additional children.

### **Creating Joint or Aligned Plans**

LEAs are permitted to partner in creating a joint UPK Plan and may submit the same plan for multiple LEAs. Small and rural LEAs serving similar communities, especially those with low TK or kindergarten average daily attendance (ADA), are strongly encouraged to consider creating a joint UPK Plan which includes non-district learning programs serving four-year-old children. LEAs are also encouraged to consider partnering with other nearby LEAs to submit a joint UPK Plan or with their COE to create a single, countywide plan. These joint plans should be developed in conjunction with CSPP, Head Start, other preschool programs, and early learning and care providers.



**UPK Planning Template  
Self-Certification**

In the data collection survey submitted to the CDE, LEAs must self-certify they developed a plan that was presented for consideration by the governing board or body at a public meeting on or before June 30, 2022, for how all children in the attendance area of the LEA will have access to full-day learning programs the year before kindergarten that meet the needs of parents, including through partnerships with the LEA’s expanding learning offerings, ASES, CSPP, Head Start programs, and other community-based early learning and care programs.

1. Please complete the following table:

LEA Name	Contact Name and Title of the Individual Self-Certifying the Statement Above	Email	Phone
Hamilton Unified School District	Shirley Diaz	sdiaz@glenncoe.org	530.865.1267

2. Did the LEA develop a joint plan with multiple LEAs (for example, multiple small and rural LEAs serving similar communities or countywide plans developed with support of the COE for all LEAs in the county)? [select one]

Yes

3. If the LEA answered Yes to Question 2, what other LEAs are part of this joint plan?

Capay Joint Union Elementary  
Hamilton Elementary  
Lake Elementary  
Plaza Elementary  
Princeton Elementary  
Elk Creek Elementary  
Murdock Elementary  
Mill Street Elementary  
William Finch Charter School  
Walden Academy  
Glenn County Office of Education

## Projected Enrollment and Needs Assessment Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. What do existing data sources indicate about parental needs and preferences related to early learning and care programs for three- and four-year-old children in the LEAs attendance area? (LEAs are encouraged to work with local early learning and care partners such as CSPP, Head Start programs, LPCs, R&Rs, and APPs, and utilize data sources such as LPC Needs Assessment data, Head Start Needs Assessments, and so on)
2. Using the projected TK enrollment for the LEA provided by the CDE, make modifications to the LEA's TK student estimates and make cumulative facilities and staffing estimates needed each year from school year 2022–23 to 2025–26. Complete the following tables.

**Table: Projected Student Enrollment**

Type of Student	2019–20	Current (TK-eligible children turn five between September 2 and December 2, inclusive)	2022–23 (TK-eligible children turn five between September 2 and February 2, inclusive)	2023–24 (TK-eligible children turn five between September 2 and April 2, inclusive) <sup>4</sup>	2024–25 (TK-eligible children turn five between September 2 and June 2, inclusive)	2025–26 (TK-eligible children turn four by September 1)
TK Students						
CSPP (if applicable)	140	140	140	155	155	155

**Table: Facilities Estimates (Cumulative)**

Type of Facility	2019–20	Current	2022–23	2023–24	2024–25	2025–26
TK Classrooms						
CSPP Classrooms	7	7	7	8	8	8
Head Start or Other Early Learning and Care Classrooms	14	15	17	17	17	17

**Table: Staffing Estimates (Cumulative)**

Type of Staff	2019–20	Current	2022–23	2023–24	2024–25	2025–26
TK Teacher's Assistants						
CSPP (if applicable)	14	14	14	16	16	16

Type of Staff	2019–20	Current	2022–23	2023–24	2024–25	2025–26
Other CSPP Classroom Staff (if applicable)	12	12	12	13	13	13
Early Education District-level staffing (if applicable)						

3. As part of the ELO-P requirements, EC Section 8281.5 requires LEAs to offer or partner in offering in-person before school or after-school expanded learning opportunities that, when added to daily instructional minutes, are no fewer than nine hours of combined instructional time and expanded learning opportunities per instructional day, including through partnerships with the LEA’s expanding learning offerings, ASES, CSPP, Head Start programs, and other community-based early learning and care programs.

Consider your estimated number of TK students. Estimate the number of TK students that will utilize extended learning and care services in addition to the TK instructional minutes. Then, working with local early learning and care and expanded learning partners, estimate the number of slots available for TK students in the following programs:

**Table: Projected Number of TK Students Utilizing Extended Learning and Care**

2019–20	Current	2022–23	2023–24	2024–25	2025–26

**Table: Projected Number of Slots Available for TK Students**

Slot Type	2019–20	Current	2022–23	2023–24	2024–25	2025–26
Head Start						
ASES Program/ELO-P						

**Required Questions**

**CDE will be requiring this information be completed after the plan is presented to the governing board.**

There are no required questions in this section.

## Focus Area A: Vision and Coherence

In order to provide equity of access for all students and their families, it is vital for the LEA, in partnership with early learning and care programs, to develop a coherent educational system that begins with UPK, includes access to TK and other options for all four-year-old children, and provides nine hours of programming per day through a combination of instructional time and extended learning and care opportunities for those families who choose this option.

In planning for UPK, consider how the LEA's administrative structure will support school leadership in building connections between them and expanded learning programs as well as early learning and care programs (CSPP, Head Start, other subsidized or privately administered preschool and child care programs) to provide UPK programming and before school and after-school, intersession, and summer learning and care.

### Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. What is the LEA's vision for UPK?

The vision of Hamilton Unified School District is to lay a strong foundation for academic success, social-emotional well being, and productive lives for all students by providing high quality early education opportunities for all eligible PreK students. The district will accomplish this through meaningful and productive engagement of all families and community partners, providing highly qualified teachers and support staff, and ensuring developmentally appropriate and standards aligned curriculum and instructional practices for all students.

2. In addition to TK, what service delivery models will be integrated to offer UPK programming, including the nine hours of total extended learning and care programming around the TK instructional time for families that opt in? In developing this component of the plan, LEAs should include partners such as CSPP, Head Start, and other early learning and care providers to ensure local services and funding are maximized and coordinated in response to parental needs and choice.

In addition to TK, the other service delivery models available in the county are: Expanded Learning Programs at the district, CSPP, Head Start, and Family Childcare network.

3. Describe the planned administrative structure that will support and monitor the UPK program and facilitate connections with the ELO-P as well as non-LEA-administered early learning and care programs that will support the extended learning components of UPK.

Each LEA will work with GCOE CAFS and GCOE EdServices to facilitate connections with various service delivery options and any monitoring or resource needs.

5. Identify how UPK leadership will be integrated in the decision-making process at the executive or cabinet level.

There are opportunities to serve on various county advisory boards and committees. Teachers and UPK staff taking a role with LCP, or being a part of the district's administrative team.

6. Describe how the LEA's proposed UPK model will be integrated with the district's LCAP.

UPK will align with the goals, actions and services of the district's LCAP. Fiscal resources aligned with specific actions will be included.

7. Describe how the LEA plans to ensure the inclusion of students with disabilities in UPK classrooms and who will be involved in the process.

The district currently has a model of including all students with disabilities in the general education environment. Students will be supported through the partnership between general education and special education program at the school site. This may include "push-in" services where a staff person from special education will go into the UPK class and provide supports to student(s) so they can participate to the best of their abilities in the UPK class. This may also include collaboration and consultation between the UPK teacher and the education specialist in order to provide modifications and accommodations for students so the student can participate effectively in

the UPK environment. These are existing systems at the school site and extending them to the UPK environment will be easily accomplished.

8. Describe how the LEA plans to support sites in building connections between them and ELO-P, as well as early learning and care partners.

The LEA will connect UPK staff with the Glenn Community of Practice, GCOE CAFS, and the Expanded Learning program grant requirements.

### Required Questions

**CDE will be requiring this information be completed after the plan is presented to the governing board.**

1. Which of the following model(s) of service delivery does the LEA plan to implement for UPK for all four-year-old children, including classes fully inclusive of children with disabilities, to provide access to the least restrictive environment for learning? [select all that apply]

TK stand-alone classes

TK and kindergarten combination classes

2. Does the LEA plan to implement full-day TK, part-day TK, or both? [select one]

Part Day TK

3. Describe how the model(s) of service delivery selected in the preceding two questions will be implemented across the LEA's sites and why.

N/A

4. Does the LEA plan to begin operating a CSPP or expand its current CSPP contract? [select one]

No - the LEA has no plans to begin or expand a CSPP contract in future years

5. If the LEA answered yes in question four, what age of children does the LEA plan to serve through a CSPP contract? [select all that apply]

6. Please indicate if the LEA plans to serve students eligible for early admittance TK, for children whose fifth birthday occurs after the enrollment date for the year of implementation (see implementation timeline above)?

- a. 2022–23 (Birthdays February 3 or after) [select one]

Maybe

- b. 2023–24 (Birthdays April 3 or after) [select one]

Maybe

- c. 2024–25 (Birthdays June 3 or after) [select one]

Maybe

## Focus Area B: Community Engagement and Partnerships

To successfully implement UPK and create a P–3 continuum, LEAs will need to cultivate relationships and collaborate with both internal and external partners.

### Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. How does the LEA’s UPK Plan prioritize parental needs and choices?  
The district will prioritize parental needs and choices through surveys, Parent Cafes and CAFS/Resource and Referral connections. Other opportunities for input include school site council and board meetings.
2. How does the LEA plan to meaningfully engage extended learning and care partners in the development of the LEA’s UPK Plan?  
There will be various Stakeholder focus groups which will give opportunity to meaningfully engage extended learning and care partners.
3. What actions does the LEA plan to take to partner with local R&Rs; LPCs; and existing early education, child care, and expanded learning providers within the LEA’s attendance boundary to support parents to access services across LEA-administered and non-LEA-administered programs for extended learning and care and other supports?  
Child and Family Services (Resource and Referral, Head Start Policy Council and LPC) will promote access to UPK services in Glenn County communities and will collaborate to access data and parent survey information.
4. How does the LEA plan to create or grow partnerships with early learning and care providers serving children with disabilities (including how the LEA plans to collaborate with their SELPA to enroll more children with disabilities in inclusive UPK opportunities)?  
The LEAs have current longstanding relationships with Glenn County SELPA and the special education preschool program through GCOE. The preschool programs provides services within early learning centers so students with special needs can attend these program successfully. The LEAs will continue to coordinate with the GCOE preschool coordinator to ensure students with IEPs enroll in inclusive UPK opportunities.

### Required Questions

**CDE will be requiring this information be completed and submitted to the CDE after the plan is presented to the governing board.**

1. Identify which of the following opportunities the LEA implemented to obtain public input on the UPK Plan. [Select all that apply]

Parent Teacher Association Meetings

Family or parent surveys

English Learner Advisory Committee (ELAC)

Special Education Local Plan Area (SELPA)

LCAP educational partners input sessions

Hosting meet and greets with the early learning and care community

LPC Meetings

Local Quality Counts California (QCC) consortia meetings

2. Select which programs the LEA plans to combine with the TK instructional day to offer a minimum of nine hours per day of programming (instructional day plus programming) for children whose families opt in for extended learning and care. [select all that apply]

Expanded learning programs on an LEA site (ASES, 21st Century Community Learning Centers [21st CCLC], ELO-P)

## Focus Area C: Workforce Recruitment and Professional Learning

Based on the projected enrollment and needs described in Focus Area A, LEAs should create a plan to recruit, train, and support the new TK, preschool, early learning and care, and expanded learning staff needed to support full-day early education options for all children the year before kindergarten.

(Note: All LEAs will need to plan for workforce development considerations as part of this planning work. There is a separate \$100 million allocation for the Prekindergarten Planning and Implementation Grant – Competitive, also known as the Early Education Teacher Development Grant, that will be competitively awarded and is not part of this planning template.)

EC Section 48000(g)(4) specifies that credentialed teachers who are first assigned to a TK classroom after July 1, 2015, have, by August 1, 2023, one of the following:

- a. At least 24 units in early childhood education, or childhood development, or both.
- b. As determined by the LEA employing the teacher, professional experience in a classroom setting with preschool age children that is comparable to the 24 units of education described in subparagraph (a).
- c. A Child Development Teacher Permit issued by the CTC.

EC Section 8295 specifies that teachers in CSPP shall either possess a permit issued by the CTC authorizing service in the care, development, and instruction of children in a child care and development program; or meet the following criteria:

- a. Possess a current credential issued by the CTC authorizing teaching service in elementary school or a single subject credential in home economics; and
- b. Possess twelve units in early childhood education or child development, or both, or two years' experience in early childhood education or a child care and development program.

### Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. How does the LEA plan to recruit the educators needed to implement its UPK Plan (including CSPP teachers, assistant teachers, TK teachers, and TK teachers' instructional aides and assistants)?

The LEA will recruit UPK educators from Edjoin, CSU Chico and Butte College, and also recruiting from current classified staff who are seeking credentialing.

2. How does the LEA plan to partner with CSPP, Head Start, and other early learning and care providers to offer joint professional learning opportunities?

The LEA will partner with other districts in Glenn County as part of Community of Practice of early childhood educators who will receive professional development.

3. What is the LEA's planned strategy for providing professional learning for educators across the LEA's P-3 continuum? Plans might include the following:
  - a. Who will receive this professional learning?
    - i. By role (lead teachers, assistant teachers, administrators, coaches, and so forth)
    - ii. By grade (TK staff, kindergarten through third grade staff, on-site preschool staff, off-site preschool staff, and so forth)
  - b. What content will professional learning opportunities cover?
    - i. Effective adult-child interactions
    - ii. Children's literacy and language development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)



- iii. Children’s developing math and science (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- iv. Children’s social-emotional development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)
- v. Implicit bias and culturally- and linguistically-responsive practice
- vi. Adverse Childhood Experiences (ACEs) and trauma- and healing-informed practice
- vii. Curriculum selection and implementation
- viii. Creating developmentally-informed environments
- ix. Administration and use of child assessments to inform instruction
- x. Support for multilingual learners, including home language development and strategies for a bilingual classroom
- xi. Serving children with disabilities in inclusive settings, including Universal Design for Learning
- xii. Engaging culturally- and linguistically-diverse families
- c. How will professional learning be delivered?
  - i. Coaching and mentoring
  - ii. Classroom observations and demonstration lessons with colleagues
  - iii. Workshops with external professional development providers
  - iv. Internally-delivered professional learning workshops and trainings
  - v. Operating an induction program
  - vi. Partnerships with local QCC professional learning in CSPP settings
  - vii. In mixed groupings (for example, TK and CSPP teachers)

Glenn County is creating a collaborative network of early childhood educators to include TK and CSPP teachers and aides in a UPK Community of Practice. Some of the content that will be covered: Preschool Learning Foundations and the Preschool Curriculum Framework with a focus on literacy and language development, math and science, social emotional development, ACEs/Trauma, assessments (DRDP), inclusive settings for students with disabilities, the Teaching Pyramid, Universal Design for Learning and engaging culturally diverse families.

- 4. How does the LEA plan to facilitate the development of a district early education leadership team (across grade levels and departments) and promote site-based horizontal and vertical articulation (P–3) teams to support student transitions, share strategies, and collaboratively monitor student progress?

Each district will include UPK/TK teachers in their ongoing PLC meetings in order to collaborate and monitor student progress.

### Required Questions

**CDE will be requiring this information be completed after the plan is presented to the governing board.**

- 1. Which of the following strategies does the LEA intend to use to support diverse and effective prospective TK teachers, including multilingual educators, to earn a Multiple Subject Teaching Credential? [select all that apply]

Partner with one or more local Institutions of higher education (IHEs) or the COE to help support teachers holding less than a full credential to complete requirements to earn a preliminary Multiple Subject Teaching Credential

Join an existing intern preparation program to recruit and prepare teachers for your LEA

Provide a stipend for tuition and fees for coursework leading to a Multiple Subject Teaching Credential

Partner with a local IHE to provide other services to candidates seeking to earn a Multiple Subject Teaching Credential

Collaborate with IHEs to offer unit-bearing coursework at a local LEA site during times that work for teachers and other interested staff members [list IHEs, open response]

Apply for workforce development funding and competitive grant opportunities from the CDE

2. Which of the following strategies does the LEA intend to employ to support diverse and effective prospective TK teachers, including multilingual educators, to meet the requirements under EC Section 48000(g)(4)? [select all that apply]

Partner with an IHE or COE to operate cohort models for LEA teachers earning 24 units

Partner with a local IHE offering eligible early childhood education or childhood development coursework

Provide information on scholarship and grant opportunities

Apply for workforce development funding and grant opportunities

Provide a stipend for tuition, fees, and other programmatic costs associated with obtaining credit-based coursework or a degree

Provide advising on requirements and how to meet the requirements

Offer unit-bearing IHE coursework at a local LEA site during times that work for teachers

Develop or work with an established mentorship program to support new TK teachers

3. Which of the following strategies does the LEA intend to employ to support diverse and effective prospective CSPP teachers, including multilingual educators, to obtain a Child Development Teacher Permit [select all that apply]

Partner with a local IHE offering eligible early childhood education or childhood development coursework

Partner with an IHE or COE to operate cohort models for educators working towards a Child Development Teacher Permit

Provide information on scholarship and grant opportunities

4. On which child observational assessments does the LEA intend to offer professional learning to TK, CSPP, and other early education teachers during the 2022–23 school year? [select all that apply]

Ages & Stages Questionnaire (ASQ)

BRIGANCE Early Childhood Screen

Desired Results Developmental Profile (DRDP)

5. On what topics does the LEA intend to offer professional learning regarding early childhood education to site leaders and principals? [select all that apply]

Children’s literacy and language development (aligned with the Preschool Learning Foundations and Frameworks)

ACEs and trauma- and healing-informed practice

Support for multilingual learners, including home language development and strategies for a bilingual classroom

Children’s social-emotional development (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)

Children’s developing math and science (aligned with the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks)

Serving children with disabilities in inclusive settings, including Universal Design for Learning

Administration and use of child assessments to inform instruction

Engaging culturally- and linguistically-diverse families

## Focus Area D: Curriculum, Instruction, and Assessment

It is critical for each LEA and preschool program partner to plan for how they will develop or select curriculum or curricula that are developmentally-informed and aligned with the strengths of all students, including multilingual students and students with disabilities, as well as how they will ensure curricula are implemented with fidelity to support intentional, quality instruction for all students. LEAs and preschool program partners should consider how they will provide coherent, culturally- and linguistically-responsive UPK curriculum or curricula anchored in the California Preschool Learning Foundations (<https://www.cde.ca.gov/sp/cd/re/psfoundations.asp>) and the California Preschool Curriculum Frameworks (<https://www.cde.ca.gov/sp/cd/re/psframework.asp>) to support the development of skills across the domains outlined in those documents.

### Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. Describe how the LEA will develop or select a curriculum for UPK classrooms that aligns with the California Preschool Learning Foundations and California Preschool Curriculum Frameworks.

Creative Curriculum is implemented across early education programs in Glenn County and aligns with the California Early Learning Foundations and Curriculum Framework, as well as the Head Start Early Learning Outcome Framework. The use of a standard curriculum will support communication and collaboration across UPK programs; thereby, optimizing the tracking of children's developmental progress and supporting seamless transitions for children and families.

3. What actions does the LEA plan to take to support effective classroom organization practices and behavior management strategies to ensure a positive learning environment for a diverse population of UPK students?

UPK teachers will be trained to implement the Teaching Pyramid as a strategy to support social and emotional development. The Early Childhood Environmental Rating Scales will be used to guide classroom organization and environments that promotes optimal development.

4. Describe how classroom practices for UPK (TK and other preschool programs the LEA operates or has on site) will be integrated and aligned.

Early education programs in the county currently align curriculum and assessment with the California Foundations and Framework. Child assessments and screenings are also conducted a developmental baseline for young children. A System of professional development and program monitoring has been established at the county level to assure these activities are conducted to full fidelity within Head Start/Early Head Start, State Preschool and Family Child Care Home Education Network. A Community of Practice will established to provide professional development and peer support in aligning best practices for all UPK programs.

5. What instructional practices does the LEA plan to implement to support children with disabilities in UPK (for example, implementing Universal Design for Learning, providing specialized services in the classroom with peer models, implementing social-emotional strategies such as the Pyramid Model)?

The district is in the process of developing an MTSS model to support all students academically, behaviorally and in social emotional learning. The district is also providing professional development to the teachers around... (Universal Design for Learning/Responsive Classroom/Pyramid Model). The district also has long standing practices of including all students in the general education environment to the maximum extent possible. The UPK teacher will be included in all IEP meetings for students with disabilities. At the IEP meeting the team will determine the appropriate services and supports for students, discuss and agree to the most effective instructional practices as well as discuss accommodations and modifications that are needed.

6. What instructional practices does the LEA plan to implement to support the language and overall development of multilingual learners?

Creating a supportive environment to support language and development of multilingual learners includes cultivating an appreciation of diversity and appreciation of the home language, developing language skills into

academic content in all subjects, vocabulary development, small group instruction, visual images, songs/rhymes, play-based activities that invite language interaction.

7. How does the LEA plan to assess dual language learners (DLLs) in areas other than English language acquisition?  
The LEA is not going to assess DLL students in areas other than English Language acquisition.

### Required Questions

**CDE will be requiring this information be completed after the plan is presented to the governing board.**

1. Does the LEA plan to provide any of the following language model(s) for TK students? [select all that apply]

English-only instruction with home-language support

2. If the LEA administers CSPP, does it plan to provide any of the following language model(s) for CSPP students? [select all that apply]

None

3. Identify methods the LEA plans to use to support the development of social-emotional learning and executive function skills through specific instruction in these areas and by embedding and reinforcing this instruction in all curriculum areas. [select all that apply]

Designing developmentally-appropriate learning environments to allow for individual and group activities that promote social-emotional learning and executive function skills (for example, use students' pictures or words in daily routines, feelings charts)

Promote learning through play as a context for social and emotional development, including social play with teachers and peers in small or large group settings

Use developmental observations to identify children's emerging skills and support their development through daily interactions

Development of lesson plans or use of a curriculum that includes specific and targeted social-emotional learning and executive function activities throughout the day of instruction

Staff development opportunities encouraging reflective practice and cross-level support for instruction specific to social-emotional learning and executive function skills

Offer open-ended, self-directed learning opportunities that foster individual interests and curiosity and new learning

Implement the CSEFEL Pyramid Model in the classroom

Provide training for staff on the Center on the Social Emotional Foundations for Early Learning (CSEFEL) Pyramid Model

4. What instructional practices does the LEA plan to implement to support children with disabilities in UPK programming? [select all that apply]

Implement Universal Design for Learning

Provide adaptations to instructional materials

Provide specialized services (for example, occupational therapy, physiotherapy, speech and language pathology therapy) in the classroom with peer models

Implement social-emotional strategies, such as the Pyramid Model, CSEFEL, and others

Provide additional staff to support participation in instruction

5. What assessments does the LEA plan to use in TK or kindergarten? [select all that apply]

DRDP

## Focus Area E: LEA Facilities, Services, and Operations

It is critical to ensure that LEA facilities, services, and operations are thoughtfully aligned to support the implementation of UPK and movement towards a P–3 continuum. It is also critical for early education programs currently operating to continue to be a part of California’s mixed-delivery system by creating shared space, blending funding and coordinating service delivery.

### For Facilities:

For facilities planning, draw on the Projected Enrollment and Needs Assessment section of this document and the LEA’s Facilities Master Plan. The objectives of this section are to identify the availability of space for UPK, the adequacy of available space to meet the kindergarten facilities standards for meeting the needs of young children, and, if needed, to update the Facilities Master Plan to address any unmet need for developmentally-appropriate space.

### Recommended Planning Questions

The CDE recommends LEAs prioritize these questions as part of their UPK Plan in addition to required questions.

1. What strategies does the LEA plan to employ to integrate younger children and older children on the same campus and ensure safety and appropriate commingling?

Some considerations for integration might be: separate playgrounds, recess schedules, lunch schedules, access and support for bathroom facilities

2. Describe how the LEA plans to address transportation issues resulting from UPK implementation.

HUSD will transport UPK students as we currently transport all district students.

3. What strategies does the LEA intend to implement to ensure TK students have access to meals and adequate time to eat (for example, adding additional meal services and time in the cafeteria, offering breakfast after the bell [students pick up a breakfast and bring it to the classroom])? (Note: The LEA must continue to comply with all health and safety, state, and federal Child Nutrition Program regulations while implementing meal service)

Some considerations for ensuring access to meals and time to eat include: additional staff to assist TK students with meal service, additional time to eat, and appropriate meals and snacks as needed.

### Required Questions

**CDE will be requiring this information be completed after the plan is presented to the governing board.**

1. To support an overall increase in UPK access, what efforts does the LEA plan to make to prevent the displacement of any early education programs on LEA campuses, including both LEA-administered and non-LEA-administered programs?

LEAs will not displace any early education programs on campus

2. Does the LEA have adequate classroom space to meet the Projected Enrollment of TK students listed in the Projected Enrollment and Needs Assessment section of this document, for the respective implementation year? [multiple choice]

Yes

- i. If no, how many more classrooms does the LEA need? [identify number, open response]

- ii. If no, how might the LEA provide classrooms in the timeframe needed? [describe, open response]  
[redacted]
3. Does the space meet the kindergarten standards described in California Code of Regulations, Title 5, Section 14030(h)(2)? [multiple choice]  
Yes [redacted]
- i. If no, what modifications need to be made? What resources are needed to make them? ( See Facilities Grant Program Funding at <https://www.dgs.ca.gov/OPSC/Services/Page-Content/Office-of-Public-School-Construction-Services-List-Folder/Access-Full-Day-Kindergarten-Facilities-Grant-Program-Funding>) [describe, open response]  
[redacted]
4. Does the space contain necessary adaptive equipment, assistive technology, or other accommodations to ensure children with disabilities have access to education in the least restrictive environment? [multiple choice]  
Yes [redacted]
- i. If no, what modifications need to be made? What resources are needed to provide equipment or accommodations? [describe, open response]  
[redacted]
5. Does the LEA's Facilities Master Plan adequately address the need for UPK programming? [multiple choice]  
Yes [redacted]
- i. If no, what process will the LEA use to update the Facilities Master Plan to accommodate future TK and early education programming? [describe, open response]  
[redacted]
6. In which of the following areas does the LEA intend to make updates to facilities? [select all that apply]  
[redacted]
7. What transportation will the LEA offer to children enrolled in TK? [select all that apply]  
Transportation to and from the TK program [redacted]
8. Will the LEA offer transportation to transport TK children to extended learning and care opportunities that are at other sites than the one the child is enrolled at for TK?  
[redacted]



## Technical Assistance Questions

The CDE is collecting information on the type(s) and topics of technical assistance that LEAs need to support implementation of a robust UPK Plan and effective UPK program. This information will be used to leverage existing resources and inform future technical assistance opportunities provided by CDE partners, including COEs, to help ensure that the needs of LEAs are met.

The following questions are optional. However, unlike the recommended questions included in Focus Areas A through E, the CDE will be collecting any information that LEAs wish to provide in response to these questions via the survey that the CDE administers to collect the required data questions above.

1. What technical assistance would be most helpful related to projecting enrollment and assessing needs? [select all that apply]

2. What technical assistance would be most helpful related to the elements included in Focus Area A: Vision and Coherence? [select all that apply]

3. What technical assistance would be most helpful related to the elements included in Focus Area B: Community Engagement and Partnerships? [select all that apply]

4. What technical assistance would be most helpful related to the elements included in Focus Area C: Workforce Recruitment and Professional Learning? [select all that apply]

5. What technical assistance would be most helpful related to support for professional learning opportunities on specific topics? [select all that apply]

6. What technical assistance would be most helpful related to support for specific professional learning delivery mechanisms? [select all that apply]

7. What technical assistance would be most helpful related to the elements included in Focus Area D: Curriculum, Instruction, and Assessment [select all that apply]

8. What technical assistance would be most helpful related to implementing hands-on, interactive, and developmentally-informed early education experiences for UPK students? [select all that apply]

9. What technical assistance would be most helpful related to the elements included in Focus Area E: LEA Facilities, Services, and Operations? [select all that apply]

## Appendix I - Definitions

The following definitions are critical for UPK planning efforts. Additional terms and definitions can be found in the Guidance Document:

- **Preschool through Third Grade (P–3):** P–3 is a continuum of learning from preschool through third grade that can be supported by intentional practices at the classroom, school, and leadership levels that align curricula, assessment, and professional learning opportunities to ensure instruction builds on the knowledge and skills that children acquire as they transition across grades and settings.
- **Universal prekindergarten (UPK):** UPK refers to universal TK as well as the expanded CSPP, Head Start, and early childhood special education services that families can choose from to create rich early learning opportunities for all three- and four-year-old children during the year or two years before kindergarten. In high-needs neighborhoods, the CDE strongly encourages LEAs to consider pairing TK programs with access to Head Start and CSPP for age- and income-eligible three- and four-year-old children to further bolster program quality, either through the LEA’s own Head Start or CSPP program or via a contract partnership with a CBO that administers a Head Start or CSPP.
- **Transitional kindergarten (TK):** TK means the first year of a two-year kindergarten program, serving four-year-old children regardless of income that uses a modified kindergarten curriculum that is age- and developmentally-appropriate (EC Section 48000 [d]).
- **Universal transitional kindergarten (UTK):** UTK refers to the expansion of TK by 2025–26 to serve all four-year-old children by September 1 of each year, regardless of income, providing a year of rich learning opportunities the year before kindergarten that families can choose from as part of California’s public education system.
- **California State Preschool Program (CSPP):** CSPP is the largest state-funded preschool program in the nation. CSPP includes both part-day and full-day services to eligible three- and four-year-old children. CSPP provides a core class curriculum that is developmentally, culturally, and linguistically appropriate for the children served. The program also provides meals and snacks to children, parent education, referrals to health and social services for families, and staff development opportunities to employees. The program is administered through LEAs, colleges, community-action agencies, local government entities, and private, nonprofit agencies.
- **Expanded learning:** This includes before school, after-school, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of pupils through hands-on, engaging learning experiences. It is the intent of the Legislature that expanded learning programs are pupil-centered, results-driven, include community partners, and complement, but do not replicate, learning activities in the regular school day and school year.
- **Expanded Learning Opportunities Program (ELO-P):** ELO-P provides funding for after-school and summer school enrichment programs for TK through sixth grade. The ELO-P is defined as services provided in addition to the normal school day and school year operations, to provide full-day and full-year expanded learning programs to meet the needs of working families whose children are enrolled in TK through sixth grade and also provide expanded learning enrichment programming for students. A full day is defined as in-person before school or after-school expanded learning opportunities that, when added to daily instructional minutes, are no fewer than nine hours of combined instructional time and expanded learning opportunities per instructional day. A full year includes a minimum of 30 days of programming in the summer and intersession for no fewer than nine hours of in-person expanded learning opportunities per day.
- **Early learning and care:** This refers to the continuum of programs serving children from birth to preschool or school entry, as well as extended care to support school-age children with before school and after-school care as well as vacation schedules. This includes general child care, Early Head Start and Head Start, community-based early learning and care programs, family child care providers, and family, friend, and neighbor care.
- **Extended learning and care:** This refers to the continuum of programs and services (early learning and care options and expanded learning options) available in addition to the normal school day and school year operations, to provide full-day and full-year care to meet the needs of working families whose children are enrolled in TK or kindergarten. A full day is defined as in-person before school or after-school programming or care that, when added to daily instructional minutes, provide no fewer than nine hours of combined instructional time and

expanded learning opportunities per instructional day. A full year includes a minimum of 30 days of programming in the summer and intersession for no fewer than nine hours of in-person expanded learning opportunities per day. Funding to support extended learning and care for children enrolled in TK includes the ELO-P and the CSPP, as specified in guidance provided by the CDE's Early Education Division. Additional subsidized care opportunities may be available to families who qualify, such as child care vouchers and the General Child Care School Age program.

## Appendix II - Additional Deeper Planning Questions

This section includes optional planning questions for LEAs that are ready to develop more advanced UPK and P–3 plans.

These additional questions are designed to support the LEA’s development of a more comprehensive local UPK Plan. LEAs can also use these questions as a tool for integrating UPK into existing LEA plans such as the LCAP. LEA’s should assess their readiness to include any of these deeper planning questions in their initial planning process and reassess their readiness throughout the implementation of their UPK Plan.

### Focus Area A: Vision and Coherence

1. If an LEA has a California State Preschool Plan (as part of the LEA’s application for its CSPP contract) what updates would the LEA like to make to the LEA’s program narrative to reflect implementation of TK?
2. Does the LEA plan to establish, maintain, and facilitate ongoing LEA leadership teams to focus on effective P–3 articulation and coordination throughout the LEA?
3. How will the LEA support sites in providing well-coordinated transitions for all P–3 students as they move through grade levels?
4. How does the LEA plan to communicate the importance of the P–3 continuum across a broad spectrum of audiences (including audiences internal and external to the district)?
5. Identify the processes and tools the LEA will use to strengthen understanding of early childhood development and facilitate communication between preschool and elementary school (including TK) teachers, principals, and administrators to support P–3 alignment?

### Focus Area C: Workforce Recruitment and Professional Learning

1. What strategies does the LEA plan to employ to recruit multilingual educators to teach in dual language programs?
2. How does the LEA plan to assess the implementation of its professional learning structures to ensure efficacy?

### Focus Area D: Curriculum, Instruction, and Assessment

8. Describe how the LEA plans to establish and maintain a coherent, culturally- and linguistically-responsive P–3 continuum to provide a strong integrated curriculum anchored in the California Preschool Learning Foundations and the California Preschool Curriculum Frameworks, California Common Core State Standards, and the Curriculum Frameworks.

9. What actions does the LEA plan to take to establish or expand multilingual programs across the P–3 continuum based on student population and family needs? (If the LEA has no plans to establish or expand multilingual programs across the P–3 continuum, identify how the LEA will evaluate these opportunities moving forward.)

10. What planning and actions are needed to accommodate a positive meal service, and how will the LEA adapt their universal meal program for TK students?

**Focus Area E: LEA Facilities, Services, and Operations**

4. Describe what changes the LEA intends to make to the LEA’s Facilities Master Plan to ensure it is consistent with P–3 goals of creating seamless transitions for children and families.

5. Identify how the LEA plans to ensure TK students are included in all provisions of Multi-Tiered Systems of Supports (MTSS) and, when necessary, special education instruction, with an emphasis on early intervention and inclusion practices to address supports and least restrictive environments.

6. Identify any modifications the LEA intends to make to the Student Information System (SIS) and the assessment data system to ensure teachers and administrators have access to data from preschool through third grade.

## A-G Completion Improvement Grant Plan

Local Educational Agency (LEA) Name	Total Grant Allocation
Hamilton Unified School District	\$150,000

### Plan Descriptions

A description of how the funds will be used to increase or improve services for foster youth, low-income students, and English learners to improve A-G eligibility

All students will be monitored 4x/year (Including unduplicated students). For the classes of 2025 and 2026, 1:1 summer meetings with parents and students will take place with a counselor. We will provide additional time for teachers and Deans focused on A-G access and learning loss mitigation. Classified staff hired to monitor support/credit recovery classes and tutoring during and after school. We will also extend the HHS Library Hours, expand college visit opportunities, and update our Library computer lab. Additionally, AVID philosophy and program will be explored as a potential student support. Space may be needed to be converted to a tutoring center on the campus including upgrades to the HHS Library and Computer Lab. Incentives such as spirit gear, stickers for water bottles, and school supplies for students who meet their individual goals.

A description of the extent to which all students, including foster youth, low-income students, and English learners, will have access to A-G courses approved by the University of California.

All students have access to A-G courses; however additional support may be needed in the area of math because that tends to be the content area that keeps students from meeting the A-G requirements.

The number of students who were identified for opportunities to retake A-G approved courses in which they received a “D”, “F”, or “Fail” grade in the 2020 spring semester or the 2020-21 school year and a description of the method used to offer the opportunity retake courses.

Number of Students: 124  
 For the 2020-2021 school year, there were 124 students who had a D or an F in at least one class (A-G + electives). Students were able to remediate/recover credits through Ella Barkley High School and a few retaking the actual course from a teacher on site in 21-22

A description of how the plan and described services, and associated expenditures, if applicable, supplement services in the Local Control and Accountability Plan and Learning Recovery Plan.

The described services would supplement services in the LCAP and will be listed in the 2022/2023 SPSA for Wheatland Union High School.

### Plan Expenditures

Programs and services to increase or improve A-G completion	Planned Expenditures
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Additional Staffing/Additional Time	75,000
Extended HHS Library Hours	15,000
Expanded College Awareness Visits	10,000
Updated Access to Online Educational Opportunities	25,000
AVID Program Exploration	25,000



## CSBA UPDATE CHECKLIST – June 2022

District Name: Hamilton Unified School District

Contact Name: Tiffany Wilhelm Phone: (530) 826-3261 Email: [twilhelm@husdschools.org](mailto:twilhelm@husdschools.org)

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0420.41	Charter School Oversight	Policy Update	
E(1) 0420.41	Charter School Oversight	New Law(s)	
E(1) 1113	District and School Web Sites	New Law	
AR 1312.4	Williams Uniform Complaint Procedures	New Regulation	
E(2) 1312.4	Williams Uniform Complaint Procedures	<b>Fill in Blanks</b> Superintendent Hamilton Unified School District 620 Canal St, PO Box 488 Hamilton City, CA 95951	
BP 3110	Transfer of Funds	Update	
AR 3517	Facilities Inspection	New Law	
E(1) 3517	Facilities Inspection	<b>NEW EXHIBIT</b>  <b>Fill in Blanks</b> Alan Joksch Director of Maintenance Hamilton Unified School District (530) 826-3261 <a href="mailto:ajoksch@husdschools.org">ajoksch@husdschools.org</a>	
BP 3523	Electronic Signatures	<b>NEW POLICY</b>	
AR 3523	Electronic Signatures	<b>NEW REGULATION</b>	
BP 3550	Food Service/Child Nutrition Program	New Law	
AR 3550	Food Service/Child Nutrition Program	New Law	
BP 3551	Food Service Operations/Cafeteria Fund	<b>OPTION 2:</b> ■	

## CSBA UPDATE CHECKLIST – June 2022

District Name: Hamilton Unified School District

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POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 3551	Food Service Operations/Cafeteria Fund	New Law	
BP 3553	Free and Reduced Price Meals	New Law	
AR 3553	Free and Reduced Price Meals	New Law	
AR 4112.2	Certification	New Law	
AR 4161.8	Family Care and Medical Leave	<p><b>OPTION 1:</b> <input type="checkbox"/></p> <p><b>AND</b></p> <p><b>OPTION 1:</b> <input type="checkbox"/></p>	
AR 4261.8	Family Care and Medical Leave	<p><b>OPTION 1:</b> <input type="checkbox"/></p> <p><b>AND</b></p> <p><b>OPTION 1:</b> <input type="checkbox"/></p>	

## CSBA UPDATE CHECKLIST – June 2022

District Name: Hamilton Unified School District

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POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
AR 4361.8	Family Care and Medical Leave	<p><b>OPTION 1:</b> ■</p> <p>AND</p> <p><b>OPTION 1:</b> ■</p>	
AR 6173.1	Education for Foster Youth	<p><b>Fill in Blanks</b></p> <p>Dianna Camarena            Social Services Coordinator            Hamilton Unified School District            (530) 826-3474  <a href="mailto:dcamarena@hudschools.org">dcamarena@hudschools.org</a></p>	

**CSBA POLICY GUIDE SHEET**  
**June 2022**

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

**Board Policy 0420.41 - Charter School Oversight**

Policy updated to reflect that a charter school proposing to expand operations to one or more additional sites or grade levels is required to request a material revision to its charter and notify the Governing Board of the additional locations or grade levels whether a proposal to expand operations is concurrent with or unrelated to a renewal, add a new section heading "Fees/Charges for Supervisorial Oversight" and rearrange material within this section for clarity, provide that it is the County Superintendent of Schools who may request that the California Collaborative for Educational Excellence be assigned to provide assistance to a charter school that fails to improve outcomes in regard to state or school priorities identified in the charter, as specified, and add that complaints alleging noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes) may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

**Exhibit(1) 0420.41 - Charter School Oversight**

Exhibit updated to reflect **NEW ATTORNEY GENERAL OPINION (20-102, 2021)** which found that a charter school's executive director or any of a charter school's employees may not serve as a member of the county board of education in the county where the charter school is located, **NEW LAW (AB 27, 2021) and (SB 400, 2021)** regarding identification of homeless children and unaccompanied youth, **(SB 224, 2021)** regarding the requirement to include instruction in mental health in health education course(s), **(AB 132, 2021)** regarding the completion and submission of the Free Application for Federal Student Aid and the California Dream Act Application, **(AB 643, 2021)** regarding notification to apprenticeship programs when a charter school is planning to hold a college or career fair, and **NEW LAW (AB 130, 2021)** regarding (1) phased in starting dates for which districts are required to offer a transitional kindergarten (TK) program; (2) the requirement to develop a plan for offering independent study if an affidavit is necessitated by an emergency condition that resulted in a school closure; (3) qualifications for TK teachers and adult to student ratios for TK classrooms; (4) verification of a valid criminal records summary for employees of entities that a charter school contracts with; and (5) the requirement to provide a breakfast and/or lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal eligibility. Exhibit also updated to reflect **NEW LAW (SB 722, 2021)** regarding the required presence of at least one adult with a valid certification of cardiopulmonary resuscitation training when hosting an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, and **(AB 367, 2021)** regarding the requirement to stock school restrooms with an adequate supply of free menstrual products, as specified. Additionally, exhibit updated to add or amend requirements related to high school graduation, the review of potential misassignments and vacant positions, the public employees retirement system, and the training of security officers.

**Exhibit(1) 1113 - District and School Web Sites**

Exhibit updated to reflect **NEW LAW (AB 27, 2021)** which includes posting requirements related to the identification of homeless students and **NEW LAW (AB 819, 2021)** which includes posting requirements related to specified environmental review documents as required by the California Environmental Quality Act. Exhibit also updated to add posting requirements related to posters published by the California Department of Fair Employment and Housing, and amend the item regarding the district's meal payment collection policy and procedures to reference a different memorandum regarding unpaid meal charges.

**Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures**

Regulation updated to reflect **NEW STATE REGULATIONS (Register 2020, No. 21)** which amends the definition of "beginning of the year or semester" and **NEW LAW (AB 367, 2021)** which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate

supply of menstrual products in specified restrooms beginning with the 2022-23 school year. Regulation also updated to clarify that the principal or Superintendent's designee is required to send a written resolution of the complaint to the mailing address of the complainant when the complainant has indicated on the complaint form a desire to receive a response to the complaint.

**Exhibit(2) 1312.4 - Williams Uniform Complaint Procedures**

Exhibit updated to include that, for a school that serves any of grades 6-12, a complaint may be filed for failure to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms, as required by **NEW LAW (AB 367, 2021)**.

**Board Policy 3110 - Transfer of Funds**

Policy updated to delete an authorization for the temporary transfer of funds which only pertained to the 2020-21 and 2021-22 fiscal years.

**Administrative Regulation 3517 - Facilities Inspection**

Regulation updated to reflect **NEW LAW (AB 367, 2021)** which requires any school serving any of grades 6-12 to, at all times, stock and make available and accessible free of cost an adequate supply of menstrual products in specified restrooms beginning with the 2022-23 school year, and to post a notice, as specified, regarding this requirement in a prominent and conspicuous location.

**NEW - Exhibit(1) 3517 - Facilities Inspection**

New exhibit presents a sample of the required notification to be posted in a prominent and conspicuous location in each restroom where free menstrual products are required to be stocked, pursuant to **NEW LAW (AB 367, 2021)**.

**NEW - Board Policy 3523 - Electronic Signatures**

New policy reflects the authorization for districts to use electronic signatures in their communications and operations, including the benefits of electronic records and signatures, the requirement that electronic signatures conform with criteria described in law and that the level of security is sufficient for the transaction being conducted, and that electronic records are retained in accordance with law and regulations and as specified in board policy and administrative regulation.

**NEW - Administrative Regulation 3523 - Electronic Signatures**

New regulation establishes procedures for district use of electronic signatures, including that in any business transaction electronic signatures may be used only when each party has agreed to conduct the transaction in such a manner and that in other district operations electronic signatures may be required, criteria that must be met in order for an electronic signature to be used, and specific requirements for notarized signatures and statements that are required to be signed under penalty of perjury.

**Board Policy 3550 - Food Service/Child Nutrition Program**

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and **NEW LAW (AB 486, 2021)** which authorizes the coordination of food service programs with classroom instruction and other related district programs.

**Administrative Regulation 3550 - Food Service/Child Nutrition Program**

Regulation updated to reflect changes necessary to implement **NEW LAW (AB 130, 2021)** which requires the provision of a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and make other clarifying changes in the "Food Safety" section.

**Board Policy 3551 - Food Service Operations/Cafeteria Fund**

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, including revisions to the "Meal Sales" and "Program Monitoring and Evaluation" sections.

### **Administrative Regulation 3551 - Food Service Operations/Cafeteria Fund**

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated Regulation includes revision to "Payment for Meals," "Cafeteria Funds," and "Contracts with Outside Services" sections to make them generally applicable to all food service programs and the deletion of the "Unpaid and Delinquent Meal Charges" section which is no longer applicable.

### **Board Policy 3553 - Free and Reduced Price Meals**

Policy updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility. Updated policy includes general requirements applicable to federal National School Lunch and Breakfast Programs as well as the state Universal Meal Program. Updated Policy also includes revision to the "Confidentiality/Release of Records" section to permit the use of student information to facilitate the provision of targeted educational services to a student based on the local control and accountability plan, as clarified in the California Department of Education's Management Bulletin SNP-02-2018.

### **Administrative Regulation 3553 - Free and Reduced Price Meals**

Regulation updated to reflect **NEW LAW (AB 130, 2021)** which requires districts to provide a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free and/or reduced-price meal eligibility, and includes program implementation changes to "Verification of Eligibility" and "Nondiscrimination Plan" sections and the deletion of the "Prices" section which is no longer necessary.

### **Administrative Regulation 4112.2 - Certification**

Regulation updated to expand the section on "Basic Skills Proficiency" to include a list of the ways a person may demonstrate basic skills proficiency, and reflect **NEW LAW (AB 130, 2021)** which exempts a person from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework and, in conjunction with **NEW LAW (AB 167, 2021)**, exempts a person from the basic skills proficiency test requirement if it is determined that a person has demonstrated proficiency through a combination of coursework, passage of a component(s) of the basic skills proficiency test, and other specified exams. Section also updated to reflect **NEW LAW (AB 320, 2021)** which impacts what is "qualifying coursework" by defining a "regionally accredited institution" to include an institution of higher education that held preaccreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning preaccreditation status, in addition to an institution of higher education that has already been designated as regionally accredited at the time the degree of an applicant for a credential was conferred. Additionally, regulation updated to provide more detail for when an out-of-state prepared teacher is not required to meet the basic skills requirement within one year of being issued a California preliminary credential by the California Commission on Teacher Credentialing.

### **Administrative Regulation 4161.8/4261.8/4361.8 - Family Care and Medical Leave**

Regulation updated to reflect **NEW LAW (AB 1033, 2021)** which changed the definition of "parent" to include a parent-in-law for the purposes of the California Family Rights Act (CFRA), by adding "parent-in-law" to the definitions of "eligible family member" and "parent" within the "Definitions" section. Regulation also updated to delete the last sentence in the first body paragraph in the "Terms of Leave" section, as it is no longer legally accurate.

### **Administrative Regulation 6173.1 - Education for Foster Youth**

Regulation updated to reflect **NEW LAW (AB 1055, 2021)** which modified the definition of "foster youth" to include a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization, and includes the definition of "foster youth" as specified in law. Regulation also updated to make clarifying changes to the responsibilities of the district liaison for foster youth.

**Policy 0420.41: Charter School Oversight**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/2013 | **Last Revised Date:** 03/06/2020 ~~2020~~2022

CSBA NOTE: The following optional policy may be revised to reflect district practice. The Governing Board is obligated to monitor the performance of any charter school it authorizes in order to ensure the school's compliance with legal requirements and progress toward meeting measurable outcomes specified in the charter. Information about the school's performance is necessary when determining whether to grant a renewal of the charter or whether a revocation of the charter is warranted; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, ~~the SBE may, by mutual agreement,~~ is required to designate its ~~supervisory and oversight responsibilities to~~ in consultation with the petitioner, either the Board or ~~to any local educational agency in the county in which~~ County Board as the charter school is located chartering authority.

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

CSBA NOTE: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication "Charter Schools: A Guide for Governance Teams," recommends more frequent visits, perhaps two or three times during the school year, in order to monitor school operations more closely and develop relationships with the staff at the charter school.

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 47604, if a charter school operates as or is operated by a nonprofit public benefit corporation, the Board is entitled to a single representative on the board of directors of the nonprofit public benefit corporation. CSBA's publication "Charter Schools: A Guide for Governance Teams," recommends that the district consult with legal counsel and consider any potential conflict of interest that may arise from having an individual Board member vote as a member of the charter board of directors on issues on which the Board will need to provide oversight. CSBA's guide suggests that an alternative approach may be for the district to designate its charter school contact, appointed pursuant to Education Code 47604.32, to attend meetings of the charter school board.

The Superintendent or designated charter school contact shall attend meetings of the charter school governing body whenever possible and shall periodically meet with a representative of the charter school.

## Waivers

CSBA NOTE: A charter school is not authorized to submit general waiver requests to SBE on its own behalf, unless an exception applies. Rather, a charter school may submit a waiver request through the district. A general waiver request form is available on the California Department of Education's (CDE) web site.

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

## Provision of District Services

CSBA NOTE: The following optional section may be revised to reflect district practice. CSBA's publication, "Charter Schools: A Guide for Governance Teams," recommends one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

## Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

CSBA NOTE: As amended by AB 1505 (Ch. 486, Statutes of 2019) and AB 1595 (Ch. 543, Statutes of 2019), Education Code 47605 requires a charter school to request a material revision to its charter whenever it proposes to expand operations at one or more grade levels.

If an approved charter school proposes to ~~establish or move~~ expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open meeting. (Education Code 47605, 47607)

The Board shall have the authority to determine whether a proposed change in charter school operations



constitutes a material revision of the approved charter.

## Monitoring Charter School Performance

CSBA NOTE: The district has a responsibility to oversee that the charter school complies with all applicable legal requirements. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

The Superintendent or designee shall monitor each Any charter school that is authorized by the district Board shall be monitored by the Superintendent or designee to determine whether it the charter school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.

CSBA NOTE: Education Code 47605 requires that measurable student outcomes for "all groups of students served by of the charter school", including numerically significant student subgroups as defined in Education Code 52052, be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060; see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 47607, "all groups of students served by the charter school" means all numerically significant subgroups of students served by the charter school, as defined in Education Code 52052. Pursuant to Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students (or 15 foster youth or homeless students).

Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although the measures of the school's progress may vary, Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. In addition, charter schools are included in the California School Dashboard, which reports the status of school performance on multiple state and local indicators and is intended to assist schools and districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP. Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate.

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable memorandum of understanding MOU, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

## Fees/Charges for Supervisorial Oversight

CSBA NOTE: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisorial oversight of the school. Education Code 47613 provides

that the costs of supervisory oversight include, but are not limited to, costs incurred for technical assistance or intervention pursuant to Education Code 47607.3; see the section "Technical Assistance/Intervention" below. CSBA's publication, "Charter Schools: A Guide for Governance Teams," suggests that supervisory oversight activities also might include site visits [and site visit protocols](#), [development of memorandums of understanding](#), reviews of performance data and financial reports, [review of governance procedures](#), [monitoring of teacher credentialing and assignments](#), [facilities compliance](#), and legal auditing.

The district may charge [for district supervisory oversight as follows: \(Education Code 47613; 5 CCR 11969.7\)](#)

- [1. Actual costs](#) up to one percent of a [the](#) charter school's revenue ~~for the actual costs of supervisory oversight of the school. However, if the district provides the~~ charter school is able to obtain substantially rent-free [with](#) facilities from [under Education Code 47614 and charges](#) the district, [charter school a pro-rata share of](#) the district may charge [facilities cost](#)
- [2. Actual costs](#) up to three percent of the charter school's revenue ~~for actual~~ [if the district provides the charter school substantially rent-free facilities](#)

### Technical Assistance/Intervention

CSBA NOTE: Education Code 47607.3, as amended by AB 1505, establishes criteria for the provision of technical assistance to charter schools beginning with the 2020-2021 school year, including, but not limited to, the option to request assistance from the California Collaborative for Educational Excellence (CCEE). If, after providing technical assistance, the CCEE informs the Board that the charter school has failed or is unable to implement the CCEE's recommendations or continues to have persistent or acute inadequate performance, then the Board must consider revocation of the charter; see BP 0420.43 - Charter School Revocation.

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code ~~45607~~ [47607.3](#))

- [1.](#) [Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.](#)
- [2.](#) [Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.](#)
- [3.](#) [Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in ~~items~~ \[Items\]\(#\) #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities](#)

described in ~~items~~Items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the ~~district~~: (Education Code 47607.3)

1. ~~Shall provide technical assistance to the charter school based on the California School Dashboard~~

2. ~~May~~County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. (Education Code 47607.3; 52072)

CSBA NOTE: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3 requires the Board to consider revocation of a charter whenever it finds that the charter school has failed, or is unable, to implement the recommendations of the ~~California Collaborative for Educational Excellence~~CCEE or continues to demonstrate persistent or acute inadequate performance.

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school.

## Complaints

CSBA NOTE: Pursuant to Education Code 52075, charter schools are required to establish policies and procedures for addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall establish and maintain policies and procedures ~~to enable any person to file a complaint~~, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670; to enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3: to file a complaint with the charter school. (Education Code 52075)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

## School Closure

CSBA NOTE: The following optional section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a

responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify CDE when a charter school ceases operation for any reason. CDE's web site also [CSBA's, "Charter Schools: A Guide for Governance Teams,"](#) recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

~~CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.~~

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding [an MOU](#), provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out [of the charter school](#).

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of ~~the~~ a charter is denied, ~~the~~ a charter is revoked, or ~~the~~ a charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

**Policy Reference UPDATE Service**

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
24 CCR 101	California Building Standards Code
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
<a href="#">Business and Professions Code 7583.45</a>	<a href="#">Training for security officers</a>
CA Constitution Article 16, Section 8.5	<del>Public finance; school accountability report card</del> <a href="#">Public finance; school accountability report card</a>
CA Constitution Article 9, Section 5	<del>Common school system</del> <a href="#">Common school system</a>

Corp. Code 5110-6910	<del>Nonprofit public benefit corporations</del> <u>Nonprofit public benefit corporations</u>
<u>Ed. Code 1006</u>	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 17070.10-17079.30	<del>Leroy F. Greene School Facilities Act</del> <u>Leroy F. Greene School Facilities Act</u>
Ed. Code 17280-17317	<del>Approval</del> <u>Field Act; approval</u> of plans and supervision of construction
Ed. Code 17365-17374	<del>Fitness of buildings</del> <u>Field Act; fitness</u> for occupancy; liability of board members
Ed. Code 215	<del>Student suicide</del> <u>Suicide</u> prevention policies
Ed. Code 215.5	Student identification cards; <u>;</u> inclusion of safety hotlines
Ed. Code 220	Prohibition of discrimination
Ed. Code 221.61	Posting of Title IX information on web site
Ed. Code 221.9	Sex equity in competitive athletics
Ed. Code 222	Reasonable accommodations; lactating students
Ed. Code 222.5	Pregnant and parenting students; <u>;</u> notification of rights
Ed. Code 231.5-231.6	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 32282	School safety plans
Ed. Code 32283.5	Bullying; online training
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; <u>swimming pool safety that is not part of interscholastic athletic program</u>
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
<u>Ed. Code 35292.6</u>	<u>Stocking of menstrual products</u>
Ed. Code 35330	Field trips and excursions; student fees
<u>Ed. Code 38001.5</u>	<u>Training for security officers</u>
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures

Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Applicants for employment; fingerprints for purpose of <del>criminal</del> <u>Criminal</u> record summary
<u>Ed. Code 44258.9</u>	<u>Monitoring of teacher assignments</u>
Ed. Code 44691	Information on detection of child abuse; <u>annual training</u>
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	<del>Criminal background checks for contractors; criminal records summary;</del> <u>employees of contracting entity</u>
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
<u>Ed. Code 46390-46393</u>	<u>Emergency average daily attendance</u>
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010-48011	Minimum age of admission (first grade)
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction
Ed. Code 48850-48859	Education of <del>students in foster care</del> <u>youth</u> and <del>students who are homeless</del> <u>students</u>
Ed. Code 48901.1	Suspension and expulsion; willful defiance
Ed. Code 48907	Exercise of free expression; rules and regulations
Ed. Code 48913.5	<del>Homework</del> <u>Suspended students; homework</u> assignments for <del>suspended students</del>
Ed. Code 48950	Speech <u>Freedom of speech</u> and other communication
<u>Ed. Code 48985</u>	<u>Notices to parents in language other than English</u>
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49011	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Student records; definitions
Ed. Code 49062.5	Student records, name or gender change
Ed. Code 49070	Challenging <del>content of</del> <u>student</u> records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; <u>minutes of board meeting</u>

Ed. Code 49076.7	Student records; data privacy; <del>Social Security</del> <a href="#">social security</a> numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	<del>Advertisement</del> <a href="#">Prohibition of advertisement</a> of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
<a href="#">Ed. Code 49501.5</a>	<a href="#">Free breakfast and lunch to all students</a>
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564	Meals for needy students
<a href="#">Ed. Code 49564.3</a>	<a href="#">Provision of federal universal meal service</a>
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
<del>Ed. Code 51224.7</del>	<del>Mathematics placement policy</del>
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
<a href="#">Ed. Code 51225.3</a>	<a href="#">High school graduation requirements</a>
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation
<a href="#">Ed. Code 51225.7-51225.8</a>	<a href="#">Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application</a>
Ed. Code <del>51513</del> <a href="#">51413</a>	Diploma of graduation; without passage of high school exit examination
Ed. Code 51745- <del>51749</del> <a href="#">6</a>	Independent study
<a href="#">Ed. Code 51925-51929</a>	<a href="#">Mandatory mental health education</a>
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. code 56040.3	<del>Assistive</del> <a href="#">Availability of assistive</a> technology <a href="#">device</a>
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code <del>60600-60649</del> <a href="#">60648.5</a>	Assessment of academic achievement

Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information, and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6250-6270	California Public Records Act
Gov. Code 81000-91014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
<a href="#">Lab. Code 3074.2</a>	<a href="#">Notice of college and career fairs</a>
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system
<b>Federal</b>	<b>Description</b>
20 USC 1681-1688	<del>Discrimination</del> <a href="#">Title IX of the Education Amendments of 1972; discrimination</a> based on sex or blindness, Title IX
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.7879	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
<b>Management Resources</b>	<b>Description</b>
<a href="#">Attorney General Opinion</a>	<a href="#">104 Ops.Cal.Atty.Gen. 66 (2021)</a>
Attorney General Opinion	<del>Opinion No. 11-201</del> <a href="#">101 Ops.Cal.Atty.Gen. 92</a> (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School; (2012) OAH Case No. 2011060763
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017
California Department of Education Publication	Special Education and Charter Schools: Questions and Answers, September 10, 2002



California Department of Education Publication	Sample Copy of a Memorandum of Understanding
California Department of Education Publication	California School Accounting Manual
<a href="#">California Department of Education Publication</a>	<a href="#">Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020</a>
California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District; (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
<a href="#">CSBA Publication</a>	<a href="#">Charter Schools: A Guide for Governance Teams, rev. 2016</a>
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
CSBA Publication	<del>Charter Schools: A Guide for Governance Teams, rev. June 2021</del>
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, <a href="#">Nonregulatory Guidance</a> , January 2014
Website	National Association of Charter School Authorizers
Website	<a href="https://www.bsis.ca.gov/">California Bureau of Security and Investigative Services(https://www.bsis.ca.gov/)</a>
Website	<a href="#">California Charter Schools Association</a>
Website	<a href="https://post.ca.gov/">California Commission on Peace Officer Standards and Training (https://post.ca.gov/)</a>
Website	<a href="https://www.ctc.ca.gov/">California Commission on Teacher Credentialing (https://www.ctc.ca.gov/)</a>
Website	California Department of Education, Charter Schools
Website	California Department of General Services, Office of Administrative Hearings (https://www.dgs.ca.gov/OAH)
Website	California Department of Pesticide Regulation (https://www.cdpr.ca.gov/)
Website	California Interscholastic Federation (https://www.cifstate.org/)
Website	California Office of the Attorney General (https://oag.ca.gov/)
Website	California Public Employees Retirement System (https://www.calpers.ca.gov/)
Website	California State Controller (https://www.sco.ca.gov/)
Website	California State Teachers Retirement System (https://www.calstrs.com/)

Website	California Student Aid Commission ( <a href="https://www.csac.ca.gov/">https://www.csac.ca.gov/</a> )
Website	CSBA
Website	National Domestic Violence Hotline ( <a href="https://www.thehotline.org/">https://www.thehotline.org/</a> )
Website	National Suicide Prevention Lifeline ( <a href="https://suicidepreventionlifeline.org/">https://suicidepreventionlifeline.org/</a> )
Website	U.S. Department of Agriculture ( <a href="https://www.usda.gov/">https://www.usda.gov/</a> )
Website	U.S. Department of Education

## Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal
0420.43	Charter School Revocation
<a href="#">0460</a>	<a href="#">Local Control And Accountability Plan (BP and AR)</a>
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E (1)	Uniform Complaint Procedures
1312.3-E (2)	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

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**Exhibit 0420.41-E(1): Charter School Oversight**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2017 | **Last Revised Date:** 03/06/01/2020 ~~2022~~ | **Last Reviewed Date:** 03/06/01/2020 ~~2022~~

**REQUIREMENTS FOR CHARTER SCHOOLS**

CSBA NOTE: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. However, charter schools, like other public schools, are subject to the state and federal constitutions, applicable federal laws, state laws that apply to governmental agencies in general, and state laws that are expressly applicable to charter schools. The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

A charter school shall be subject to the terms of its charter; any memorandum of understanding between the school and the district Governing Board; the state and federal constitutions; applicable federal laws; state laws that apply to governmental agencies in general; and other legal requirements that are expressly applicable to charter schools, including, but not limited to, the following requirements.

**Governance**

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)

**Operations**

- ~~2.~~3. The charter school's executive director or any of the charter school's employees shall not serve as a member of the county board of education in the county where the charter school is located (Education Code 1006; Government Code 1099)

**Operations**

- ~~3.~~4. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
- ~~4.~~5. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

**Admission/Enrollment**

~~5.6.~~ Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)

~~6.7.~~ Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

CSBA NOTE: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school that is deemed to be a public school of the district, and is not its own local educational agency (LEA) for special education purposes, receives an equitable share of special education funding and services for students with disabilities who are enrolled in the charter school.

If a charter school is operating as a public school of the district for purposes of special education, the district retains responsibility and must determine how to ensure that students with disabilities receive a free appropriate public education (FAPE). However, as indicated in the California Office of Administrative Hearings ruling in Student v. Horizon Instructional Systems Charter School, a charter school operating as its own LEA for purposes of special education, including a charter school offering an independent study program, is the entity responsible for providing FAPE.

~~7.8.~~ Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)

~~1.9.~~ Admit all students who wish to attend the charter school, according to the following criteria and procedures:

a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within that school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admission preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

~~8.c.~~ Other admission preferences may be permitted by the Board of the district on an individual school basis consistent with law. (Education Code 47605)

~~9.10.~~ Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its web site the California Department of Education's (CDE) notice of these requirements

and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)

~~10.11.~~ 11. Immediately enroll a homeless student, except where such enrollment would conflict with the requirements of Education Code 47605(d)48850-48859 regarding enrollment, identification, and placement of homeless children and unaccompanied youth (Education Code 48850, 48851, 48852.5, 48852.6; 42 USC 11431-11435)

~~11.12.~~ 12. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)

~~12.13.~~ 13. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

### **Nondiscrimination**

~~13.14.~~ 14. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)

~~14.15.~~ 15. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7

~~15.16.~~ 16. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)

~~16.17.~~ 17. If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)

~~17.18.~~ 18. Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)

~~18.19.~~ 19. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

### **Tuition and Fees**

~~19.20.~~ 20. Not charge tuition (Education Code 47605)

CSBA NOTE:- Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article 9, Section 5, applies to charter schools. Charter schools may only charge fees which are explicitly authorized by law for charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 47605.7

Code 35330, 38082, and 38084 because those provisions apply to charter schools, but charter schools may not necessarily charge other fees authorized by law for school districts.

~~20.~~21. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools

~~21.~~22. Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

### School Plans

~~22.~~23. Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, after holding a public hearing, consulting with specified stakeholders, and using the template adopted by the State Board of Education (SBE). As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE. (Education Code 47604.33, 47606.5, 52064, 52064.1)

~~23.~~24. If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)

~~24.~~25. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)

~~25.~~26. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

### Curriculum and Instruction

CSBA NOTE: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet this requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education nor the Superintendent of Public Instruction may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

~~26.~~27. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)

~~27.~~28. If the charter school offers a kindergarten program, also offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2 (in accordance with Education Code 48000)

~~28.~~29. If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)

~~29~~30. If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school (Education Code 51931, 51934)

~~30~~31. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources (Education Code 49381)

32. If the charter school serves students in middle or high school and offers one or more courses in health education, include in those courses instruction in mental health, as specified (Education Code 51925-51929)

33. If the charter school serves students in grade 12, comply with the requirements for student completion and submission of the Free Application for Federal Student Aid and California Dream Act Application (Education Code 51225.7, 51225.8)

34. If the charter school is planning to hold a college or career fair, the charter school shall notify each apprenticeship program in the same county as the charter school with the planned date, time, and location of the fair (Labor Code 3074.2)

CSBA NOTE: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.6. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

~~31~~35. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

36. Develop a plan for offering independent study to affected students pursuant to Education Code 46393 if the governing body of the charter school submits an affidavit pursuant to Education Code 46392 necessitated by an emergency condition that resulted in a school closure (Education Code 46392, 46393)

~~32~~37. Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a student participating in a newcomer program while attending another school (Education Code 51225.2)

~~33~~38. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

### Special Education

~~34~~39. Provide assistive technology devices in a student's home or other settings if the individualized education program team determines that such access is necessary. The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first. (Education Code 56040.3)

~~35~~40. If the charter school is an independent member of a special education local plan area and has a master contract with a nonpublic, nonsectarian school:

- a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)
- ~~a.~~b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year (Education Code 56366.1)

**High School Graduation**

- ~~36.~~41. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any of the charter school's graduation requirements that exceed state requirements, unless the charter school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)
- ~~37.~~42. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)

**Student Expression**

- 43. Require students to meet the state minimum course requirements for graduation as specified in Education Code 51225.3, as well as any additional graduation requirements required by the governing body (Education Code 51225.3)

**Student Expression**

- ~~38.~~44. Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)

CSBA NOTE: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

- ~~39.~~45. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

**Staffing**

- ~~40.~~46. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) as required for the teacher's certificated assignment. Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required. (Education Code 47605, 47605.4)
- 47. If the charter school offers TK, require credentialed teachers first assigned to a TK class to meet one of three specified criteria establishing qualification for the position by August 1, 2023, and to maintain adult to student ratios as specified in Education Code 48000 (Education Code 48000)
- 48. Review potential misassignments and vacant positions in the charter school, including data from CTC, respond to the County Superintendent of Schools when necessary to show that an employee is legally authorized for an assignment, and correct any misassignments if notified by the County Superintendent that an assignment is not legally authorized (Education Code 44258.9)



~~41.49.~~ 41.49. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who ~~will have contact~~ interacts with students outside of the immediate supervision and control of the student's parent/guardian or a school employee has had a valid criminal background check records summary, unless an exception applies (Education Code 44830.1, 45122.1, 45125.1)

~~42.50.~~ 42.50. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)

~~43.51.~~ 43.51. If the charter school chooses to make the state teachers' retirement plan and/or the public employees retirement system available to its employees, meet the requirements of Education Code 47611 ~~regarding the State Teachers' Retirement System~~ (Education Code 47610)

~~44.52.~~ 44.52. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

### **Parent/Guardian Involvement**

53. If the charter school employs security officers and/or security officers work on the charter school campus, provide the latest course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training, as specified (Education Code 38001.5; Business and Professions Code 7583.45)

### **Parent/Guardian Involvement**

~~45.54.~~ 45.54. On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)

~~46.55.~~ 46.55. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)

~~47.56.~~ 47.56. If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements, or records sent to parents/guardians in English and in the primary language (Education Code 48985)

### **Nutrition**

~~48.~~ 48. Provide each eligible student with one nutritionally adequate breakfast and/or lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal ~~during each school day, except as provided for a charter school that offers nonclassroom-based instruction~~ (Education Code 47613.5)

57. eligibility. If the charter school participates in the National School Lunch Program and/or School Breakfast program, not Program and is a very high poverty school, as defined, the charter school shall apply to operate a federal universal meal service provision, and upon approval, apply such service (Education Code 49501.5, 49564.3)

~~49.58.~~ 49.58. Not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)

## Student Health

~~50.~~ If the charter school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; not take any action directed at a student to collect unpaid school meal fees; ensure that a student with unpaid school meal fees is not denied a meal of the student's choice, shamed, or treated differently; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)

~~51.~~ If the charter school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

## **Student Health**

~~52.~~59. Adopt a policy on suicide prevention, intervention, and postvention for grades 7-12, and an age-appropriate policy for grades K-6, and review the policy at least every five years (Education Code 215)

~~53.~~60. If the charter school serves grades 7-12 and issues student identification cards, print the telephone numbers of the National Suicide Prevention Lifeline and the National Domestic Violence Hotline on the identification cards (Education Code 215.5)Z

~~54.~~61. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)

~~55.~~62. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

~~56.~~63. If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

~~57.~~64. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)

65. If the charter school sponsors or hosts an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, provide for the presence of at least one adult with a valid certification of cardiopulmonary resuscitation training throughout the duration of the event (Education Code 35179.6)

~~58.~~66. Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)

~~59.~~67. If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

## Student Conduct/Discipline

- ~~60~~.68. Adopt a policy on bullying and cyberbullying prevention, post specified information on bullying and harassment prevention, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 234.6, 32283.5)
- ~~61~~.69. Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)
- ~~62~~.70. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
- ~~63~~.71. Neither recommend for expulsion a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)
- ~~64~~.72. Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 47606.2, 48913.5)

## Student and Parent/Guardian Records

- ~~65~~.73. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)
- ~~66~~.74. Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)
- ~~67~~.75. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
- ~~68~~.76. If the charter school serves high school students, submit to the Student Aid Commission, (CSAC), for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission CSAC to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)
- ~~69~~.77. Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update, and reissue if requested, a former student's records to include the student's updated legal name or gender (Education Code 49062.5, 49070)

## Facilities

78. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

~~70.~~b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

#### **Finance**

79. If the charter school serves students in any of grades 6-12, stock the school's restrooms at all times with an adequate supply of menstrual products available and accessible free of cost in all women's restrooms, all-gender restrooms, and in at least one men's restroom (Education Code 35292.6)

#### **Finance**

~~71.~~80. Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)

~~72.~~81. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

~~73.~~82. Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

~~74.~~83. Annually prepare and submit financial reports to the ~~district~~ Board and the County Superintendent of Schools in accordance with the following reporting cycle:

- a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
- b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
- c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)

~~75.~~84. If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds, and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

#### **Accountability**

~~76.85.~~ Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

**Policy Reference UPDATE Service**

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
<del>24 CCR 101</del>	<del>California Building Standards Code</del>
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
<a href="#"><u>Business and Professions Code 7583.45</u></a>	<a href="#"><u>Training for security officers</u></a>
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card
CA Constitution Article 9, Section 5	Common school system
Corp. Code 5110-6910	Nonprofit public benefit corporations
<a href="#"><u>Ed. Code 1006</u></a>	<a href="#"><u>Prohibition against school district employees serving on county board of education</u></a>
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17280-17317	<del>Approval</del> <a href="#"><u>Field Act; approval</u></a> of plans and supervision of construction
Ed. Code 17365-17374	<del>Fitness of buildings</del> <a href="#"><u>Field Act; fitness</u></a> for occupancy; liability of board members
Ed. Code 215	<del>Student suicide</del> <a href="#"><u>Suicide</u></a> prevention policies
Ed. Code 215.5	Student identification cards; <del>;</del> inclusion of safety hotlines
Ed. Code 220	Prohibition of discrimination
Ed. Code 221.61	Posting of Title IX information on web site
Ed. Code 221.9	Sex equity in competitive athletics
Ed. Code 222	Reasonable accommodations; lactating students
Ed. Code 222.5	Pregnant and parenting students; <del>;</del> notification of rights
Ed. Code 231.5-231.6	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 32282	School safety plans

Ed. Code 32283.5	Bullying; online training
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; <a href="#">swimming pool safety that is not part of interscholastic athletic program</a>
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
<a href="#">Ed. Code 35292.6</a>	<a href="#">Stocking of menstrual products</a>
Ed. Code 35330	Field trips and excursions; student fees
<a href="#">Ed. Code 38001.5</a>	<a href="#">Training for security officers</a>
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	<del>Applicants for employment; fingerprints for purpose of criminal</del> <a href="#">Criminal</a> record summary
<a href="#">Ed. Code 44258.9</a>	<a href="#">Monitoring of teacher assignments</a>
Ed. Code 44691	Information on detection of child abuse; <a href="#">annual training</a>
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	<del>Criminal background checks for contractors; criminal records summary;</del> <a href="#">employees of contracting entity</a>
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
<a href="#">Ed. Code 46390-46393</a>	<a href="#">Emergency average daily attendance</a>
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48010-48011	Minimum age of admission (first grade)
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction

Ed. Code 48850-48859	Education of <del>students in foster care</del> <u>youth</u> and <del>students who are homeless</del> <u>students</u>
Ed. Code 48901.1	Suspension and expulsion; willful defiance
Ed. Code 48907	Exercise of free expression; rules and regulations
Ed. Code 48913.5	<del>Homework</del> <u>Suspended students; homework</u> assignments for <del>suspended students</del>
Ed. Code 48950	<del>Speech</del> <u>Freedom of speech</u> and other communication
<u>Ed. Code 48985</u>	<u>Notices to parents in language other than English</u>
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49011	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Student records; definitions
Ed. Code 49062.5	Student records, name or gender change
Ed. Code 49070	Challenging <del>content of</del> <u>student</u> records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; <u>minutes of board meeting</u>
Ed. Code 49076.7	Student records; data privacy; <del>Social Security</del> <u>social security</u> numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	<del>Advertisement</del> <u>Prohibition of advertisement</u> of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
<u>Ed. Code 49501.5</u>	<u>Free breakfast and lunch to all students</u>
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564	Meals for needy students
<u>Ed. Code 49564.3</u>	<u>Provision of federal universal meal service</u>
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
<del>Ed. Code 51224.7</del>	<del>Mathematics placement policy</del>
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
<u>Ed. Code 51225.3</u>	<u>High school graduation requirements</u>

Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation
<a href="#">Ed. Code 51225.7-51225.8</a>	<a href="#">Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application</a>
Ed. Code <del>51513</del> <a href="#">51413</a>	Diploma of graduation, without passage of high school exit examination
Ed. Code 51745- <a href="#">51749.6</a>	Independent study
<a href="#">Ed. Code 51925-51929</a>	<a href="#">Mandatory mental health education</a>
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. code 56040.3	<del>Assistive</del> <a href="#">Availability of assistive</a> technology <a href="#">device</a>
Ed. Code 56145-56146	Special education services in charter schools
Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code <del>60600-60649</del> <a href="#">60648.5</a>	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information, and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6250-6270	California Public Records Act
Gov. Code 81000-91014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
<a href="#">Lab. Code 3074.2</a>	<a href="#">Notice of college and career fairs</a>
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system

**Federal**

**Description**



20 USC 1681-1688	<del>Discrimination</del> <a href="#">Title IX of the Education Amendments of 1972; discrimination</a> based on sex or blindness, Title IX
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.7879	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
<b>Management Resources</b>	<b>Description</b>
<a href="#">Attorney General Opinion</a>	<a href="#">104 Ops.Cal.Atty.Gen. 66 (2021)</a>
Attorney General Opinion	<del>Opinion No. 11-201</del> <a href="#">101 Ops.Cal.Atty.Gen. 92</a> (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763
California Department of Education Publication	<del>Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017</del>
California Department of Education Publication	<del>Special Education and Charter Schools: Questions and Answers, September 10, 2002</del>
California Department of Education Publication	<del>Sample Copy of a Memorandum of Understanding</del>
California Department of Education Publication	California School Accounting Manual
<a href="#">California Department of Education Publication</a>	<a href="#">Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020</a>
California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
<a href="#">CSBA Publication</a>	<a href="#">Charter Schools: A Guide for Governance Teams, rev. 2016</a>
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
CSBA Publication	<del>Charter Schools: A Guide for Governance Teams, rev. June 2021</del>
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, <a href="#">Nonregulatory Guidance</a> , January 2014
Website	National Association of Charter School Authorizers
Website	<a href="#">California Bureau of Security and Investigative Services(https://www.bsis.ca.gov/)</a>

<a href="#">Website</a>	<a href="#">California Charter Schools Association</a>
<a href="#">Website</a>	<a href="#">California Commission on Peace Officer Standards and Training (https://post.ca.gov/)</a>
Website	<a href="#">California Commission on Teacher Credentialing (https://www.ctc.ca.gov/)</a>
<a href="#">Website</a>	<a href="#">California Department of Education, Charter Schools</a>
<a href="#">Website</a>	<a href="#">California Department of General Services, Office of Administrative Hearings (https://www.dgs.ca.gov/OAH)</a>
<a href="#">Website</a>	<a href="#">California Department of Pesticide Regulation (https://www.cdpr.ca.gov/)</a>
<a href="#">Website</a>	<a href="#">California Interscholastic Federation (https://www.cifstate.org/)</a>
<a href="#">Website</a>	<a href="#">California Office of the Attorney General (https://oag.ca.gov/)</a>
<a href="#">Website</a>	<a href="#">California Public Employees Retirement System (https://www.calpers.ca.gov/)</a>
<a href="#">Website</a>	<a href="#">California State Controller (https://www.sco.ca.gov/)</a>
<a href="#">Website</a>	<a href="#">California State Teachers Retirement System (https://www.calstrs.com/)</a>
Website	<a href="#">California Student Aid Commission (https://www.csac.ca.gov/)</a>
Website	<a href="#">CSBA</a>
<a href="#">Website</a>	<a href="#">National Domestic Violence Hotline (https://www.thehotline.org/)</a>
<a href="#">Website</a>	<a href="#">National Suicide Prevention Lifeline (https://suicidepreventionlifeline.org/)</a>
<a href="#">Website</a>	<a href="#">U.S. Department of Agriculture (https://www.usda.gov/)</a>
<a href="#">Website</a>	<a href="#">U.S. Department of Education</a>

## Cross References

<b>Code</b>	<b>Description</b>
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal
0420.43	Charter School Revocation
<a href="#">0460</a>	<a href="#">Local Control And Accountability Plan (BP and AR)</a>
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures

1312.3-E-PDF(1)	Uniform Complaint Procedures
1312.3-E-PDF(2)	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

**Exhibit 1113-E(1): District And School Web Sites**

**Status: ADOPTED**

**Original Adopted Date:** 10/01/2020 | **Last Revised Date:** 06/01/2022 | **Last Reviewed Date:** 10/06/01/2020202

**MATERIALS REQUIRED TO BE POSTED ON DISTRICT WEB SITE**

CSBA NOTE: The following exhibit lists material which the law explicitly requires be posted on district or school web sites. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related requirements. The exhibit does not include other postings that may recommended throughout CSBA's sample policy manual but are not required by law.

**Materials to Prominently Display**

The following must be posted in a prominent location on the district's web site, such as on the home page when required by law:

1. The district's local control and accountability plan (LCAP), any updates or revisions to the LCAP, and the local control funding formula budget overview (Education Code 52064.1, 52065). See AR 0460 - Local Control and Accountability Plan.
2. A direct link to the current board agenda containing the time and location of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, or a link to the district's agenda management platform where the current agenda shall be the first available (Government Code 54954.2, 54956). Post at least 72 hours before a regular board meeting or 24 hours before a special meeting. See BB 9320 - Meetings and Notices and BB 9322 - Agenda/Meeting Materials.
3. The district's policy on student suicide prevention including, for grades K-6, the age appropriateness of the policy (Education Code 234.6). See BP 5141.52 - Suicide Prevention.
4. The district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media (Education Code 234.6). See AR 5131.2 - Bullying and AR 5145.3 - Nondiscrimination/Harassment.
5. The district's policy on preventing and responding to hate violence, if the district has adopted such a policy (Education Code 234.6). See BP 5145.9 - Hate-Motivated Behavior.

6. The definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8 (Education Code 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
7. Information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the name and contact information of the Title IX Coordinator, the rights of students and the public as specified in Education Code 221.8, the responsibilities of the district under Title IX, web links to information about those rights and responsibilities on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights, a description of how to file a complaint of noncompliance under Title IX with specified components, and a link to Title IX information posted on the California Department of Education's (CDE) web site (Education Code 221.6, 221.61, 234.6; 34 CFR 106.8). See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment.
8. A link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families (Education Code 234.5, 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
- 8.9. Posters published by the California Department of Fair Employment and Housing (DFEH) including, "California Law Prohibits Workplace Discrimination and Harassment," and for districts with five or more employees, "Transgender Rights in the Workplace," "Your Rights and Obligations as a Pregnant Employee," and "Family Care and Medical Leave and Pregnancy Disability Leave" (Government Code 12950). See AR 4030 - Nondiscrimination in Employment and AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.
- 9.10. If the district has formed a community facilities district (Mello-Roos district) for the acquisition or improvement of school facilities, a copy of the annual report for the fiscal year if requested pursuant to Government Code 53343.1, the report provided to the California Debt and Investment Advisory Commission pursuant to Government Code 53359.5, and the report provided to the State Controller's office pursuant to Government Code 12463.2 (Government Code 53343.2). Post within seven months after the last day of the fiscal year. See BP 7212 - Mello-Roos Districts.

## Other Postings

The following materials are also required to be posted on the district web site. However, there are no specific requirements related to where they are posted on the web site.

1. The Special Education Local Plan Area's approved comprehensive local plan for special education, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans (Education Code 56205.5). See AR 0430 - Comprehensive Local Plan for Special Education.
2. The district's nondiscrimination policy and regulation, including the complaint procedure and the compliance coordinator's contact information (34 CFR 100.6, 106.8). See BP 0410 - Nondiscrimination in District Programs and Activities and AR

4030 - Nondiscrimination in Employment.

- ~~3.~~ Training materials used to train the Title IX Coordinator, investigator(s), ~~decision-maker~~decisionmaker(s), and any person(s) who facilitate an informal resolution process in response to a Title IX sexual harassment complaint (34 CFR 106.45). See AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
- ~~3.4.~~Contact information for the district's liaison(s) for homeless students and other persons as required by Education Code 48852.6, and information regarding the educational rights and resources available to persons experiencing homelessness (Education Code 48852.6). See AR 6173 - Education for Homeless Children.
- ~~4.5.~~For all schools offering competitive athletics, the total enrollment of the school classified by gender, the number of students enrolled at the school who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9). The information shall be posted at the end of the school year on the school's web site or, if the school does not have a web site, on the district's web site. See AR 6145.2 - Athletic Competition.
- ~~5.6.~~If the district has interdistrict attendance agreement(s), the procedures and timelines for requesting an interdistrict transfer permit, including, but not limited to, a link to the board's policy on interdistrict attendance, the date that the district will begin accepting applications, reasons that the district may approve/deny the request, the process for appeal, that failure to meet timelines will be deemed an abandonment of the request, and the condition under which an ~~existing~~existing interdistrict transfer permit may be revoked or rescinded (Education Code 46600.2). See AR 5117 - Interdistrict Transfer.
- ~~6.7.~~If the district has elected to be a school district of choice, application information including, at a minimum, any applicable form, the timeline for a transfer, and an explanation of the selection process (Education Code 48301). See AR 5117 - Interdistrict Transfer.
- ~~7.8.~~For districts that offer grade 9, the district's policy and protocols related to student placement in mathematics courses (Education Code 51224.7). See AR 6152.1 - Placement in Mathematics Courses.
- ~~8.9.~~The section(s) of the district's employee code of conduct addressing interactions with students (Education Code 44050). Post these section(s) or a link to them on each school's web site or, if a school does not have its own web site, on the district's web site in a manner that is accessible to the public without a password. See BP 4119.21/4219.21/4319.21 - Professional Standards and BP 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.
- ~~9.10.~~ \_\_\_\_\_ The district's meal payment collection policy and procedures (~~CDE Nutrition Services Division Management Bulletin SNP-03-2017~~).U.S. Department of Agriculture (USDA) Memorandum SP 46-2016). See BP/AR 3551 - Food Services Operations/Cafeteria Fund.

~~10.~~11. If the district includes information about the free and reduced-priced meal program on its web site, a nondiscrimination statement about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district (~~U.S. Department of Agriculture's~~USDA FNS Instruction 113-1). For the required wording of the statement, see E 3555 - Nutrition Program Compliance.

~~11.~~12. The school's or district's integrated pest management plan, whenever a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5 (Education Code 17611.5). Post on the school's web site or, if the school does not have a web site, then on the district's web site. See AR 3514.2 Integrated Pest Management.

13. When the California Environmental Quality Act requires an environmental impact report, negative declaration, or mitigated negative declaration, those environmental review documents, public notice of the preparation and availability of such documents within a reasonable period of time prior to certification of the environmental impact report, adoption of a negative declaration, or determination that a proposed subsequent project will have no additional significant effect on the environment, and specified notices when written requests for notices have been filed (Public Resources Code 21082.1, 21092, 21092.2).

~~12.~~14. When a citizens' oversight committee is formed after the approval of a bond under the 55 percent majority threshold, the committee's minutes, documents received, and reports issued (Education Code 15280). See AR 7214 - General Obligation Bonds.

~~13.~~15. Copy of each school's school accountability report card, on or before February 1 of each year (Education Code 35258). See BP 0510 - School Accountability Report Card.

~~14.~~16. Results of the Western Association of Schools and Colleges (WASC) or other accrediting agency's inspection of a school, within 60 days of receiving the results. (This notification could be made in writing to parents/guardians instead of or in addition to posting the results on the district's web site.) In addition, if a school loses its WASC or other agency's accreditation, the district and school shall post on their web sites a notice of the loss of accreditation and potential consequences (Education Code 35178.4). See BP 6190 - Evaluation of the Instructional Program.

**Policy Reference UPDATE Service**

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State**

Bus. Code 22580-22582

**Description**

Privacy Rights for California Minors in the Digital World

Bus. Code 22584-22585	Student Online Personal Information Protection Act
Bus. Code 22586-22587	Early Learning Personal Information Protection Act
Ed. Code 35182.5	Contracts for advertising
Ed. Code 35258	Internet access to school accountability report cards
<a href="#">Ed. Code 48852.6</a>	<a href="#">Information regarding homelessness</a>
Ed. Code 48907	Exercise of free expression; <a href="#">time, place and manner</a> rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49061	<del>Student records; definitions</del> <a href="#">Definitions, directory information</a>
Ed. Code 49073	Release of directory information
Ed. Code 60048	Commercial brand names, contracts or logos
Gov. Code 11135	<del>Discrimination</del> <a href="#">Nondiscrimination; accessibility to state web sites</a>
<a href="#">Gov. Code 12950</a>	<a href="#">California Department of Fair Employment and Housing posters</a>
Gov. Code 3307.5	Publishing identity of public safety officers
Gov. Code 6254.21	Publishing addresses and telephone numbers of officials
Gov. Code 6254.24	Definition of public safety official
Pen. Code 14029.5	Prohibition against publishing personal information of person in witness protection program
<a href="#">Public Resources Code 21082.1</a>	<a href="#">California Environmental Quality Act environmental review documents</a>
<a href="#">Public Resources Code 21092</a>	<a href="#">California Environmental Quality Act environmental review documents</a>
<a href="#">Public Resources Code 21092.2</a>	<a href="#">California Environmental Quality Act environmental review documents</a>
<b>Federal</b>	<b>Description</b>
16 CFR 312.1-312.12	Children's Online Privacy Protection Act
17 USC 101-122	Subject matter and scope of copyright
17 USC 504	Penalties for copyright infringement
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 705	Definitions; Vocational Rehabilitation Act
29 USC 794	Rehabilitation Act of 1973; Section 504



34 CFR 104.1-104.61	Nondiscrimination on the basis of disability
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 12101-12213	<del>Equal opportunity for individuals with disabilities</del> <b>Americans with Disabilities Act</b>
<b>Management Resources</b>	<b>Description</b>
<a href="#">CA Department of Fair Employment and Housing Publication</a>	<a href="#">California Law Prohibits Workplace Discrimination and Harassment</a>
<a href="#">CA Department of Fair Employment and Housing Publication</a>	<a href="#">Family Care and Medical Leave and Pregnancy Disability Leave</a>
<a href="#">CA Department of Fair Employment and Housing Publication</a>	<a href="#">Transgender Rights in the Workplace</a>
<a href="#">CA Department of Fair Employment and Housing Publication</a>	<a href="#">Your Rights and Obligations as a Pregnant Employee</a>
Court Decision	Aaris v. Las Virgenes Unified School District; (1998) 64 Cal.App.4th 1112
Court Decision	City of San Jose v. Superior Court; (2017) 2 Cal.5th 608
<a href="#">U.S. Department of Agriculture Publication</a>	<a href="#">Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016</a>
U.S. Department of Justice Publication	Accessibility of State and Local Government Websites to People with Disabilities, June 2003
U.S. DOE Office For Civil Rights Publication	Dear Colleague Letter, May 26, 2011
U.S. DOE Office for Civil Rights Publication	Joint Dear Colleague Letter: Electronic Book Readers, June 29, 2010
Website	California Department of Education, Web Accessibility Standards
<a href="#">Website</a>	<a href="#">California Department of Fair Employment and Housing</a>
Website	California School Public Relations Association
Website	U.S. Department of Justice, Civil Rights Division, <a href="#">Disability Rights Section</a>
<a href="#">Website</a>	<a href="#">Governor's Office of Planning and Research, The California Environmental Quality Act (https://opr.ca.gov/ceqa/)</a>
Website	World Wide Web Consortium, Web Accessibility Initiative
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, December 2008

## Cross References

<b>Code</b>	<b>Description</b>
0000	Vision
0410	Nondiscrimination In District Programs And Activities
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E-(1)	Uniform Complaint Procedures
1312.3-E-(2)	Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
3290	Gifts, Grants And Bequests
3311	Bids
3311	Bids
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan

3516	Emergencies And Disaster Preparedness Plan
3516.5	Emergency Schedules
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
4040-E-(1)	Employee Use Of Technology
<del>4119.12</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>4119.12-E PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
4119.21	Professional Standards
4119.21-E-(1)	Professional Standards
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4132	Publication Or Creation Of Materials
<del>4219.12</del> <a href="#">4161.8</a>	<del>Title IX Sexual Harassment Complaint Procedures</del> <a href="#">Family Care and Medical Leave (AR)</a>
<del>4219.12-E PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
4219.21	Professional Standards
4219.21-E-PDF(1)	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4232	Publication or Creation of Materials
<del>4319.12</del> <a href="#">4261.8</a>	<del>Title IX Sexual Harassment Complaint Procedures</del> <a href="#">Family Care and Medical Leave (AR)</a>
<del>4319.12-E PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
4319.21	Professional Standards
4319.21-E-PDF(1)	Professional Standards

4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
4332	Publication or Creation of Materials
<u>4361.8</u>	<u>Family Care and Medical Leave (AR)</u>
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E (1)	Release Of Directory Information
5131.2	Bullying
5131.2	Bullying
<del>5142.2</del>	<del>Safe Routes To School Program</del>
<del>5142.2</del>	<del>Safe Routes To School Program</del>
<del>5145.3</del>	<del>Nondiscrimination/Harassment</del>
<del>5145.3</del>	<del>Nondiscrimination/Harassment</del>
<del>5145.7</del>	<del>Sexual Harassment</del>
<del>5145.7</del>	<del>Sexual Harassment</del>
<del>5145.71</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>5145.71-E PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>5145.9</del>	<del>Hate-Motivated Behavior</del>
6020	Parent Involvement
6020	Parent Involvement
6145.2	Athletic Competition
6145.2	Athletic Competition
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.4	Student Use Of Technology
6163.4-E-(1)	Student Use Of Technology
6173	Education For Homeless Children

6173	Education For Homeless Children
6173-E-(1)	Education For Homeless Children
6173-E-(2)	Education For Homeless Children
6190	Evaluation Of The Instructional Program
7214	General Obligation Bonds
7214	General Obligation Bonds
9010	Public Statements
<u>9012</u>	<u>Board Member Electronic Communications (BB)</u>
9310	Board Policies
9320	Meetings And Notices
9322	Agenda/Meeting Materials

**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2010 | **Last Revised Date:** 05/06/01/2020 ~~2022~~ | **Last Reviewed Date:** 05/06/01/2020 ~~2022~~

CSBA NOTE: Education Code 35186 mandates that districts establish policies and procedures to address complaints regarding insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, and emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff. When such a complaint is filed with the district, the district is required to investigate and resolve the complaint in accordance with the Williams uniform complaint procedures established pursuant to 5 CCR 4680-4687.

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

### Types of Complaints

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

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

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

CSBA NOTE: 5 CCR 4600, as amended by Register 2020, No. 21, revises the definition of "beginning of the year or semester" as provided below

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

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

1.3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

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

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

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

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

CSBA NOTE: The following optional paragraph is for use by districts that maintain any of grades 6-12, and may be revised to reflect the grade levels served by the district.

Pursuant to Education Code 35292.6 requires, as added by AB 367 (Ch. 664, Statutes of 2021), before the start of the 2022-23 school year, a school that serves any of grades 6-12 and meets a 40 percent student poverty threshold, as defined in 20 USC 6314, is required to stock at least 50 percent of the

school's restrooms with feminine hygiene menstrual products for use in connection with the menstrual cycle; and to not free of charge students for such products. See AR 3517 - Facilities Inspection.

Although Education Code 35292.6 does not require a complaint process, it is recommended that the Williams uniform complaint procedures be used to address any allegation of noncompliance with Education Code 35292.6 in order to ensure consistency in the procedures that districts use to address allegations of noncompliance with all restroom maintenance requirements.

In any district school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, as defined in 20 USC 6314, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to stock, at all times, at least half stock and make available and accessible free of cost, an adequate supply of the restrooms in the school with feminine hygiene menstrual products and to not charge students for the use of such products. in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

### Forms and Notices

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

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

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

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

### Filing of Complaint

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

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

### Investigation and Response

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



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

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

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

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

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

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

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

## Reports

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

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

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### State

5 CCR 4600-4670

5 CCR 4680-4687

### Description

Uniform complaint procedures

Williams uniform complaint procedures

Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17592.72	Urgent or emergency repairs; <a href="#">School Facility Emergency Repair Account</a>
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 33126	School accountability report card
Ed. Code 35186	Williams uniform complaint <del>procedure</del> <a href="#">procedures</a>
Ed. Code 35292.5-35292.6	Restrooms; <a href="#">maintenance and cleanliness</a>
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 60119	Hearing on sufficiency of instructional materials

### Federal

20 USC 6314

### Description

Title I schoolwide program

### Management Resources

Website

### Description

State Allocation Board, Office of Public School Construction

Website

California Department of Education, Williams Case

Website

California County Superintendents Educational Services Association

Website

CSBA

### Cross References

#### Code

0460

#### Description

Local Control And Accountability Plan

0460

Local Control And Accountability Plan

1100

Communication With The Public

1250

Visitors/Outsiders

1250

Visitors/Outsiders

1312.2

Complaints Concerning Instructional Materials

1312.2

Complaints Concerning Instructional Materials

1312.2-E PDF(1)

Complaints Concerning Instructional Materials

1312.3

Uniform Complaint Procedures

1312.3

Uniform Complaint Procedures

1312.3-E PDF(1)

Uniform Complaint Procedures

1312.3-E PDF(2)

Uniform Complaint Procedures

1340

Access To District Records

1340

Access To District Records

3270

Sale And Disposal Of Books, Equipment And Supplies

3270

Sale And Disposal Of Books, Equipment And Supplies

3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3517	Facilities Inspection
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4112.2	Certification
4112.2	Certification
4112.22	Staff Teaching English Learners
4113	Assignment
4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints
4344	Complaints
4344	Complaints
6142.92	Mathematics Instruction
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
9000	Role Of The Board
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

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**Exhibit 1312.4-E(2): Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2010 | **Last Revised Date:** 03/06/01/2019/2022 | **Last Reviewed Date:** 03/06/01/2019/2022

CSBA NOTE: Education Code 35186 creates the Williams uniform complaint procedures for the filing of complaints concerning deficiencies in textbooks or instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The following form contains elements required by Education Code 35186 and 5 CCR 4681-4683. During the Federal Program Monitoring process, California Department of Education staff will check to ensure that the complaint form includes all of the elements specified below.

**K-12 COMPLAINT FORM:  
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? \_\_\_ Yes \_\_\_ - No

Contact information: (if response is requested)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

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

School name/address: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

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

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

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
  - o A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - o A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each

student.

- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

CSBA NOTE: The following optional item is for districts that choose to use the ~~William~~Williams uniform complaint procedures to address complaints alleging noncompliance with requirements to stock restrooms at certain schools with ~~feminine hygiene~~menstrual products pursuant to Education Code 35292.6; see the accompanying administrative regulation.

- For a school ~~that serves students in~~servicing any of grades 6-12 with ~~40 percent of more of its students from low-income families, as defined,~~ the school has not stocked at least half of its restrooms with feminine products, at all times, stocked and made those products available to students at no ~~and accessible free of~~ cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom.
- The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

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CSBA NOTE: Education Code 35186 requires that complaints be filed with the principal or designee and that the complaint form specify the location for filing the complaint. Districts should specify the name and/or location in the spaces below.

Please file this complaint at the following location:

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 (principal or designee)

-----  
 (address)

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

-----  
 (Signature)

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 (Date)

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<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
Ed. Code 1240	County superintendent of schools, duties
Ed. Code 17592.72	Urgent or emergency repairs; School Facility Emergency Repair Account
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 33126	School accountability report card
Ed. Code 35186	Williams uniform complaint procedure
Ed. Code 35292.5-35292.6	Restrooms; maintenance and cleanliness
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 60119	Hearing on sufficiency of instructional materials

**Federal**  
20 USC 6314

**Management Resources**

Website

Website

Website

Website

**Description**

Title I schoolwide program

**Description**

State Allocation Board, Office of Public School Construction

California Department of Education, Williams Case

California County Superintendents Educational Services Association

CSBA

**Cross References**

**Code**

0460

0460

1100

1250

1250

1312.2

1312.2

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1312.3

1312.3

1312.3-E PDF(1)

1312.3-E PDF(2)

1340

1340

3270

3270

3514

3514

3514.2

3517

3550

3550

4112.2

4112.2

4112.22

4113

**Description**

Local Control And Accountability Plan

Local Control And Accountability Plan

Communication With The Public

Visitors/Outsiders

Visitors/Outsiders

Complaints Concerning Instructional Materials

Complaints Concerning Instructional Materials

Complaints Concerning Instructional Materials

Uniform Complaint Procedures

Uniform Complaint Procedures

Uniform Complaint Procedures

Uniform Complaint Procedures

Access To District Records

Access To District Records

Sale And Disposal Of Books, Equipment And Supplies

Sale And Disposal Of Books, Equipment And Supplies

Environmental Safety

Environmental Safety

Integrated Pest Management

Facilities Inspection

Food Service/Child Nutrition Program

Food Service/Child Nutrition Program

Certification

Certification

Staff Teaching English Learners

Assignment

4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints
4344	Complaints
4344	Complaints
6142.92	Mathematics Instruction
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
9000	Role Of The Board
9012	<del>Board Member Electronic Communications</del> <a href="#">Board Member Electronic Communications</a>
9200	<del>Limits Of Board Member Authority</del> <a href="#">Limits Of Board Member Authority</a>
9322	<del>Agenda/Meeting Materials</del> <a href="#">Agenda/Meeting Materials</a>



**Policy 3110: Transfer Of Funds**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2009 | **Last Revised Date:** 03/06/01/2021/2022 | **Last Reviewed Date:** 03/06/01/2021/2022

CSBA NOTE: Education Code 41010 and 42600 require districts to expend funds in accordance with the classification of expenditures included in their adopted budget and in the "California School Accounting Manual." However, in certain limited circumstances, the Governing Board may approve interfund borrowing or the transfer of money between funds. The following policy may be revised to reflect district practice.

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

The total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's budget forms, shall be the maximum amount which the district may expend for that classification for the school year. (Education Code 42600)

However, when it is in the best interest of the district, the Board may:

1. 1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)
2. 2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603) \_\_\_\_\_

~~CSBA NOTE: Education Code 42603.1, as added by SB 98 (Ch. 23, Statutes of 2020), adds the following authorization for the temporary transfer of funds for the 2020-21 and 2021-22 fiscal years, if the state defers any payments owed to districts.~~ CSBA NOTE: Pursuant to Education Code 42601, the district, with the approval of the Board, may identify and request that the County Superintendent of Schools make transfers at the close of a school year in order to permit the payment of district obligations incurred during that school year, as provided in item #3 below. For elementary school districts with average daily attendance (ADA) of 900 or less, high school districts with ADA of 300 or less, or unified districts with ADA of 1,500 or less, the County Superintendent may identify and make the transfers, with the consent of the Board.

- ~~3. For the 2020-21 and 2021-22 fiscal years only, if the state defers any payments owed to districts, the Board may direct the temporary transfer of up to 85 percent of the maximum amount held in any fund or account during the current fiscal year for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. Prior to exercising this authority, the Board shall hold a public hearing and adopt a resolution authorizing such transfer. (Education Code 42603.1)~~

CSBA NOTE: Pursuant to Education Code 42601, the district, with the approval of the Governing Board, may identify and request that the County Superintendent of Schools make transfers at the close of a school year in order to permit the payment of district obligations incurred during that school year, as provided in item #3 below. For elementary school districts with average daily attendance (ADA) of 900 or less, high school districts with ADA of 300 or less, or unified districts with ADA of 1,500 or less, the County Superintendent may identify and make the transfers, with the consent of the Board.

4. 3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)
  
5. 4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
  
6. 5. Transfer monies between other funds or accounts when authorized by law.

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<b>State</b>	<b>Description</b>
Ed. Code 16095	Transfer of district funds to district state school building fund
<del>Ed. Code 41010</del>	<del>California School Accounting Manual</del>
Ed. Code 41301	Section A state school fund allocation schedule
Ed. Code 42125	Designated and unappropriated fund balances
Ed. Code 42238-42251	Apportionments to districts
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 42600	District budget limitation on expenditure
Ed. Code 42601	Transfers between funds to permit payment of obligations at close of year
Ed. Code 42603	<del>Temporary transfer</del> <b>Transfer</b> of monies held in any fund or account to another fund; repayment
<del>Ed. Code 42603.1</del>	<del>Temporary transfer of monies held in any fund or account to another fund; state deferrals; fiscal years 2020-21 and 2021-22</del>
Ed. Code 42840-42843	Special reserve fund
Ed. Code 5200	Districts governed by boards of education

Ed. Code 52616.4	Expenditures from adult education fund
Ed. Code 78	Definition, governing board
<b>Management Resources</b>	<b>Description</b>
California <a href="#">CA</a> Department of Education	California School Accounting Manual, <a href="#">2019</a>
Publication	
Website	California Department of Education
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

### Cross References

<b>Code</b>	<b>Description</b>
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
3000	Concepts And Roles
3100	Budget
3100	Budget
3300	Expenditures And Purchases
3350	Travel Expenses
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3470	Debt Issuance And Management
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
<del>9323.2</del>	<del>Actions By The Board</del>
9323.2-E PDF(1)	Actions By The Board
9323.2-E PDF(2)	Actions By The Board

**Regulation 3517: Facilities Inspection**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2006 | **Last Revised Date:** ~~12/06/01/2017~~-2022 | **Last Reviewed Date:** ~~12/06/01/2017~~2022

CSBA NOTE: As part of the Williams litigation settlement, Education Code 17070.75 requires that each school district participating in the state's School Facility Program have a facility inspection system in place for all schools to ensure that school facilities are kept in good repair. Education Code 17002 defines "good repair" to mean that the facility is maintained in a manner that ensures that it is clean, safe, and functional as determined pursuant to the Facility Inspection Tool (FIT) developed by the Office of Public School Construction (OPSC) or a local evaluation instrument that uses the same criteria.

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, ~~he/she~~ the Superintendent or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas Leaks: Gas systems and pipes appear and smell safe, functional, and free of leaks.
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges.
3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed.
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others. Locks and other security hardware function as designed.
5. Interior Surfaces (walls, floors, ceilings): Interior surfaces are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause. Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. Hazardous Materials: Hazardous and flammable materials are stored properly. No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.
7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed. Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly. Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly.

10. Lighting: Interior and exterior lighting appears to be adequate and working properly. Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident.
12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks. Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident.
13. Restrooms: Restrooms are fully operational, maintained and cleaned regularly, and stocked at all times with supplies (including toilet paper, soap, and paper towels or functional hand dryers) in accordance with Education Code 35292.5. The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom for student safety or to repair the facility.

CSBA NOTE: Although not reflected on the FIT, The following paragraph should be revised to reflect the grade levels served by the district. Pursuant to Education Code 35292.6, as added by AB 10367 (Ch. 687664, Statutes of 2017), requires 2021), before the start of the 2022-23 school year, a school that serves any of grades 6-12 and meets a 40-percent student poverty threshold, as defined in 20 USC 6314, is required to stock 50-percent of the school's restrooms with feminine hygiene-free menstrual products for use in connection with the menstrual cycle, and to not charge students post a notice as described below. See the accompanying exhibit for such products. The following paragraph may be revised to reflect the grade levels served by the district. a sample notice.

14. In addition, in any school serving any of grades 6-12 in which 40-percent or more of the students in the school or school attendance area are from low-income families shall, at least 50 percent all times, stock and make available and accessible free of cost, an adequate supply of the school's restrooms are stocked with feminine hygiene menstrual products; in every women's and all-gender restroom, and in at least one men's restroom. The district shall post in a prominent and conspicuous location a notice regarding this requirement that includes an email address and telephone number for which students are not charged. a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6; 20 USC 6314) -)
15. 14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly.
16. 15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
17. 16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets.
18. 17. Playground/School Grounds: Playground equipment (exterior fixtures, seating, tables, and equipment), school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards.
19. 18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti. Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

CSBA NOTE: Although the FIT does not specifically require districts to test for the presence of lead in drinking water, soil, and/or painted surfaces, such testing is recommended by the U.S. Environmental Protection Agency due to the health risks posed by lead exposure, especially for young children. Schools and child care facilities that maintain their own public water systems must test for lead pursuant to the Safe Drinking Water Act (42 USC 300f-300j-27). ~~In addition, Health and Safety Code 116277, as amended by AB 746 (Ch. 746, Statutes of 2017), requires a community water system that serves a school with a building constructed before January 1, 2010 to test for lead in the drinking water system before January 1, 2019. If the school's lead level exceeds specified levels, the district must notify the parents/guardians of students at that school and take immediate steps to shut down all fountains and faucets where excess lead levels may exist. See AR 3514 - Environmental Safety for further information about lead testing and abatement in schools.~~

In addition, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

CSBA NOTE: Education Code 35186 provides that the Williams uniform complaint procedures should be used for any complaint alleging a school facility condition that poses an emergency or urgent threat, as defined in Education Code 17592.72, or any complaint that a school restroom is not clean, maintained, or kept open, as defined in Education Code 35292.5. See ~~E-/AR 1312.4 - Williams Uniform Complaint Procedures.~~

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

CSBA NOTE: Education Code 1240 requires the County Superintendent of Schools to visit low-performing schools to determine (1) the status of any facility condition that may create an emergency or urgent threat to the health or safety of students or staff and (2) the accuracy of data reported on the school accountability report card with respect to the safety, cleanliness, and adequacy of school facilities. Education Code 1240 requires that the County Superintendent provide a quarterly report to the Governing Board on the results of any county office of education (COE) visit. Education Code 1240 provides that, if the County Superintendent determines that a facility condition poses an emergency or urgent threat, ~~he/she~~ the County Superintendent may return to the school to verify repairs and/or prepare a report that identifies areas of noncompliance if the district has not provided evidence that the repairs will be made within 30 days or, for major repairs, in a timely manner. The County Superintendent may then present the report to the Board at a public meeting and post the report on the ~~county office's~~ COE's web site.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the district's facility ~~inspection program~~ inspections and updates of any visits to district schools by the County Superintendent of Schools to review school facilities.

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**Policy Reference Disclaimer:**

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<b>State</b>	<b>Description</b>
2 CCR 1859.300-1859.330	Emergency Repair Program
Ed. Code 1240	County superintendent of schools; <del>i</del> duties
Ed. Code 17002	State School Building Lease-Purchase Law, <del>including</del> ; definition of good repair
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998
Ed. Code 17565-17591	Property maintenance and control
Ed. Code 17592.72	Urgent or emergency repairs; <del>i</del> School Facility Emergency Repair Account
Ed. Code 33126	School accountability report card
Ed. Code 35186	Complaints regarding teacher vacancy or misassignment
Ed. Code 35292.5-35292.6	Restrooms, maintenance and cleanliness
H&S Code 116277	Lead testing of potable water at schools and requirements to remedy
<b>Federal</b>	<b>Description</b>
20 USC 6314	Schoolwide programs
42 USC 300f-300j-27	Safe Drinking Water Act
<b>Management Resources</b>	<b>Description</b>
State Allocation Board, Office Of Public School <del>Co</del> <a href="#">Construction</a>	Facility Inspection Tool: School Facility Conditions Evaluation
Website	California County Superintendents Educational Services Association
Website	California Department of Education, Williams Case
Website	State Allocation Board, Office of Public School Construction
Website	Coalition for Adequate School Housing
Website	CSBA

**Cross References**

<b>Code</b>	<b>Description</b>
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0510	School Accountability Report Card
1312.4	Williams Uniform Complaint Procedures
1312.4-E <a href="#">PDF</a> (1)	Williams Uniform Complaint Procedures
1312.4-E <a href="#">PDF</a> (2)	Williams Uniform Complaint Procedures
1330.1	Joint Use Agreements

3000	Concepts And Roles
3311	Bids
3311	Bids
3511.1	Integrated Waste Management
3511.1	Integrated Waste Management
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
6117	Year-Round Schedules
7110	Facilities Master Plan
7111	Evaluating Existing Buildings
9000	Role Of The Board



**Exhibit 3517-E(1): Facilities Inspection**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/2022 | **Last Reviewed Date:** 06/01/2022

CSBA NOTE: Education Code 35292.6 requires that the following notice be posted in a prominent and conspicuous location in each restroom where menstrual products are stocked.

**NOTICE REGARDING MENSTRUAL PRODUCTS**

Education Code 35292.6 requires that:

- a. On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom.
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.
- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.
- e. This section shall become operative on July 1, 2022.

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

\_\_\_\_\_  
(name and/or title/position)

\_\_\_\_\_  
(telephone number)

\_\_\_\_\_  
(email address)

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**State**[2 CCR 1859.300-1859.330](#)[Ed. Code 1240](#)[Ed. Code 17002](#)[Ed. Code 17070.10-17077.10](#)[Ed. Code 17565-17591](#)[Ed. Code 17592.72](#)[Ed. Code 33126](#)[Ed. Code 35186](#)[Ed. Code 35292.5-35292.6](#)[H&S Code 116277](#)**Federal**[20 USC 6314](#)[42 USC 300f-300j-27](#)**Management Resources**[State Allocation Board, Office Of Public School Co](#)[Website](#)[Website](#)[Website](#)[Website](#)[Website](#)**Description**[Emergency Repair Program](#)[County superintendent of schools, duties](#)[State School Building Lease-Purchase Law, including definition of good repair](#)[Leroy F. Greene School Facilities Act of 1998](#)[Property maintenance and control](#)[Urgent or emergency repairs, School Facility Emergency Repair Account](#)[School accountability report card](#)[Complaints regarding teacher vacancy or misassignment](#)[Restrooms, maintenance and cleanliness](#)[Lead testing of potable water at schools and requirements to remedy](#)**Description**[Schoolwide programs](#)[Safe Drinking Water Act](#)**Description**[Facility Inspection Tool: School Facility Conditions Evaluation](#)[California County Superintendents Educational Services Association](#)[California Department of Education, Williams Case](#)[State Allocation Board, Office of Public School Construction](#)[Coalition for Adequate School Housing](#)[CSBA](#)**Cross References****Code**[1312.4-E\(1\)](#)[1312.4-E\(2\)](#)**Description**[Williams Uniform Complaint Procedures](#)[Williams Uniform Complaint Procedures](#)[Policy Reference UPDATE Service](#)[Copyright 2022 by California School Boards Association, West Sacramento, California 95691](#)[All rights reserved.](#)

**Policy 3523: Electronic Signatures**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/2022 |

CSBA NOTE: The following optional board policy may be revised to reflect district practice. Pursuant to Government Code 16.5, public entities, including districts, are permitted to use digital signatures in their communications and operations. A digital signature is a type of electronic signature, as defined in Civil Code 1633.1. Any such digital or electronic signature has the same force and effect as a manual signature, provided the signature is created using acceptable technology and includes attributes specified in 2 CCR 22000-22005, as described in the accompanying administrative regulation. In addition, Civil Code 1633.1-1633.17 (Uniform Electronic Transactions Act) and 15 USC 7001-7006 (Electronic Records and Signatures in Commerce Act) provide a framework for ensuring the validity of electronic contracts and security of electronic signatures in commerce and governmental transactions.

The Governing Board believes that the use of electronic records and signatures is a convenient paperless option that can increase efficiency in commercial and administrative transactions, reduce costs, and contribute to environmental sustainability in district operations. The Board authorizes the use of electronic signatures in district operations when authorized by law.

The Superintendent or designee shall ensure that any electronic signature utilized by the district conforms with criteria described in law and that the level of security is sufficient for the transaction being conducted. (Government Code 16.5; 2 CCR 22003, 22005)

The Superintendent or designee shall retain electronic records in accordance with law and regulations, and as specified in BP/AR 3580 - District Records.

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<b><u>State</u></b>	<b><u>Description</u></b>
<u>2 CCR 22000-22005</u>	<u>Public entity use of electronic signatures</u>
<u>5 CCR 16020-16022</u>	<u>Records, general provisions</u>
<u>5 CCR 16023-16027</u>	<u>District records, retention and destruction</u>
<u>5 CCR 430</u>	<u>Individual student records; definition</u>
<u>5 CCR 432</u>	<u>Student records</u>
<u>Civil Code 1633.1-1633.17</u>	<u>Uniform Electronic Transactions Act</u>
<u>Civil Code 1798.29</u>	<u>District records; breach of security</u>
<u>Education Code 35252-35255</u>	<u>Records and reports</u>
<u>Education Code 44031</u>	<u>Personnel file contents and inspection</u>
<u>Education Code 49060-49079.7</u>	<u>Student records</u>
<u>Education Code 8234</u>	<u>Electronic signatures; child care and development programs</u>

[Government Code 16.5](#)

[Government Code 6252-6265](#)

[Government Code 811.2](#)

**Federal**

[15 USC 7001-7006](#)

[20 USC 1232g](#)

[20 USC 1400-1482](#)

[34 CFR 99.1-99.8](#)

[34 CFR 300-300.818](#)

**Management Resources**

[California Department of Education Publications](#)

[Electronic signatures](#)

[Inspection of public records](#)

[Definition of public entity](#)

**Description**

[Electronic Records and Signatures in Commerce Act](#)

[Family Educational Rights and Privacy Act of 1974](#)

[Individuals with Disabilities Education Act](#)

[Family Educational Rights and Privacy Act](#)

[Assistance to states for the education of students with disabilities](#)

**Description**

[Management Bulletin 17-13, October 2017](#)

**Cross References**

**Code**

[3510](#)

[3580](#)

[3580](#)

[5148](#)

[5148](#)

[5148.3](#)

[5148.3](#)

[6159.1](#)

[6159.1](#)

**Description**

[Green School Operations \(BP\)](#)

[District Records \(BP\)](#)

[District Records \(AR\)](#)

[Child Care and Development \(BP\)](#)

[Child Care and Development \(AR\)](#)

[Preschool/Early Childhood Education \(BP\)](#)

[Preschool/Early Childhood Education \(AR\)](#)

[Procedural Safeguards and Complaints for Special Education \(BP\)](#)

[Procedural Safeguards and Complaints for Special Education \(AR\)](#)

**Regulation 3523: Electronic Signatures**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/2022 |

CSBA NOTE: The following optional administrative regulation may be revised to reflect district practice. Pursuant to Government Code 16.5, public entities, including districts, are permitted to use digital signatures in their communications and operations. A digital signature is a type of electronic signature, as defined in Civil Code 1633.1. Any such digital or electronic signature has the same force and effect as a manual signature, provided the signature is created using an acceptable technology and includes attributes specified in 2 CCR 22000-22005, as described below. In addition, Civil Code 1633.1-1633.17 (Uniform Electronic Transactions Act) and 15 USC 7001-7006 (Electronic Records and Signatures in Commerce Act) provide a framework for ensuring the validity of electronic contracts and security of electronic signatures in commerce and governmental transactions. In addition to the general authorization for use of electronic signatures as described above, an electronic signature may be used in specific instances. For example, an electronic signature may be used to fulfill the requirement for parental consent under the Individuals with Disabilities Education Act (20 USC 1400-1482). See comments to 71 Fed. Reg. 156 which provides that electronic signatures are permitted as long as the necessary steps are taken to ensure that there are appropriate safeguards to protect the integrity of the process. Also see the criteria for electronic signatures listed in Items #1-5 below and AR 6159.1 - Procedural Safeguards and Complaints for Special Education. Electronic signatures may also be used when families apply for child care and development services. See the California Department of Education's Management Bulletin 17-13.

When authorized by law, electronic signatures may be used in the operation of district business and/or administration.

In any business transaction, an electronic signature shall only be used when each party has agreed to conduct the transaction by electronic means. In other district operations, the Superintendent or designee may require the use of an electronic signature. (Civil Code 1633.5; 15 USC 7001)

CSBA NOTE: Pursuant to Civil Code 1633.2 and Government Code 16.5, a digital signature is a type of electronic signature. Aside from the definitions below, "electronic signature" will be used throughout this regulation to indicate all types of electronic signatures, including digital signatures.

A digital signature is defined as an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. (Government Code 16.5)

An electronic signature consists of an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. (Civil Code 1633.2)

In order for an electronic signature to be used, the electronic signature shall be: (Government Code 16.5; 2 CCR 22002)

1. Unique to the person using it
2. Capable of verification
3. Under the sole control of the person using it
4. Linked to data in such a manner that if the data are changed the electronic signature is invalidated
5. Conform to 2 CCR 22000-22005

Prior to accepting an electronic signature, the Superintendent or designee shall ensure the following: (2 CCR 22005)

1. That the signature is created by acceptable technology pursuant to 2 CCR 22003
2. That the level of security used to identify the signer of the document and to transmit the signature is sufficient for the transaction being conducted
3. That, if a certificate is a required component of the electronic signature, the certificate format used by the signer is sufficient for the security and interoperability needs of the district.

If a notarized signature is required with respect to an electronic signature, the electronic signature of the notary public together with all of the other information required by law to be included in a notarization shall accompany the electronic signature. (Civil Code 1633.11)

If a statement is required to be signed under penalty of perjury, the electronic signature shall include all of the information to which the declaration pertains together with a declaration under penalty of perjury by the person who submits the electronic signature that the information is true and correct. (Civil Code 1633.11)

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<b><u>State</u></b>	<b><u>Description</u></b>
<u>2 CCR 22000-22005</u>	<u>Public entity use of electronic signatures</u>
<u>5 CCR 16020-16022</u>	<u>Records, general provisions</u>
<u>5 CCR 16023-16027</u>	<u>District records, retention and destruction</u>
<u>5 CCR 430</u>	<u>Individual student records; definition</u>
<u>5 CCR 432</u>	<u>Student records</u>
<u>Civil Code 1633.1-1633.17</u>	<u>Uniform Electronic Transactions Act</u>
<u>Civil Code 1798.29</u>	<u>District records; breach of security</u>
<u>Education Code 35252-35255</u>	<u>Records and reports</u>
<u>Education Code 44031</u>	<u>Personnel file contents and inspection</u>
<u>Education Code 49060-49079.7</u>	<u>Student records</u>
<u>Education Code 8234</u>	<u>Electronic signatures; child care and development programs</u>
<u>Government Code 16.5</u>	<u>Electronic signatures</u>
<u>Government Code 6252-6265</u>	<u>Inspection of public records</u>
<u>Government Code 811.2</u>	<u>Definition of public entity</u>
<b><u>Federal</u></b>	<b><u>Description</u></b>
<u>15 USC 7001-7006</u>	<u>Electronic Records and Signatures in Commerce Act</u>
<u>20 USC 1232g</u>	<u>Family Educational Rights and Privacy Act of 1974</u>
<u>20 USC 1400-1482</u>	<u>Individuals with Disabilities Education Act</u>

[34 CFR 99.1-99.8](#)

[Family Educational Rights and Privacy Act](#)

[34 CFR 300-300.818](#)

[Assistance to states for the education of students with disabilities](#)

**Management Resources**

[California Department of Education Publication](#)

**Description**

[Management Bulletin 17-13, October 2017](#)

**Cross References**

**Code**

[3510](#)

**Description**

[Green School Operations \(BP\)](#)

[3580](#)

[District Records \(BP\)](#)

[3580](#)

[District Records \(AR\)](#)

[5148](#)

[Child Care and Development \(BP\)](#)

[5148](#)

[Child Care and Development \(AR\)](#)

[5148.3](#)

[Preschool/Early Childhood Education \(BP\)](#)

[5148.3`](#)

[Preschool/Early Childhood Education \(AR\)](#)

[6159.1](#)

[Procedural Safeguards and Complaints for Special Education \(BP\)](#)

[6159.1](#)

[Procedural Safeguards and Complaints for Special Education \(AR\)](#)

**Policy 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2007 | **Last Revised Date:** ~~12/06/01/2014~~2022 | **Last Reviewed Date:** 12/01/201406/1/2022

CSBA NOTE: The following optional policy may be revised to reflect district practice. Beginning in the 2022-23 school year, Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), requires districts, during each school day, to provide a breakfast and the lunch free of charge to any student who requests a meal programs offered by, regardless of the district. Districts may student's eligibility for a federally funded free or reduced-price meal. However, in order to receive reimbursements to offset for the costs of meals through, a district must be approved for participation in the National School Lunch Program (42 USC 1751-1769j);, or the School Breakfast Program (42 USC 1773), Special Milk Program (42 USC 1772), or other federally reimbursable meal program as described in the Child Nutrition Act (42 USC 1771-1791). In addition, state funding for meals provided to needy children may be available through the State Meal Program (Education Code 49490-49494). The district may apply to the California Department of Education (CDE) for all available state and federal funds.

). See BP/AR 3552 - Summer Meal Program, AR 5148 - Child Care and Development, and AR 5148.2 - Before/After School Programs for nutrition requirements pertaining to those programs. For food sales outside the district's food service program (e.g., by student and adult organizations, through vending machines, or at student stores), see BP/AR 3554 - Other Food Sales.

The Governing Board recognizes that adequate, nourishing food is essential to student health and well-being, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to and participation in the district's food service programs and to maximize their participation in available maintain fiscal integrity of the programs in accordance with law.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

CSBA NOTE: ~~42 USC 1758b, as added by the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296), mandates each district participating in the National School Lunch Program (42 USC 1751-1769j) or any program in the Child Nutrition Act (42 USC 1771-1791), including the School Breakfast Program, to adopt a districtwide school wellness policy which includes nutrition guidelines for all foods available on school campuses; see BP 5030 - Student Wellness for language fulfilling this mandate. In addition, Education Code 49501.5, as added by AB 130, requires that meals provided under the California Universal Meals Program qualify for federal reimbursement.~~ Also see the accompanying administrative regulation for state and federal legal requirements pertaining to nutrition standards.

2. Meet or exceed nutrition standards specified in law and administrative regulation
3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions

CSBA NOTE: ~~Students who meet federal eligibility criteria must be provided meals free of charge or at reduced prices in accordance with 42 USC 1758 and 1773 and Education Code 49550; see BP/AR 3553 - Free and Reduced Price Meals. Pursuant to Education Code 33084, the district~~



may determine the price for other students consistent with the goal of paying the cost of maintaining the cafeterias; see BP 3551 – Food Service Operations/Cafeteria Fund. State and federal reimbursements for all child nutrition programs are administered by the CDE and are based on the number and type of meals served. CSBA NOTE: Education Code 49501.5, as added by AB 130, requires that nutritionally adequate meals be provided to any student who requests a meal regardless of the student's eligibility for a free or reduced-price meal. However, the district still must determine student eligibility for free or reduced-price meals under the National School Lunch or School Breakfast Program, in order to be reimbursed for such meals as the funds provided under the California Universal Meal Program are meant to supplement, not supplant, federal funds.

~~5. Be available to students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices~~

5. Be provided at no cost to students who request a meal

CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. In its, "Food and Nutrition Services Instruction 113-1," the U.S. Department of Agriculture (USDA) states that a district must put in place a public notification system or grassroots effort to inform applicants, participants, and potentially eligible individuals of program availability, rights and responsibilities, and nondiscrimination policy related to federally funded nutrition programs.

At the beginning of each school year, the Superintendent or designee shall communicate information related to the district's food service programs to the public through available means, including, but not limited to, the district's web site, social media, flyers, and school publications.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Grant funding may be available through the Fresh Fruit and Vegetable Program (42 USC 1769a) to provide elementary students with a variety of free fresh fruits and vegetables throughout the school day as a supplement to school breakfast and lunch programs. Eligible schools are those that operate the National School Lunch Program and have 50 percent or more of students eligible for free and reduced-price meals.

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

~~CSBA NOTE: No state or federal law directly governs the use of food produced by school gardens or local farms. However, both~~ CSBA NOTE: The following paragraph is optional. Both state and federal law support the concept of using locally grown and/or organic produce in school cafeterias ~~(Education Code 51795-51797; 42 USC 1769).~~ Consistent with the state meal mandate, the Instructional School Gardens Program, established pursuant to Education Code 51795-51797, encourages the creation of school gardens as a means of providing children an opportunity to learn to make healthier food choices. In addition, 42 USC 1769 permits a high poverty school (schools with 50 percent or more students eligible for free and/or reduced-price meals) that runs a community garden to use produce from the garden to supplement food provided at the school. Thus, such use is allowable provided the foods comply with health and sanitation requirements as well as applicable nutrition standards.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support the district's nutrition education program.

CSBA NOTE: The following paragraph is optional. Education Code 49534, as amended by AB 486 (Ch. 666, Statutes of 2021), authorizes nutrition education programs to coordinate classroom instruction with the food service program and be of sufficient variety and flexibility to meet the needs of students in the district.

To the extent possible, the school meal program shall be coordinated with the nutrition education program, instructional program for teachers, parents/guardians and food service employees, available community resources, and other related district programs.

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

~~The Board desires to provide students with~~ Students shall be allowed adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage promote participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school cafeterias and facilities for ~~cafeteria eating and~~ food preparation: and consumption.

CSBA NOTE: The district's food service program is subject to the food safety standards in the California Retail Food Code (Health and Safety Code 113700-114437). In addition, 42 USC 1758 and 7 CFR 210.13 and 220.7 require all schools participating in the National School Lunch and/or Breakfast Program to implement a food safety program for the storage, preparation, and service of school meals. See the accompanying administrative regulation for requirements of the food safety program.

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation ~~process, from receiving to~~ and service process.

CSBA NOTE: The following optional paragraph may be revised to reflect program evaluation indicators and reporting schedules determined by the district. Districts that participate in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program are subject to a state Administrative Review of district compliance with requirements for federal meal programs, including, but not limited to, a review of nutritional quality, meal patterns, provision of drinking water, school meal environment, and food safety. Each district is reviewed at least once every three years. Also see BP 3551 - Food Service Operations/Cafeteria Fund. However, Education Code 49431, 49431.2 and 49431.5 express legislative intent that the Governing Board annually review the district's compliance with nutrition standards for foods sold outside the National School Lunch or Breakfast Program.

Pursuant to ~~the U.S. Department of Agriculture's~~ USDA's, "Food and Nutrition Services Instruction 113-1," any district participating in federal meal programs must collect racial and ethnic data on potentially eligible populations, applicants, and program participants; see BP 3555 - Nutrition Program Compliance.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition programs and the extent to which the district's food ~~services~~ service program meets state and federal nutrition standards for foods and beverages. In addition, the Superintendent or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by the CDE.

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<b>State</b>	<b>Description</b>
5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 38080-38103	Cafeteria; establishment and use
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 48432.3	Voluntary enrollment in continuation education
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49500-49505	School meals
<a href="#"><u>Ed. Code 49501.5</u></a>	<a href="#"><u>California Universal Meals Program</u></a>
Ed. Code 49510-49520	Nutrition
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49540-49546	Child care food program
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550-49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code 51795-51797	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
<b>Federal</b>	<b>Description</b>
42 USC 1751-1769j	National School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1761	Summer Food Service Program and Seamless Summer Feeding Option
42 USC 1769a	Fresh Fruit and Vegetable Program
42 USC 1771-1793	Child Nutrition Act
42 USC 1772	Special Milk Program
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.31	National School Lunch Program

7 CFR 215.1-215.18	Special Milk Program
7 CFR 220.2-220.22	National School Breakfast Program
7 CFR 245.1-245.13	Eligibility for free and reduced-price meals and free milk
<b>Management Resources</b>	<b>Description</b>
CA Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006
California Department of Education Publication	Healthy Children Ready to Learn, January 2005
California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-17-2016, <del>October 2016</del> <a href="#">13-2020</a> , <a href="#">Updated January 2022</a>
<del>California Department of Education Publication</del>	<del>School Meals Initiative Summary</del>
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
U.S. Department of Agriculture Publication	School Breakfast Toolkit
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005
U.S. Department of Agriculture Publication	Dietary Guidelines for Americans, 2005
U.S. Department of Agriculture Publication	Food Buying Guide for Child Nutrition Programs, December 2007
U.S. Department of Agriculture Publication	Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010
U.S. Department of Agriculture Publication	Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005
Website	U.S. Department of Agriculture, Food and Nutrition <del>Services</del> <a href="#">Service</a>
Website	California Farm Bureau Federation
Website	<a href="#">Nourish</a> <del>California Food Policy Advocates</del>
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	National Alliance for Nutrition and Activity
Website	California School Nutrition Association

Website	California Department of Education, Nutrition Services Division
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0470	COVID-19 Mitigation Plan
0500	Accountability
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
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3260	Fees And Charges
3510	Green School Operations
3514	Environmental Safety
3514	Environmental Safety
3517	Facilities Inspection
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E-PDF(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
4131	Staff Development

4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4231	Staff Development
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
5030	Student Wellness
<del>5141.22</del>	<del>Infectious Diseases</del>
<del>5141.22</del>	<del>Infectious Diseases</del>
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
<del>5145.71</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>5145.71-E PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
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5148.3	Preschool/Early Childhood Education
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E-(1)	Education For Homeless Children
6173-E-(2)	Education For Homeless Children
6176	Weekend/Saturday Classes
7110	Facilities Master Plan

**Regulation 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2011 | **Last Revised Date:** 03/06/01/2016/2022 | **Last Reviewed Date:** 03/06/01/2016/2022

CSBA NOTE: The following optional administrative regulation applies to food sales through the district's food service program, including, [California's Universal Meals Program \(Education Code 49501.5\)](#), the National School Lunch Program (42 USC 1751-1769j), [the](#) School Breakfast Program (42 USC 1773), and [the](#) Special Milk Program (42 USC 1772). The district should select all sections below that apply to programs offered by the district.

See BP/AR 3552 - Summer Meal Program, AR 5148 - Child Care and Development, and AR 5148.2 - Before/After School Programs for nutrition requirements pertaining to those programs. For food sales outside the district's food service program (e.g., by student and adult organizations, through vending machines, or at student stores), see BP/AR 3554 - Other Food Sales.

**Nutrition Standards for School Meals**

CSBA NOTE: ~~Item #1 below~~ [The following section](#) is for use by all districts. Education Code ~~49550~~[49501.5, as added by AB 130 \(Ch. 44, Statutes of 2021\)](#), requires all schools to provide at least one nutritionally, [free of charge, two nutritiously](#) adequate meal each ~~meals per~~ school day to ~~students~~[any student](#) who meet federal [requests a meal, regardless of a student's](#) eligibility criteria ~~for to~~ [participate in any federally-funded](#) free and/or reduced-price meals, regardless of whether the school receives reimbursements through the National School Lunch Program (42 USC 1751-1769j), School Breakfast Program (42 USC 1773), and/or State Meal Program (Education Code 49490-49494) or receives no funding support for school meals; see BP/AR 3553 - Free and Reduced Price Meals. ~~meal.~~ Education Code 49553 defines a "nutritionally adequate meal" as one that qualifies for reimbursement under federal child nutrition program regulations. Schools participating in the National School Lunch and/or Breakfast Program must extend meal service to all students enrolled in the school.

Meals, food items, and beverages provided through the district's food services program shall: (Education Code ~~49531~~[49501.5](#), 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable

CSBA NOTE: Item #2 below reflects an additional requirement for (1) districts participating in the National School Lunch and/or Breakfast Program which choose to apply for state reimbursements for free and reduced-price meals in addition to their base reimbursement and (2) districts participating in the State Meal Program. Pursuant to Education Code 49430.7, such districts may not provide foods that are deep fried, par fried, or flash fried. Other districts may delete or use this item at their discretion.

In addition, Education Code 49430.7 requires that foods provided by such districts not contain artificial trans fat. 7 CFR 210.10 and 220.8, as amended by 77 Fed. Reg. 17, added the same requirement to the nutrition standards for the National School Lunch and Breakfast Programs applicable to all districts; thus, the prohibition against trans fat is covered by item #1 above. [Although the new California Universal Meals Program \(Education Code 49501.5\) is not expressly subject to this requirement, it is recommended that all districts comply with it as a best practice,](#)

since only meals that qualify for federal reimbursement are reimbursable by the state under the program.

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

### Drinking Water

CSBA NOTE: The following section is for use by all districts. Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times. Pursuant to Education Code 38086, a district may be exempted from this requirement only if the Governing Board adopts a resolution, publicly noticed on at least two consecutive meeting agendas, demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. Any district whose Board has adopted such a resolution should delete this section.

Pursuant to Education Code 38086, schools may satisfy this requirement by, among other means, providing cups and containers of water or soliciting or receiving donated water. Recommendations on the California Department of Education's web site include providing chilled water, ensuring that all water fountains are clean and operational, and encouraging water consumption through marketing and advertising.

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

### Special Milk Program

CSBA NOTE: The following section is optional. The Special Milk Program (42 USC 1772; 7 CFR 215.1-215.18) is a federally funded program which assists in providing milk at reasonable prices to students in schools that do not participate in the National School Lunch or Breakfast Program. Pursuant to 7 CFR 215.1 and 215.7, districts may choose to provide milk at no charge to students who qualify for free and reduced-price meals; see BP 3553 - Free and Reduced Price Meals.

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.17)

### Food Safety

CSBA NOTE: Pursuant to Health and Safety Code 113789, school cafeterias are among food facilities subject to the California Retail Food Code.

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

CSBA NOTE: The remainder of this section is for use by any district participating in the National School Lunch and/or Breakfast Program and may be used or revised by other districts at their discretion. 42 USC 1758 requires such **participating** districts to implement a food safety program applicable to any facility or part of a facility in which food is stored, prepared, or served. Pursuant to 42 USC 1758 and 7 CFR 210.13 and 220.7, the food safety program must comply with Hazard Analysis and Critical Control Point (HACCP) principles, which include establishing measures needed to prevent hazards at each stage of food production. Pursuant to 7 CFR 210.13, districts may implement either the "traditional" HACCP system or the simplified "process approach." Under the process approach, foods are grouped together according to preparation process and the same control measure is applied to all meals. Page 12 of 37



group, rather than developing an HACCP plan for each item. These principles are described in the USDA's ["Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles."](#)

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

CSBA NOTE: Pursuant to 7 CFR 210.30, directors, managers, and staff in the food service program must complete annual training on specified topics, including, but not limited to, training on health and safety standards. ~~In addition, new food service directors are required to complete at least eight hours of food safety training not more than five years prior to their starting date or within 30 days of the director's starting date.~~ CDE Management Bulletin SNP-17-2016 encourages districts to provide food safety training to all employees who handle food, including acting, temporary, or substitute workers and volunteers. Pursuant to Health and Safety Code 113947.1 [Based on CDE Management Bulletin SNP-13-2020, districts must ensure that such directors, managers, and staff complete an annual continuing education or training on topics that are job-related, including, but not limited to, food safety standards.](#) ~~In addition,~~ at least one employee at each food facility or site must have successfully passed an approved and accredited food safety certification examination in accordance with Health and Safety Code 113947.2-113947.3.

The Superintendent or designee shall ~~provide ongoing staff development on food safety to~~ [ensure that food service directors, managers, and employees staff complete an annual continuing education or training as required by law.](#) Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. ~~The~~ [For each employee, the](#) Superintendent or designee shall document the date, trainer, and subject of each training.

CSBA NOTE: The following paragraph is optional. The USDA's ["Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles."](#) states that districts should maintain the following types of records in order to periodically review the food safety program and, in the event of a foodborne illness, to document that reasonable care was exercised in the operation of the school's food service program.

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

### Inspection of Food Facilities

CSBA NOTE: Health and Safety Code 113725-113725.3 require all food facilities in California to be inspected by the county environmental health agency in accordance with the timelines and procedures established in county regulations. The inspections cover all food service areas, including cafeterias, vending machines, and mobile food carts. Health and Safety Code 113725 specifies findings that would be considered violations, including (1) improper holding temperatures, improper cooling, or inadequate cooking of potentially hazardous foods (i.e., foods that require temperature control); (2) poor personal hygiene of food service employees; (3) contaminated equipment; and (4) food from unapproved sources.

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

CSBA NOTE: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program. Notwithstanding the requirements of county regulations, districts participating in these programs must obtain at least two safety inspections each school year.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

**Policy Reference UPDATE Service**

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 38080-38103	Cafeteria; establishment and use
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 48432.3	Voluntary enrollment in continuation education
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49500-49505	School meals
Ed. Code 49510-49520	Nutrition
<a href="#"><u>Ed. Code 49501.5</u></a>	<a href="#"><u>California Universal Meals Program</u></a>
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49540-49546	Child care food program
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550-49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code 51795-51797	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

42 USC 1751-1769j	National School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1761	Summer Food Service Program and Seamless Summer Feeding Option
42 USC 1769a	Fresh Fruit and Vegetable Program
42 USC 1771-1793	Child Nutrition Act
42 USC 1772	Special Milk Program
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.31	National School Lunch Program
7 CFR 215.1-215.18	Special Milk Program
7 CFR 220.2-220.22	National School Breakfast Program
7 CFR 245.1-245.13	Eligibility for free and reduced-price meals and free milk
<b>Management Resources</b>	<b>Description</b>
CA Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006
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California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-17-2016, October 2016 <a href="#">13-2020</a> , <a href="#">Updated January 2022</a>
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U.S. Department of Agriculture Publication	School Breakfast Toolkit
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005
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U.S. Department of Agriculture Publication	Food Buying Guide for Child Nutrition Programs, December 2007
U.S. Department of Agriculture Publication	Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010

U.S. Department of Agriculture Publication	Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005
Website	U.S. Department of Agriculture, Food and Nutrition Services <a href="#">Service</a>
Website	California Farm Bureau Federation
Website	<a href="#">Nourish</a> California Food Policy Advocates
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	National Alliance for Nutrition and Activity
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Website	California Department of Education, Nutrition Services Division
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Website	CSBA

## Cross References

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<del>5145.71</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
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6173	Education For Homeless Children
6173-E (1)	Education For Homeless Children
6173-E (2)	Education For Homeless Children

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Weekend/Saturday Classes

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Facilities Master Plan

**Policy Reference UPDATE Service**

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**Policy 3551: Food Service Operations/Cafeteria Fund**

**Status:** ADOPTED

**Original Adopted Date:** 05/01/2017 | **Last Revised Date:** ~~03/06/01/2020~~2022 | **Last Reviewed Date:** ~~07/06/01/2019~~2022

CSBA NOTE: The following conditionally mandated policy may be revised to reflect district practice. Pursuant to U.S. Department of Agriculture Agriculture's (USDA) Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) are mandated to adopt policy addressing meal charges, ~~including delinquent meal charges~~; see the section "Meal Sales" below and the accompanying administrative regulation. However, with the establishment of the California Universal Meal Program pursuant to Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), all public schools in California must provide free of charge, a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free or reduced-price meal eligibility status. Consequently, certain program requirements may no longer be applicable.

Pursuant to 7 CFR 210.9, 210.14, and 220.7, districts participating in the National School Lunch and/or Breakfast program must maintain a nonprofit school food service program. Revenues received through the program may be used for the operation or improvement of the food service program, but not to purchase land or buildings unless otherwise approved by USDA's Food and Nutrition Services, or to construct buildings. Authorized expenditures are specified in Education Code 38101 and defined in the California Department of Education's (CDE) "California School Accounting Manual."

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

CSBA NOTE: The following paragraph is for use by districts that participate in the National School Lunch and/or Breakfast Program and may be adapted for use by other districts. Pursuant to 42 USC 1776 and 7 CFR 210.30, USDA has established minimum professional standards for food service directors and granted CDE the authority to adopt more flexible standards for districts with average daily attendance of less than 2,500. See CDE's Nutrition Services Division Management Bulletin ~~10-2019~~SNP-13-2020 for updated information about state hiring standards.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

CSBA NOTE: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program. Pursuant to 42 USC 1776, such districts must ensure that food service personnel and other appropriate personnel who conduct or oversee administrative procedures receive training ~~on, at least once each year, on food service administrative practices (i.e., training in application, certification, verification, meal counting, and meal claiming procedures) at least once each year.~~ In addition, Such training is required to include modules on nutrition, health and food safety standards and methodologies, and any other appropriate topics as determined by the U.S. Secretary of Agriculture. ~~CDE provides~~ See CDE's web site for online training that meets these requirements; ~~see CDE's web site.~~

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

## Meal Sales

CSBA NOTE: ~~The following section may be revised~~ Commencing with the 2022-23 school year, each district is required, pursuant to Education Code 49501.5, as added by districts that have one or more high-poverty schools that operate under the federal universal meal service provision (42 USC 1759a), which provides AB 130, to provide a nutritionally adequate breakfast and/or lunch free of charge to all, to any student who requests a meal, regardless of the student's eligibility for participation in the federal free or reduced-price meal program. Consequently, only nonprogram foods may be sold to students at the school. For further information, see BP 3553 - Free and Reduced Price Meals.

~~Meals may be sold to students,~~ Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

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

CSBA NOTE: Pursuant to Education Code 38082, the Governing Board ~~may~~ is authorized to adopt a resolution to ~~authorize~~ permit the serving of meals to additional persons individuals and organizations other than those ~~listed above.~~ specified in the preceding paragraph. CDE's Nutrition Services Division Management Bulletin ~~00-111~~ SNP-04-2021 states that ~~the Board's policy or resolution must specify the means for serving those persons and indicates that using funds from the National School Lunch or Breakfast Program~~ may not be used to serve any nonstudent ~~would be contrary to program goals.~~ The following optional paragraph is for districts that have adopted such a resolution and should be revised to reflect district practice.

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

CSBA NOTE: Pursuant to Education Code 38084, the district may determine meal prices consistent with the goal of paying the costs of maintaining the cafeterias (exclusive of the costs of housing and equipping cafeterias or other costs determined by Board resolution, which are paid from district funds other than the cafeteria fund, pursuant to Education Code 38100).

~~Students who meet federal eligibility criteria for the reduced-price meal program cannot be charged more than the amounts listed in 42 USC 1758 and 1773; see AR 3553 - Free and Reduced Price Meals. For information about setting prices for full-price meals, see 42 USC 1760 and CDE's Nutrition Services Division Management Bulletin SNP 11-2019.~~

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. ~~Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.~~

CSBA NOTE: Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program are mandated to have a written and clearly communicated meal charge



policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. See the accompanying administrative regulation for additional language fulfilling this mandate.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553 - Free and Reduced Price Meals, 2 CFR 200.426, and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

~~CSBA NOTE: Education Code 49557.5 requires any district that participates in the National School Lunch and/or Breakfast Program to ensure that students whose parents/guardians have unpaid meal fees are not shamed or treated differently than other students. As amended by SB 265 (Ch. 785, Statutes of 2019), Education Code 49557.5 provides that students with unpaid meal fees must not be denied a reimbursable meal of their choice, eliminating the possibility that a school could provide an alternative meal to a student with unpaid meal fees. For further information about unpaid meal charges, see CDE's Nutrition Services Division Management Bulletin SNP-03-2017.~~

~~In addition, Education Code 49557 requires the Board to approve a plan that ensures students eligible to receive free or reduced-price meals are not treated differently from other students, including, but not limited to, assurance that eligible students will not be overtly identified by the use of special tokens, tickets, or any other means. For additional language addressing this requirement, see BP/AR 3553 - Free and Reduced Price Meals.~~

~~The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced-price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, or denied a meal of the student's choice. (Education Code 49557, 49557.5)~~

## **Cafeteria Fund**

### **Cafeteria Fund and Account**

CSBA NOTE: Pursuant to Education Code 38090, money received for the sale of food or for any services performed by the cafeterias may be paid into the county treasury to the credit of a "cafeteria fund" for the district.

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

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. 2 CFR Part 200, Appendix VII and USDA's guidance, "Indirect Costs: Guidance for State Agencies and School Food Authorities," provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Also see the accompanying administrative regulation.

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

CSBA NOTE: Education Code 38103 allows the Board, at its discretion and with the approval of the County Superintendent of Schools who is responsible for a countywide payroll/retirement system under Education Code 42646, to have wages, salaries, and benefits of food service employees paid either from the district's general fund (Option 1 below) or from the district's cafeteria fund (Option 2).

**OPTION 1:** The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

**OPTION 1 ENDS HERE**

**OPTION 2:** The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

**OPTION 2 ENDS HERE**

### Contracts with Outside Services

CSBA NOTE: The following ~~section is optional paragraph may be revised.~~ Pursuant to reflect Education Code 45103.5, the district practice. 2 CFR Part 200, Appendix VII and USDA guidance, Indirect Costs: Guidance is authorized to contract for State Agencies and School Food Authorities, provide information regarding allowable indirect costs that may be charged to the nonprofit school consulting services related to food service account. Also see management. Education Code 45103.5, 42 USC 1758, and 7 CFR 210.16 authorize a district, under specified conditions, and with approval of CDE, to contract with a food service management company to manage food service operations in any district school. See the accompanying administrative regulation for related requirements.

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and

CSBA NOTE: The following section is optional. Pursuant to Education Code 45103.5, the district is authorized to contract for consulting services related to food service management. 42 USC 1758, 7 CFR 210.16, and Education Code 45103.5 authorize a district, under specified conditions and with approval of CDE, to contract with a food service management company to manage its food service operation in one or more of its schools. See the accompanying administrative regulation for related requirements.

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

### Procurement of Foods, Equipment and Supplies

CSBA NOTE: The following two paragraphs reflect requirements for districts participating in the National School Lunch and/or Breakfast Program. Pursuant to 7 CFR 210.21, districts are required to comply with all requirements for purchasing commercial food products served in the school meal programs, including those outlined in the Buy American provision. ~~USDA~~ USDA's Memorandum SP 38-2017 clarifies that a district participating in the National School Lunch and/or Breakfast Program or any entity purchasing food on its behalf must, to the maximum extent practicable, purchase domestically grown and processed foods, as defined. According to the Memorandum, a domestic commodity or product is deemed to be "substantially using" domestic agricultural commodities when over 51 percent of the final processed product consists of agricultural commodities produced in the United States.

Limited exceptions to the Buy American requirement are described in ~~USDA~~ USDA's Memorandum SP 38-2017. If the district is using one of these exceptions, it must maintain documentation justifying the exception(s).

Pursuant to Education Code 49563, CDE is required to make resources, requirements, and best practices related to the Buy American provision available on its web site and to provide districts with related USDA guidance or regulations as updates are issued.

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

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

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

CSBA NOTE: Pursuant to Public Contract Code 20111, districts participating in a federally funded child nutrition program, such as the National School Lunch and/or Breakfast Program, must comply with the federal procurement standards of 2 CFR 200.318-200.326 in regard to bid solicitations and awards. Also see BP/AR 3230 - Federal Grant Funds. Districts that do not participate in such a program may revise the following paragraph.

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

### **Program Monitoring and Evaluation**

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

CSBA NOTE: The following paragraph is for use by districts that have one or more schools participating in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program. The state monitoring process (the Administrative Review) includes a review of district compliance with requirements for federal meal programs, including a review of resource management in the food service program as provided in the following paragraph. ~~Each district is reviewed at least once every three years except that, for school years from 2017-2019 through 2021-22, the three-year review cycle was extended to a five-year cycle pursuant to a waiver submitted by CDE's Nutrition Services Division to USDA.~~ **The CDE performs an Administrative Review of participating districts every three years.** See CDE's nutrition services web site for a current list of documents that may be requested for the review.

~~During the Administrative Review, CDE will review district policies on unpaid meal charges, unpaid meal debt, the prohibition against shaming of students whose families cannot pay for a meal or who have unpaid meal debt, and processes for notifying parents/guardians of these policies at the beginning of the school year and when a student enrolls during the school year.~~

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by CDE to ensure compliance of the district's food service program with federal requirements.

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 38080-38086	School meals
Ed. Code 38090-38095	Cafeterias, funds and accounts
Ed. Code 38100-38103	Cafeterias, allocation of charges
Ed. Code 42646	Alternate payroll procedure
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 49490-49493	School breakfast and lunch programs
Ed. Code 49500-49505	School meals
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 49554	Contract for services
Ed. Code 49580-49581	Food recovery program
F&A Code 58595	Preference for California-grown agricultural products
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
Pub. Cont. Code 2000-2002	Responsive bidders
Pub. Cont. Code 20111	Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
<b>Federal</b>	<b>Description</b>
2 CFR 200	Appendix VII -Indirect cost proposals
2 CFR 200.318-200.326	Procurement standards
2 CFR 200.400-200.475	Cost principles
2 CFR 200.56	Indirect costs, definition
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1793	Child nutrition
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.31	National School Lunch Program
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program
7 CFR 220.1-220.22	National School Breakfast Program
7 CFR 245.8	Nondiscrimination practices for students eligible for free and reduced price meal and -free milk

7 CFR 250.1-250.70

**Management Resources**

California Department of Education  
Publication

California Department of Education  
Publication

California Department of Education  
Publication

California Department of Education  
Publication

California Department of Education  
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U.S. Department of Agriculture  
Publication

U.S. Department of Agriculture  
Publication

U.S. Department of Agriculture  
Publication

[U.S. Department of Agriculture  
Publication](#)

USDA foods

**Description**

~~Paid~~ [Pricing of Adult Meals in the National School Lunch Equity Requirement and Calculation Tool Updated Guidance for School Year 2019-20](#) ~~School Breakfast Programs~~, NSD Management Bulletin, SNP-11-2019, May 2019 [04-2021, August 2021](#)

~~Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge Policy Requirements~~, NSD Management Bulletin, SNP-05-2018

Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015

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

~~Unpaid Meal Charges April 2017~~

~~Paid Lunch Equity Requirement~~, NSD Management Bulletin, USDA-SNP-16-2012, October 2012

Food Distribution Program Administrative Manual

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

~~Cafeteria Funds--Allowable Uses~~, NSD Management Bulletin, NSD-SNP-07-2013, May 2013 [05-2020, February 2020](#)

~~Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs~~, May 2015

California School Accounting Manual

School Meals - FAQs

~~Unpaid Meal Charges: Guidance and Q&A~~, SP-23-2017, March 2017

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

~~Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program~~, SP-24-2016, February 2016 [38-2017, June 2017](#)

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

~~Indirect Costs: Guidance for State Agencies and School Food Authorities~~ SP-60-2016, September 2016

[School Meals - FAQs](#)

U.S. Department of Agriculture  
Publication

~~Overcoming the Unpaid Meal Challenge: Proven Strategies  
from Our Nation's Schools~~  
[Charges: Local Meal Charge  
Policies](#), SP 29-2017, September 46-2016, July 2016

Website

U.S. Department of Agriculture, Food and Nutrition Services

Website

California Department of Education, Nutrition Services  
Division

Website

California School Nutrition Association

## Cross References

### Code

### Description

0410

Nondiscrimination In District Programs And Activities

1113

District And School Web Sites

1113

District And School Web Sites

1113-E(1)

District And School Web Sites

1340

Access To District Records

1340

Access To District Records

3100

Budget

3100

Budget

3110

Transfer Of Funds

3230

Federal Grant Funds

3230

Federal Grant Funds

3260

Fees And Charges

3260

Fees And Charges

3300

Expenditures And Purchases

3311

Bids

3311

Bids

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Contracts

3314.2

Revolving Funds

3400

Management Of District Assets/Accounts

3400

Management Of District Assets/Accounts

3460

Financial Reports And Accountability

3460

Financial Reports And Accountability

3510

Green School Operations

3511

Energy And Water Management

3511

Energy And Water Management

3512

Equipment

3512-E-(1)

Equipment

3515.6	Criminal Background Checks For Contractors
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E-(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
<del>3600</del>	<del>Consultants</del>
4112.4	Health Examinations
4212	Appointment And Conditions Of Employment
4212.4	Health Examinations
4231	Staff Development
4312.4	Health Examinations
4331	Staff Development
5030	Student Wellness
5145.6	Parental Notifications
5145.6-E-(1)	Parental Notifications

**Regulation 3551: Food Service Operations/Cafeteria Fund**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2019 | **Last Revised Date:** 03/06/01/2020-2022 | **Last Reviewed Date:** 07/06/01/2019-2022

CSBA NOTE: Districts that provide breakfast and/or lunch free of charge to all students (i.e., "universal meal service") at one or more schools pursuant to 42 USC 1759a or Education Code 49550.5 should revise the following administrative regulation accordingly. Also see BP/AR 3553 - Free and Reduced Price Meals. CSBA NOTE: With the establishment of the California Universal Meal Program pursuant to Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), all public schools in California must provide free of charge, a nutritionally adequate breakfast and lunch to any student who requests a meal, regardless of the student's free or reduced-price meal eligibility status. To receive state reimbursement for the two meals, districts must participate in both the National School Lunch Program and the School Breakfast Program and comply with the requirement to have a written and clearly communicated meal charge policy as mandated pursuant to U.S. Department of Agriculture's (USDA) Memorandum SP 46-2016. However, some requirements of the National School Lunch Program and/or School Breakfast Program are no longer applicable.

**Payments for Meals**

CSBA NOTE: State and federal law (Education Code 49550, 49557; 42 USC 1758, 1773; 7 CFR 245.8) require that all students eligible for free and reduced-price meals receive a reimbursable meal during each school day, which must be the same meal choice offered to noneligible students; see BP/AR 3553 - Free and Reduced Price Meals. Districts therefore cannot serve an alternate meal (i.e., a meal that is different than the day's advertised meal) to a student eligible for reduced-price meals who does not have the ability to pay or who fails to provide a meal ticket or other medium of exchange on a given day.

In addition to providing meals at no cost to students who are eligible, the district may offer meals at no cost to students who qualify for reduced-price benefits. Districts that choose to eliminate reduced-price meal charges may still claim the meals at the reduced-price rate, but the cost difference between the reduced-price meal and the no-cost meal must be covered by the district's cafeteria fund. For more information, see the U.S. Department of Agriculture's (USDA) Memorandum SP-17-2014.

The following section includes recommendations of the California Department of Education's (CDE) Nutrition Services Division Management Bulletin and the USDA's "School Meals - FAQs" on the USDA's web site and may be revised to reflect district practice.

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

CSBA NOTE: Districts should, at a minimum, inform parents/guardians at the beginning of the school year and on an ongoing basis of district practices for students who have lost or forgotten their meal payment. In addition, districts should set up a system for notifying parents/guardians when a student's meal payment account has a low or negative balance.

According to USDA's Memorandum SP-23-2017, the district's policy on delinquent meal payments must be communicated in writing to all households at the start of each school year and to households transferring to the school during the school year. CDE's Nutrition Services Division Management



Bulletin SNP-03-2017 states that, at a minimum, districts should use the methods specified below to communicate the district's meal policy.

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

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications eligibility forms at the start of the school year
4. Posting the policy on the district's web site

### Reimbursement Claims

5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

~~CSBA NOTE: The following optional paragraph may be revised to reflect district practice. According to the USDA's "School Meals – FAQs," any district that participates in the National School Lunch and/or Breakfast Program and has one or more schools which use a system of meal tickets (or tokens, cards, or other similar medium of exchange) may limit the number of lost or stolen tickets it will replace for students each school year, as long as the limit is set at three or more. However, such a limit may only be established if the school (1) advises students and parents/guardians of the district's rules regarding replacement tickets when applications for free and reduced-price meals are distributed or approved; (2) maintains a list of students who have reported lost and stolen tickets and the number of occurrences for each student; (3) issues at least one advance warning to the student or the student's parent/guardian prior to refusing to issue a replacement ticket; and (4) does not deny meals to prekindergarten or younger primary students or students with disabilities who may be unable to take full responsibility for their meal tickets. Although these requirements apply only to students who qualify for free or reduced-price meals, USDA recommends that districts apply the same limits for students who pay full price for their meals in order to ensure that needy students are not overtly identified because of a disparate ticket replacement policy.~~  
CSBA NOTE: To streamline administration of state and federal meal programs, the California Department of Education (CDE) has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests.

In any school that uses a system of meal tickets or other similar medium of exchange rather than an electronic point-of-sale system, the Superintendent or designee shall develop a process for providing replacement tickets to any student who reports a ticket as lost or stolen.

However, whenever any student reports an excessive number of lost or stolen tickets, the Superintendent or designee shall notify the parent/guardian and may provide an alternative method of tracking meal usage for that student.

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging any meal to the account. The Superintendent or

designee shall investigate any claim that a bill does not belong to a student or is inaccurate, and shall open a new account as appropriate for a student whose account appears to have been misused.

CSBA NOTE: Pursuant to CDE's Nutrition Services Division Management Bulletin SNP-03-2017, districts must ensure that students who are approved for reduced-price meals receive all meals that are paid for. Any excess payments must be either carried over or refunded to the parents/guardians. The following paragraph extends this provision to also apply to students paying for full-price meals.

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

### **Unpaid and Delinquent Meal Charges**

CSBA NOTE: The following section reflects requirements applicable to districts participating in the National School Lunch and/or Breakfast Program and may also be used by districts that do not participate in the program. Pursuant to USDA Memorandum SP 46-2016, districts participating in the National School Lunch and/or Breakfast Program are mandated to have a written and clearly communicated meal charge policy which includes, but is not limited to, policy on the collection of delinquent meal charge debt. Such policy may be consistent for all students or vary by grade level. The following section may be revised to reflect district practice.

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

Students who have unpaid meal charges shall be served a meal of their choice throughout the school year regardless of the level of debt incurred by the household. Such students shall not be overtly identified by the use of special tokens, tickets, or other means and shall not be shamed, treated differently, or denied a meal of their choice. (Education Code 49557, 49557.5)

CSBA NOTE: Education Code 49557.5 requires that parents/guardians be notified no later than 10 days after a student's school meal account has reached a negative balance. At its discretion, the district may choose to also notify parents/guardians before the student's meal account reaches a negative balance. The following paragraph may be modified to reflect district practice.

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

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

CSBA NOTE: The following optional paragraph reflects CDE guidance in its Nutrition Services Division Management Bulletin SNP-03-2017.

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

CSBA NOTE: CDE's Nutrition Services Division Management Bulletin SNP-03-2017 requires that the district's unpaid meal policy conform with the cost principles set forth in 2 CFR 200.426, as provided below.

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

~~CSBA NOTE: Pursuant to CDE's Nutrition Services Division Management Bulletin SNP-03-2017, delinquent debt must be reclassified as bad debt and written off as an operating loss if it is not paid by the end of the fiscal year in which the debt was incurred, unless the district enters into a repayment plan with the parent/guardian prior to the end of the fiscal year or the debt occurs fewer than 90 days prior to the end of the fiscal year. Federal funds are not available to reimburse the district for bad debt. Districts are required to maintain related records in accordance with 7 CFR 210.9 and 210.15.~~

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

~~CSBA NOTE: To streamline administration of state and federal meal programs, CDE has developed an online Child Nutrition Information and Payment System which must be used to submit reimbursement claims and to submit and track the status of applications and USDA food requests.~~

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, and reduced-price, and full-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to [the California Department of Education \(CDE\)](#) using the online Child Nutrition Information and Payment System.

### **Donation of Leftover Food**

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

### **Cafeteria Fund and Account**

~~CSBA NOTE: Education Code 38093 authorizes the Governing Board to establish one or more cafeteria revolving accounts to be treated as revolving cash accounts of the cafeteria fund.~~

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

~~CSBA NOTE: Education Code 38101 permits a district, with approval from CDE, to utilize cafeteria funds to pay for the purchase of a mobile food facility. However, if the district uses federal reimbursements from any of the federal child nutrition programs for such purchase, the mobile food facility shall only be used to support the administration of those federal programs. Mobile food facilities used for any purposes other than to support the administration of federal child nutrition programs shall not be purchased with cafeteria funds.~~

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

CSBA NOTE: The following ~~optional~~ paragraph is optional. By law, cafeteria funds may be used for use by districts that choose to provide universal breakfast (free the operation and improvement of charge to all students) at one or more schools. Pursuant school food services. For example, pursuant to Education Code 49550.5, districts may use cafeteria funds to supplement the cost of providing universal breakfast provided they submit the required certification to CDE. ~~The requirement to submit certification does not apply to any district that provides universal breakfast pursuant to a federally authorized provision (e.g., Provision 1, 2, or 3 or the Community Eligibility Provision of the National School Lunch Act).~~

~~With CDE approval, the~~ The district may use cafeteria funds to supplement the provision of universal a nutritionally adequate breakfast. ~~On and/or before July 1 of each year, the~~ lunch to district shall submit to CDE a Board signed application certifying that breakfast will be provided to all students at no charge and that any cost above the amount provided in federal reimbursement will be covered when permitted by the district with nonfederal funds. (Education Code 49550.5) law.

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

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. 2 CFR Part 200 Appendix VII and ~~USDA~~ USDA's guidance, "SP 60-2016, Indirect Costs: Guidance for State Agencies and School Food Authorities," provide information regarding allowable indirect costs that may be charged to the nonprofit school food service account. Indirect costs are those that are incurred for the benefit of multiple programs or objectives and typically support administrative overhead functions (e.g., accounting, payroll, purchasing, utilities, janitorial services). Each program or objective that benefits from the indirect cost bears a commensurate portion of the cost. Costs may be charged to the nonprofit food service account only if properly documented.

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

CSBA NOTE: Pursuant to 7 CFR 210.14 and 220.7, net cash resources (i.e., all monies that have accrued to the nonprofit school food service at any given time, less cash payable) should not exceed three months' average expenditures. If there is a surplus, then according to ~~USDA~~ USDA's guidance, "Indirect Costs: Guidance for State Agencies and School Food Authorities," the district must lower the price of paid lunches, improve food quality, or make other improvements to school meal operations. CDE's Nutrition Services Division Management Bulletin NSD-SNP-07-2013 provides that CDE may approve a district's net cash resources in an amount greater than three months' average expenditures if the district has a spending plan for the excess funds in place with the Nutrition Services Division.

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

## **U.S. Department of Agriculture Foods**

CSBA NOTE: The following optional section is for use by districts that participate in the National School Lunch Program and receive foods from USDA pursuant to 42 USC 1755 and 7 CFR 250.1-250.70. CDE is responsible for ordering and distributing USDA foods for use in California schools.

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such

storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

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

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

### Contracts with Outside Services

CSBA NOTE: The following optional section is for use by districts that contract for food service management services pursuant to Education Code 49554, 42 USC 1758, or 7 CFR 210.16 or consulting services pursuant to Education Code 45103.5, and should be modified to reflect the type(s) of contracts the district maintains; see the accompanying Board policy.

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

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

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

#### Policy Reference UPDATE Service

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#### Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 38080-38086	School meals
Ed. Code 38090-38095	Cafeterias; funds and accounts
Ed. Code 38100-38103	Cafeterias; allocation of charges

Ed. Code 42646	Alternate payroll procedure
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 49490-49493	School breakfast and lunch programs
Ed. Code 49500-49505	School meals
<a href="#">Ed. Code 49501.5</a>	<a href="#">California Universal Meals Program</a>
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 49554	Contract for services
Ed. Code 49580-49581	Food recovery program
F&A Code 58595	Preference for California-grown agricultural products
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
Pub. Cont. Code 2000-2002	Responsive bidders
Pub. Cont. Code 20111	Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

**Federal**

2 CFR 200	<b>Description</b> Appendix VII -Indirect cost proposals
2 CFR 200.318-200.326	Procurement standards
2 CFR 200.400-200.475	Cost principles
2 CFR 200.56	Indirect costs; definition
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1793	Child nutrition
42 USC 1773	School Breakfast Program
<del>7 CFR 210.1-210.31</del>	<del>National School Lunch Program</del>
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program
7 CFR 220.1-220.22	National School Breakfast Program
7 CFR 245.8	Nondiscrimination practices for students eligible for free and reduced price meal and -free milk
7 CFR 250.1-250.70	USDA foods

**Management Resources**

California Department of Education Publication	<b>Description</b> <del>Paid Lunch Equity Requirement and Calculation Tool-</del> Updated <a href="#">Exemption</a> Guidance for School Year 2019-20, NSD Management Bulletin, SNP-11-2019, May 2019 <a href="#">02-2021</a> , <a href="#">April 2022</a>
California Department of Education Publication	Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge Policy Requirements, NSD Management Bulletin, SNP-05-2018

California Department of Education Publication	Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015
California Department of Education Publication	Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018
California Department of Education Publication	Unpaid Meal Charges April 2017
California Department of Education Publication	Paid Lunch Equity Requirement, NSD Management Bulletin, USDA-SNP-16-2012, October 2012
California Department of Education Publication	Food Distribution Program Administrative Manual
California Department of Education Publication	<del>Pricing of Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin 00-111, July 2000</del> <a href="#">SNP-04-2021, August 2021</a>
California Department of Education Publication	<del>Cafeteria Funds-- Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013</del> <a href="#">05-2020, February 2020</a>
California Department of Education Publication	<del>Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, May 2015</del>
California Department of Education Publication	California School Accounting Manual
U.S. Department of Agriculture Publication	School Meals -- FAQs
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
U.S. Department of Agriculture Publication	Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016
U.S. Department of Agriculture Publication	Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014
U.S. Department of Agriculture Publication	Indirect Costs: Guidance for State Agencies and School Food Authorities, SP 60-2016, September 2016
<a href="#">U.S. Department of Agriculture Publication</a>	<a href="#">School Meals FAQs</a>
U.S. Department of Agriculture Publication	<del>Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools</del> <a href="#">Charges: Local Meal Charge Policies, SP 29-2017, September 2017</a> <a href="#">46-2016, July 2016</a>
Website	U.S. Department of Agriculture, Food and Nutrition Services
Website	California Department of Education, Nutrition Services Division
Website	California School Nutrition Association

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
1113	District And School Web Sites
1113	District And School Web Sites
1113-E(1)	District And School Web Sites
1340	Access To District Records
1340	Access To District Records
3100	Budget
3100	Budget
3110	Transfer Of Funds
3230	Federal Grant Funds
3230	Federal Grant Funds
3260	Fees And Charges
3260	Fees And Charges
3300	Expenditures And Purchases
3311	Bids
3311	Bids
3312	Contracts
3314.2	Revolving Funds
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3510	Green School Operations
3511	Energy And Water Management
3511	Energy And Water Management
3512	Equipment
3512-E-(1)	Equipment
3515.6	Criminal Background Checks For Contractors
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals



3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E-(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
<del>3600</del>	<del>Consultants</del>
4112.4	Health Examinations
4212	Appointment And Conditions Of Employment
4212.4	Health Examinations
4231	Staff Development
4312.4	Health Examinations
4331	Staff Development
5030	Student Wellness
5145.6	Parental Notifications
5145.6-E-(1)	Parental Notifications

**Policy Reference UPDATE Service**

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**Policy 3553: Free And Reduced Price Meals**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2016 | **Last Revised Date:** 03/06/01/20182022 | **Last Reviewed Date:** 03/06/01/20182022

CSBA NOTE: In addition to the requirement, pursuant to Education Code 49550-requires, that all districts to provide at least one nutritionally adequate meal during each school day to needy students, as defined in Education Code 49552-as those who meet federal eligibility criteria for-, commencing June 1, 2022, all districts are required pursuant to Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), to provide a free, nutritionally adequate breakfast and lunch each school day, to any student who requests a meal, regardless of the student's free or reduced-price meal eligibility. To be eligible for state reimbursement for provision of meals- under Education Code 49501.5, a district must participate in the National School Lunch and/or School Breakfast Programs. Consequently, the federal rules and regulations governing those programs are applicable to districts that may want to seek state reimbursement for the cost of meals required pursuant to Education Code 49501.5.

Pursuant to 42 USC 1758 and 1773, districts that participate in the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) may receive a higher reimbursement rate for free and reduced-price meals than that provided for meals for noneligible students. In addition, state funding may be available through the State Meal Breakfast and Lunch Program (Education Code 49490-49494). The district may apply to the California Department of Education (CDE) for available state and federal funds.

The requirement to provide at least one nutritionally adequate meal to needy students applies during summer school sessions unless the district receives a waiver from the State Board of Education (SBE) under the conditions described in Education Code 49548. In order to receive a waiver, the district is required to submit a waiver request no later than 60 days before the last regular meeting of the SBE before the start of the summer school session for which the waiver is sought. Funding to support the provision of summer school meals is available through the Seamless Summer Feeding Option and/or Summer Food Service Program (Education Code 49547.5; 42 USC 1761); see BP/AR 3552 - Summer Meal Program.

Student eligibility for free and reduced-price meals serves as the basis for identifying students as low income for a variety of purposes, including, but not limited to, state allocations of supplemental and concentration funding within the local control funding formula. Districts must use such funding to increase or improve services for low-income students and other populations of "unduplicated students" (see BP/AR 3100 - Budget) and must establish goals and specific actions for low-income students in the local control and accountability plan (see BP/AR 0460 - Local Control and Accountability Plan).

The following policy is **mandated** for any district that authorizes employee access to students' free and reduced-price meal eligibility information for the disaggregation of academic achievement data and other specified purposes; see section "Confidentiality/Release of Records" below.

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

~~The~~ Each school day, the district shall provide ~~at least one, free of charge, a~~ nutritionally adequate meal ~~each school day, free of charge or at a reduced price,~~ breakfast and lunch for students whose families ~~meet federal eligibility criteria.~~ any student who requests a meal. (Education Code 49550, 49552 49501.5)

CSBA NOTE: Pursuant to 42 USC 1759a, eligible schools may apply to receive meal reimbursements under a universal meal service provision (e.g., the Community Eligibility Provision or Provision 2), which provides breakfast and/or lunch free of charge to all students enrolled at the school. Education Code 49564, as added by SB 138 (Ch. 724, Statutes of 2017), requires any district with a "very high poverty school," defined as one that qualifies to receive the free meal rate in the Community Eligibility Provision, to apply to CDE by September 1, 2018 to operate under any federal universal meal service provision. A district may be exempted from this requirement if the Governing Board adopts a resolution stating that it is unable to comply due to fiscal hardship.

If all district schools operate under a universal meal service provision, this policy and the accompanying regulation should be revised to delete references to reduced-price meals, student eligibility, and the application process. CSBA NOTE: Education Code 49564.3, as added by AB 130, requires districts with a "high poverty school," defined as a school that is eligible to operate the Community Eligibility Provision (CEP) pursuant to 42 USC 1759a, to adopt a universal meal service provision such as the CEP or Provision 2 no later than June 30, 2022.

To provide optimal nutrition and ~~reduce the administrative burden of food service operations~~ ensure that schools receive maximum federal meal reimbursement, the Superintendent or designee shall assess the eligibility of district schools to ~~provide breakfast and/or lunch free of charge to all students at the school under a federally funded~~ operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a.

If any district school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the district ~~The Superintendent or designee shall apply~~ submit an application to operate a federal universal meal provision to the California Department of Education (CDE) ~~to operate a universal meal service, unless the Board adopts a resolution stating that the district is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years.~~ on behalf of any district school that meets the definition of a "high poverty school." (Education Code 49564; 42 USC 1759a).<sup>3)</sup>

CSBA NOTE: In order to be reimbursed for the California Universal Meal Program established pursuant to Education Code 49501.5, as added by AB 130, or for free and reduced-price meals under the federal National School Lunch or School Breakfast Program, a school must meet ~~federal~~ state and/or ~~state~~ federal nutritional guidelines in ~~7 CFR 210.10 and 220.8 and Education Code 49430 and 49430.7 and 7 CFR 210.10 and 220.8~~, as described in AR 3550 - Food Service/Child Nutrition Program.

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

CSBA NOTE: The federally funded Special Milk Program (42 USC 1772; 7 CFR 215.1, 215.7) assists in providing milk to students at reasonable prices in schools that do not participate in the National School Lunch or Breakfast Program or Summer Food Service Program. Participating districts may, at their discretion, choose to provide milk at no charge to students who qualify for free and reduced-price meals. The following optional paragraph is for use by districts that choose to provide free milk to eligible students. CSBA NOTE: Education Code 49557 requires the district to develop a plan ensuring that students eligible to receive free and reduced-price meals are not treated differently in the implementation of the food services program. See the accompanying administrative regulation for plan requirements.

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

CSBA NOTE: Education Code 49557 requires the district to develop a plan ensuring that students receiving free and reduced-price meals are not treated differently in the implementation of the food services program. See the accompanying administrative regulation for plan requirements.

The Board shall approve, and shall submit to the CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. ~~and that meets other requirements specified in~~ Education Code 49557).

### Confidentiality/Release of Records

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

CSBA NOTE: The remainder of this section should be revised to reflect the purposes for sharing free and reduced-price eligibility information that are authorized by the Board. Districts wishing to use free and reduced-price meal records for the following purposes are mandated by Education Code 49558 to adopt a policy authorizing employee access. See the accompanying administrative regulation for additional requirements applicable to districts that authorize such access.

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

1. Disaggregation of academic achievement data

CSBA NOTE: Education Code 49558 allows districts to use the name and eligibility status of students participating in the free and reduced-price meal program to identify students eligible for school choice and supplemental educational services (SES) in Title I schools identified for program improvement. However, the Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 6316 which had required the provision of student transfers and SES.

Although Education Code 49558 has not yet been amended to reflect the repeal of 20 USC 6316, CSBA believes that the use of free and reduced-price eligibility data would be necessary to implement Title I, Part A of the Elementary and Secondary Education Act, which provides financial assistance to meet the needs of students from low-income families, as well as other federal programs. The district should consult legal counsel if it has questions about the use of free and reduced-price meal information for these or other purposes.

2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576

CSBA NOTE: According to CDE ~~In its~~ Management Bulletin SNP-12-2015, Education Code 49558 does not prohibit ~~02-2018, CDE clarified that designated school officials authorized to administer~~ the sharing of free and reduced-price meal application information to other districts/schools for ~~program may share~~ the purpose of determining students' eligibility. The district may provide only the student's name and eligibility status ~~unless of a student with other school officials within the district for purposes not directly related to~~ the applicant consents ~~free and reduced-price meal program, such as to facilitate the sharing of additional information.~~ provision of educational services and support to students who participate in the free and reduced-price meal program on a targeted basis rather than on a schoolwide or districtwide basis, in accordance with the local control accountability plan.

### 3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

CSBA NOTE: According to CDE's Management Bulletin SNP-12-2015, Education Code 49558 does not prohibit the sharing of free and reduced-price meal application information to other districts/schools for the purpose of determining student eligibility. For this purpose, the district may provide only a student's name and eligibility status unless the applicant consents to the sharing of additional information.

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

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

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

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

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#### **Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs

Ed. Code 49500-49505

[Ed. Code 49501.5](#)

Ed. Code 49510-49520

Ed. Code 49530-49536

Ed. Code 49547-49548.3

Ed. Code 49550-49564.5

[Ed. Code 49564.3](#)

### **Federal**

20 USC 1232g

20 USC 6301-6576

42 USC 1751-1769j

42 USC 1771-1791

42 USC 1773

7 CFR 210.1-210.31

7 CFR 220.10-220.21

7 CFR 245.1-245.13

### **Management Resources**

California Department of Education  
Publication

CSBA Publication

CSBA Publication

U.S. Department of Agriculture  
Publication

U.S. Department of Agriculture  
Publication

Website

Website

Website

Website

Website

School meals

[California Universal Meals Program](#)

Nutrition

Child Nutrition Act

Comprehensive nutrition services

Meals for needy students

[High-poverty schools; universal meal service](#)

### **Description**

Family Educational Rights and Privacy Act (FERPA) of 1974

Title I Improving the Academic Achievement of the  
Disadvantaged

School Lunch Program

Child nutrition

School Breakfast Program

National School Lunch Program

National School Breakfast Program

Eligibility for free and reduced-price meals and free milk

### **Description**

~~Direct Certification Implementation Checklist Free and  
Reduced-Price Meals: January 2018~~  
[Clarification on the  
Sharing of Individual Student Eligibility Information for Local  
Control and Accountability Plan Purposes, Management  
Bulletin SNP-02-2018, May 2018](#)

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

Monitoring for Success: A Guide for Assessing and  
Strengthening Student Wellness Policies, [rev.](#) 2012

Eligibility Manual for School Meals: Determining and  
Verifying Eligibility, July ~~2015~~[2017](#)

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

U.S. Department of Agriculture, Food and Nutrition  
~~Services~~[Service](#)

[Nourish](#) California Food Policy Advocates

California Project LEAN (Leaders Encouraging Activity and  
Nutrition)

California Department of Education, Nutrition Services  
Division

CSBA

### **Cross References**

<b>Code</b>	<b>Description</b>
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
3100	Budget
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3260	Fees And Charges
3260	Fees And Charges
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E-PDF(1)	Nutrition Program Compliance
4119.23	Unauthorized Release Of Confidential/Privileged Information
4219.23	Unauthorized Release Of Confidential/Privileged Information
4319.23	Unauthorized Release Of Confidential/Privileged Information
5030	Student Wellness
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records
5125	Student Records
<del>5141.22</del>	<del>Infectious Diseases</del>
<del>5141.22</del>	<del>Infectious Diseases</del>

5141.6	School Health Services
5141.6	School Health Services
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parental Notifications
5145.6-E-PDF(1)	Parental Notifications
<del>5145.71</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>5145.71-E-PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
<del>6164.5</del>	<del>Student Success Teams</del>
<del>6164.5</del>	<del>Student Success Teams</del>
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E-(1)	Education For Homeless Children
6173-E-(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program
6176	Weekend/Saturday Classes
6177	Summer Learning Programs



**Regulation 3553: Free And Reduced Price Meals**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2016 | **Last Revised Date:** 03/06/01/2018/2022 | **Last Reviewed Date:** 03/06/01/2018/2022

CSBA NOTE: In addition to the requirement pursuant to Education Code 49550 requires, that all districts to provide at least one nutritionally adequate meal during each school day to low-income needy students, as defined in Education Code 49552 as those who meet federal eligibility criteria for, commencing June 1, 2022, all districts are required pursuant to Education Code 49501.5, as added by AB 130 (Ch. 44, Statutes of 2021), to provide a free, nutritionally adequate breakfast and lunch each school day to any student who requests a meal, regardless of the student's free or reduced-price meal eligibility. To be eligible for state reimbursement for provision of meals, under Education Code 49501.5, a district must participate in the National School Lunch and/or School Breakfast Programs. Consequently, the federal rules and regulations governing those programs are applicable to districts that may want to seek state reimbursement for the cost of meals required pursuant to Education Code 49501.5.

The following administrative regulation is for use by all districts, regardless of whether they receive reimbursement for free and reduced-price meals through the National School Lunch and/or Breakfast Program (42 USC 1751-1769j, 1773) and/or the State Meal Program (Education Code 49490-49494).

## Applications

CSBA NOTE: ~~The California Department of Education's (CDE) Management Bulletin USDA-SNP-07-2010), "Universal Meals Program Questions and Answers," clarifies that it is districts participating in the responsibility of the district National School Lunch and/or Breakfast Program must continue to ensure that collect meal applications, as meal counts for reimbursement purposes need to be claimed in accordance with the amount of free and, reduced-price, and paid meals and free milk meet the requirements of law. Model application forms are available from the CDE in several formats and in both English and Spanish.~~served.

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

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

CSBA NOTE: The following paragraph is optional. In addition to the paper application form described above, Education Code 49557 authorizes districts to make the application for free or reduced-price meals available online, provided that it complies with specified requirements.

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

CSBA NOTE: According to the U.S. Department of Agriculture's (USDA), "Eligibility Manual for School Meals: Determining and Verifying Eligibility," households enrolling a new student after the start of the school year must also be provided an application and related materials.

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

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

## Eligibility

CSBA NOTE: Districts are responsible for determining students' eligibility for free and reduced-price meals in accordance with criteria established by CDE consistent with 42 USC 1758 and 1773 and 7 CFR 245.3. Family income levels that qualify for free or reduced-price meals, by household size, are annually posted on CDE's web site.

Pursuant to 42 USC 1769c, a district that has demonstrated a high level of, or a high risk for, administrative error may be required to implement a second-level, independent review of the eligibility determination for each application. Such districts also will be subject to additional CDE reporting requirements.

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

CSBA NOTE: In accordance with law, participants in certain state and federal programs are deemed to have met the income eligibility requirements of the free and reduced-price meal program and therefore may be directly certified as eligible without further action or additional application. For purpose of direct certification, districts may obtain data through the California Longitudinal Pupil Achievement Data System (CALPADS) or may enter into a local agreement with the county department of social or welfare services to match enrollment data.

Pursuant to 42 USC 1758 and 7 CFR 245.6, districts must directly certify for enrollment in the free and reduced-price meal program students who participate in the CalFresh program or California Work Opportunity and Responsibility to Kids (CalWORKs) program. 42 USC 1758 and 7 CFR 245.6 also authorize, but do not require, districts to directly certify any student who is homeless, migratory, a foster youth, or enrolled in a Head Start program. Education Code 49562, as amended by SB 138 (Ch. 724, Statutes of 2017), also requires districts to use participation data in the Medi-Cal program to directly certify students as eligible for free and reduced-price meals, beginning with participation data from the 2017-18 school year as provided by CDE.

Further information about direct certification and eligibility is available in the USDA's "Eligibility Guidance for School Meals Manual."

Pursuant to 42 USC 1759a, certain districts located in high poverty areas may be eligible to participate in alternative processes for annual determinations of student eligibility for free and reduced-price meals (Provisions 1, 2, 3, and 4). Districts participating in these alternative processes should revise the following section to reflect district practice.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when

authorized by law. (Education Code 49561, 49562; 42 USC 1758; 7 CFR 245.6)

## Verification of Eligibility

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

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

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

~~If any household is to receive a reduction or termination of benefits~~ If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. ~~He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided~~ At least 10 days prior to the actual reduction or termination of benefits, the Superintendent or designee shall send a notice of adverse action to the household. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

## Confidentiality/Release of Records

CSBA NOTE: The following section is for use by districts that have adopted a policy, pursuant to Education Code 49558, allowing designated district employees to use individual student records compiled in the administration of the free and reduced-price meal program for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576. See the accompanying Board policy. The district should consult legal counsel if it has questions about the use of free and reduced-price meal information for these or other purposes.

It is recommended that the district designate by name or job title the employee(s) authorized to use records for these purposes. Districts should identify the specific title(s) of the designated employee(s) in the space provided below, such as Title I Coordinator.

The Superintendent designates the following district employee(s) to ~~use~~ disclose a student's name and eligibility status from individual meal records ~~pertaining to student participation in the free and reduced-price meal program~~ only for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC

~~\_\_\_\_\_~~  
(title or position)

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

1. No individual indicators of participation in the free and reduced-price meal program are maintained in the permanent records of any student if not otherwise allowed by law.
2. Information regarding individual student participation in the free and reduced-price meal program is not publicly released.
3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program is destroyed when no longer needed for its intended purpose.

### Nondiscrimination Plan

~~The district's plan for students receiving~~

CSBA NOTE: Pursuant to Education Code 49557, even with the establishment of the universal meal program, the legal obligation under federal law to ensure that students who are eligible for free and reduced-price meals are not treated differently remains applicable to districts.

In implementing the district's food service programs for students who are eligible to receive free or reduced-price meals, the district shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals ~~or for milk~~.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals ~~or milk~~ at a different time.

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

### Prices

~~CSBA NOTE: The following section is for use by districts that provide reduced-price meals to students through the National School Lunch and/or Breakfast Program pursuant to 42 USC 1758 and 1773.~~

~~The maximum price that shall be charged to eligible students for reduced-price meals shall be 40 cents for lunch and 30 cents for breakfast. (42 USC 1758, 1773)~~

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49500-49505	School meals
<a href="#"><u>Ed. Code 49501.5</u></a>	<a href="#"><u>California Universal Meals Program</u></a>
Ed. Code 49510-49520	Nutrition
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550-49564.5	Meals for needy students
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1791	Child nutrition
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.31	National School Lunch Program
7 CFR 220.10-220.21	National School Breakfast Program
7 CFR 245.1-245.13	Eligibility for free and reduced-price meals and free milk
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<del>Direct Certification Implementation Checklist Free and Reduced-Price Meals: January 2018</del>
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012
CSBA Publication	Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, <a href="#"><u>rev.</u></a> 2012
U.S. Department of Agriculture Publication	Eligibility Manual for School Meals: Determining and Verifying Eligibility, July <del>2015</del> <a href="#"><u>2017</u></a>
U.S. Department of Agriculture Publication	Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

Website	U.S. Department of Agriculture, Food and Nutrition Services <a href="#">Service</a>
Website	<a href="#">Nourish</a> California Food Policy Advocates
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	California Department of Education, Nutrition Services Division
Website	CSBA

## Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
3100	Budget
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3260	Fees And Charges
3260	Fees And Charges
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E-(1)	Nutrition Program Compliance
4119.23	Unauthorized Release Of Confidential/Privileged Information

4219.23	Unauthorized Release Of Confidential/Privileged Information
4319.23	Unauthorized Release Of Confidential/Privileged Information
5030	Student Wellness
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records
5125	Student Records
<del>5141.22</del>	<del>Infectious Diseases</del>
<del>5141.22</del>	<del>Infectious Diseases</del>
5141.6	School Health Services
5141.6	School Health Services
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parental Notifications
5145.6-E-(1)	Parental Notifications
<del>5145.71</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
<del>5145.71-E-PDF(1)</del>	<del>Title IX Sexual Harassment Complaint Procedures</del>
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
<del>6164.5</del>	<del>Student Success Teams</del>
<del>6164.5</del>	<del>Student Success Teams</del>
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E- (1)	Education For Homeless Children
6173-E-(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program

6176

Weekend/Saturday Classes

6177

Summer Learning Programs

**Policy Reference UPDATE Service**

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**Regulation 4112.2: Certification**

**Status:** ADOPTED

**Original Adopted Date:** 01/01/2011 | **Last Revised Date:** 07/06/01/2017 2022 | **Last Reviewed Date:** 07/06/01/2017 2022

**Verification of Credentials**

CSBA NOTE: The following optional section may be revised to reflect district practice. Pursuant to Education Code 44330, 44332.5, and 44857, each person employed in a position requiring certification qualifications must register a valid credential not later than 60 days after beginning employment in the district or not later than 60 days after renewing a credential. Pursuant to Education Code 44332.5, a district with over 10,000 average daily attendance (ADA) may provide for the registration of its own certificated employees' credentials. If it does not do so, or if the district has 10,000 ADA or less, certificated employees' credentials must be registered with the county office of education: (COE). The following section may be revised to reflect district practice.

The Commission on Teacher Credentialing (CTC) does not provide credentials in a paper format. Pursuant to 5 CCR 80001, the official record of a credential includes any credential in a paper or electronic format, including, but not limited to, information obtained from ~~the CTC~~ CTC's web site. ~~If an applicant has indicated a county of employment on his/her application, the county office of education will receive a download of credential information for that applicant.~~ For all other certificated staff, the district must obtain verification of its employees' certification through ~~the~~ CTC's online service and may print the displayed information.

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid certification document issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

CSBA NOTE: Pursuant to Education Code 44332, 44332.5, and 44332.6, an individual may be employed while ~~his/her~~ CTC is processing the application ~~is being processed by the CTC~~ if ~~he/she~~ the individual holds a temporary certificate issued by a district with over 10,000 ADA or the ~~county office of education~~ COE, indicating that ~~he/she~~ the individual has passed the state assessment of teachers' basic skills and completed a criminal record check. ~~As amended by AB 1918 (Ch. 127, Statutes of 2016),~~ Education Code 44332, 44332.5, and 44332.6 require the district or ~~county office of education~~ COE, prior to issuing a temporary certificate, to obtain a certificate of clearance (fingerprint clearance) from ~~the~~ CTC to satisfy the criminal record check requirement.

The Superintendent or designee shall verify that any person who is employed by the district while ~~his/her~~ CTC is processing the application for certification ~~is being processed by the CTC~~ possesses a temporary certificate based on a demonstration of basic skills and completion of a criminal background check. (Education Code 44332, 44332.5, 44332.6)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

**Basic Skills Proficiency**

CSBA NOTE: Education Code 44830 provides that a district cannot employ an individual in a position requiring certification unless that person has met the basic skills proficiency requirement or is exempted from the requirement by law. Such exemptions are specified in Education Code 44252 and 44830. Unless exempted, persons who have been granted a credential by ~~the~~ CTC have met the basic skills

proficiency requirement as a condition of obtaining the credential. According to CTC leaflet CL-667, Basic Skills Requirement, the basic skills proficiency requirement also may be met by passage of the California Basic Educational Skills Test, California Subject Examinations for Teachers: Multiple Subject Plus Writing Skills Examination, California State University Early Assessment Program, California State University Placement Examinations, or a basic skills examination from another state.

The district shall not initially hire a person in a position requiring certification, on a permanent, temporary, or substitute basis, unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

CSBA NOTE: According to CTC leaflet CL-667, "Basic Skills Requirement", the basic skills proficiency requirement may be met as reflected in Items #1-8, below.

A person may demonstrate basic skills proficiency in reading, writing, and mathematics by:

1. Passage of the California Basic Educational Skills Test (CBEST) (Education Code 44252.5)
2. Passage of the California Subject Examinations for Teachers plus Writing Skills Examination
3. Passage of the California State University (CSU) Early Assessment Program or the CSU Placement Examinations (Education Code 44252)
4. Achieving a qualifying score on the Scholastic Aptitude Test or the American College Test (Education Code 44252)
5. Achieving a qualifying score on College Board Advanced Placement Examinations
6. Passage of a basic skills examination from another state

CSBA NOTE: Pursuant to Education Code 44252, as amended by AB 130 (Ch. 44, Statutes of 2021), a person is exempt from the basic skills proficiency test requirement by earning at least a letter grade of B in qualifying coursework determined by a credential preparation program, or determined by CTC for an applicant not enrolled in a California credential preparation program. "Qualifying coursework" means a course or courses taken at a regionally accredited institution of higher education for academic credit that applies toward the requirements for an associate's degree, baccalaureate degree, or higher degree. Qualifying coursework does not include professional development or continuing education units, inservice training or workshops, or courses where credits do not apply toward the requirements for an associate's degree, baccalaureate degree, or higher degree. Pursuant to Education Code 44203, as amended by AB 320 (Ch. 663, Statutes of 2021), the definition of a "regionally accredited institution" includes an institution of higher education that held preaccreditation status at the time the degree of an applicant for a credential was conferred if the institution achieved full accreditation status within five years of earning preaccreditation status in addition to an institution of higher education that has already been designated as regionally accredited. CTC is proposing emergency regulations to implement the statutory changes to subject matter competence requirements enacted by AB 130; see CTC Coded Correspondence 21-06 for more information on the proposed regulations.

7. Qualifying coursework (Education Code 44252)

CSBA NOTE: Pursuant to Education Code 44252, as amended by AB 130 and AB 167 (Ch. 252, Statutes of 2021), a person is exempt from the basic skills proficiency test requirement if a credential preparation program or CTC determines that an applicant has demonstrated proficiency through a combination of coursework, as described in Item #7, above, passage of a component or components of the basic skills proficiency test, and scores described in Items #3 and 4, above.

## 8. Qualifying coursework and exams (Education Code 44252)

The district may hire a certificated employee who has not taken a test of basic skills proficiency if ~~he/she~~the employee has not yet been afforded the opportunity to take the test, provided that ~~he/she~~the employee takes the test at the earliest opportunity. The employee may remain employed by the district pending the receipt of ~~his/her~~the test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by ~~the~~ CTC unless ~~he/she~~the teacher has completed a basic skills proficiency test in another state, passed a basic skills proficiency test developed and administered by the district, by cooperating districts or by the county office of education (COE), or is otherwise exempted by law. The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

CSBA NOTE: Pursuant to Education Code 44252 and 44830, persons holding or applying for a "designated subjects special subjects" credential must be assessed with a district basic skills proficiency test, unless their credential requires possession of a bachelor's degree in which case they are required to meet the state basic skills proficiency requirement. When such persons are employed by a consortium of districts or a joint powers agreement, the test may instead be established by the boards of those entities.

Any person holding or applying for a "designated subjects special subjects" credential which does not require possession of a bachelor's degree shall pass a district proficiency test in lieu of meeting the state basic skills proficiency requirement. (Education Code 44252, 44830)

The district may charge a fee to cover the costs of developing, administering, and grading the district proficiency test. (Education Code 44252, 44830)

### **Short-Term Staff Permit**

CSBA NOTE: 5 CCR 80021 establishes the short-term staff permit (STSP) to immediately fill teacher vacancies based on unforeseen circumstances. Pursuant to 5 CCR 80021, ~~the~~ CTC will issue the STSP to an individual only once and for no more than one year. The STSP will expire no later than July 1, unless the STSP is for a summer school assignment in which case the STSP will expire no later than September 1.

The district may request that ~~the~~ CTC issue a short-term staff permit (STSP) to a qualified applicant whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved ~~intern~~internship program
4. Inability of the applicant to enroll in an approved ~~intern~~internship program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an ~~intern~~internship program or the applicant's withdrawal from an ~~intern~~internship program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the Superintendent or designee shall submit to the CTC: (5 CCR 80021)

1. Verification that the district has conducted a local recruitment for the permit being requested
2. Verification that the district has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit
3. Written justification for the permit signed by the Superintendent or designee

CSBA NOTE: 5 CCR 80021 provides that a holder of the STSP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). 5 CCR 80021 provides that all STSPs will also include an English learner authorization allowing the holder to provide services in English language development (ELD) or specially designed academic instruction in English (SDAIE); see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the STSP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

### **Provisional Internship Permit**

CSBA NOTE: 5 CCR 80021.1 establishes the provisional internship permit (PIP) to staff classrooms when appropriately credentialed teachers cannot be found after a diligent search. 5 CCR 80021.1 provides that the PIP will be issued for one calendar year and may not be renewed.

Before requesting that the CTC issue a provisional internship permit (PIP), the district shall conduct a diligent search for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media. (5 CCR 80021.1)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or ~~county office of education~~ COE and who has completed at least three years of full-time classroom teaching experience.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a ~~public~~ an open Governing Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that ~~he/she~~ the applicant will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an intern program.

CSBA NOTE: 5 CCR 80021.1 provides that a holder of the PIP is authorized to provide the same service as a holder of the preliminary or clear credential of the same type (i.e., multiple subject, single subject, education specialist). In addition, 5 CCR 80021.1 provides that all PIPs will include an English learner authorization allowing the holder to provide services in ELD or SDAIE; see AR 4112.22 - Staff Teaching English Learners. Upon request by the district and verification of the applicant's target-language proficiency, the PIP may instead include a bilingual authorization allowing the holder to provide instruction for primary language development or content instruction delivered in the primary language, in addition to ELD and SDAIE.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

### Teaching Permit for Statutory Leave

CSBA NOTE: 5 CCR 80022, as added by Register 2016, No. 34, establishes the Teaching Permit for Statutory Leave (TPSL), which authorizes the holder to serve as the interim teacher of record when a teacher takes a statutory leave. The applicable statutory leaves are specified in 5 CCR 80022 and, as clarified by CTC Coded Correspondence 16-10, exclude administrative leave. The TPSL is valid for one calendar year from the first day of the month immediately following the date of issuance, but may be renewed on an annual basis provided that the holder completes additional requirements as specified and the district verifies that it will provide continued mentoring and support.

Qualifications required for the TPSL include possession of a bachelor's or higher degree, completion of the basic skills requirement unless exempted by state law or regulations, completion of a subject-matter requirement, and 45 hours of preservice preparation in the content areas listed in 5 CCR 80022. The design and delivery of the preservice preparation are at the discretion of the district and, as described in CTC Coded Correspondence 16-10, may include existing training and development programs, new

preparation courses or modules, and/or partnerships with the county office of education COE, neighboring districts, colleges and universities, or private companies. The CTC does not accredit or oversee any TPSL preparation. The following paragraph may be revised to reflect district practice.

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and no such candidate is available. (5 CCR 80022)

The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment
2. An average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment
3. Lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and individualized education programs

CSBA NOTE: The TPSL authorizes the interim teacher of record to serve for the full length of the statutory leave. CTC Coded Correspondence 16-10 clarifies that, when more than one acceptable leave is taken consecutively, the holder of the TPSL may continue to serve as the interim teacher of record for the entire length of those leaves.

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year. (5 CCR 80022)

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall and annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

### Long-Term Emergency Permits

CSBA NOTE: Pursuant to Education Code 44225.7, the district may request that the CTC grant an applicant a one-year emergency permit (Education Code 44300; 5 CCR 80023-80026.6) when a "fully prepared teacher," defined as a teacher who has completed a teacher preparation program, is unavailable to the district. Emergency permits may only be issued for the resource specialist permit (5 CCR 80024.3.1), teacher librarian services permit (5 CCR 80024.6), crosscultural, language and academic development permit (CLAD) (5 CCR 80024.8), and bilingual authorization permit (5 CCR 80024.7).

Pursuant to 5 CCR 80023.1, an emergency permit may be renewed for up to two additional one-year

periods (for a maximum of three years of service).

In order to request an emergency permit, the district must first demonstrate that it has made reasonable efforts to recruit candidates who are enrolled in an intern program or are scheduled to complete preliminary credential requirements within six months and must submit a Declaration of Need for Fully Qualified Educators; see the accompanying Board policy.

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, [\(CLAD\)](#), or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation which, to the extent reasonably feasible, shall occur before ~~he/she begins~~ beginning a teaching assignment. The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction and classroom management at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or ~~county office of education~~ COE and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

### Substitute Teaching Permits

The district may employ a person whose credential or permit authorizes substitute teaching services, provided that:

**CSBA NOTE:** 5 CCR 80025.3, as amended by Register 2016, No. 34, authorizes the holder of the STSP, PIP, or TPSL to provide day-to-day substitute teaching services for up to 30 days for a general education teacher or 20 days for a special education teacher.

1. A person holding an emergency 30-day substitute teaching permit, STSP, PIP, TPSL, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the ~~California Basic Educational Skills Test~~ CBEST, shall not serve as a substitute for more than 30 days for any one teacher during the school year. ~~He/she shall not serve~~ or as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute teaching permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency designated subjects 30-day substitute teaching permit for career technical education shall teach only in a program of technical, trade, or vocational education and shall not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

**CSBA NOTE:** 5 CCR 80025 and 80025.5 require the district to have a Statement of Need on file before employing a person with an emergency substitute permit pursuant to item #1 or 4 above. The CTC form for the Statement of Need may be found in ~~the~~ CTC's online "Credential Information Guide," which may be accessed only by employers.

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 80001-80674.6	Commission on Teacher Credentialing
Ed. Code 32340-32341	Unlawful issuance of a credential
Ed. Code 35186	Complaints regarding teacher vacancy or misassignment
Ed. Code 44066	Limitations on certification requirements
Ed. Code 44200-44399.1 <a href="#">44418</a>	Teacher credentialing
Ed. Code 44250-44277	Credentials and assignment of teachers
Ed. Code 44300-44302	Emergency permit
Ed. Code 44325-44328	District interns
Ed. Code 44330-44355	Certificates and credentials
Ed. Code 44420-44440	Revocation and suspension of credentials
Ed. Code 44450-44468	University <del>intern</del> <a href="#">internship</a> program
Ed. Code 44830-44929	Employment of certificated persons; requirement of proficiency in basic skills
Ed. Code 56060-56063	Substitute teachers in special education
Ed. Code <del>8360-8370</del> <a href="#">8295-8305</a>	Qualifications of child care <a href="#">Child development program</a> personnel <a href="#">qualifications</a>
<b>Federal</b>	<b>Description</b>
20 USC 6312	Title I local educational agency plans; notifications regarding teacher qualifications
34 CFR 200.48 <a href="#">61</a>	Parent notification regarding teacher qualifications
<b>Management Resources</b>	<b>Description</b>
Commission on Teacher Credentialing Publication	Waiver Requests Guidebook, 2015
Commission on Teacher Credentialing Publication	Credential Information Guide
<a href="#">Commission on Teacher Credentialing Publication</a>	<a href="#">Assembly Bill 320: Regional Accreditation for Coursework and Degrees Used for Certification Purposes, Credential Information Alert 22-02, March 1, 2022</a>
<a href="#">Commission on Teacher Credentialing Publication</a>	<a href="#">Proposed Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to Subject Matter</a>



	<a href="#"><u>Competence, Coded Correspondence 21-06, September 20, 2021</u></a>
Commission on Teacher Credentialing Publication	Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013
Commission on Teacher Credentialing Publication	Approved <del>Add</del> <a href="#"><u>Addition</u></a> and Amendments to Title 5 of the <del>CCR</del> <a href="#"><u>California Code of Regulations</u></a> Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, Aug 23, 2016
Commission on Teacher Credentialing Publication	California Standards for the Teaching Profession ( <del>CSTP</del> ), 2009
Commission on Teacher Credentialing Publication	CL-667 Basic Skills Requirement
Commission on Teacher Credentialing Publication	CL-856 Provisional Internship Permit
Commission on Teacher Credentialing Publication	CL-858 Short-Term Staff Permit
Commission on Teacher Credentialing Publication	Subject Matter Authorization Guideline Book, <del>2012</del> <a href="#"><u>December 2019</u></a>
Commission on Teacher Credentialing Publication	Supplementary Authorization Guideline Book, <del>2012</del> <a href="#"><u>December 2019</u></a>
Commission on Teacher Credentialing Publication	The Administrator's Assignment Manual: rev. <del>September 2007</del> , <a href="#"><u>2021</u></a>
Court Decision	Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing; (1993) 836 F.Supp. 1534
<a href="#"><u>Nat'l Board for Prof. Teaching Stds. Publication</u></a>	<a href="#"><u>Using Federal Funds for National Board Activities: An Action-Planning Guide</u></a>
Nat'l Board for Prof. Teaching Stds. Publication	Considerations for Using Federal Funds to Support National Board Certification; <del>2018</del>
<a href="#"><u>Website</u></a>	<a href="#"><u>California Department of Education, CA NBPTS Certification Incentive Program 2021-26 (https://www.cde.ca.gov/pd/ps/nbptsprogram.asp)</u></a>
Website	National Board Resource Center
Website	National Board for Professional Teaching Standards
Website	Commission on Teacher Credentialing
Website	Commission on Teacher Credentialing, Credential Information Guide (for employers' use only)
Website	CSBA
Website	U.S. Department of Education

## Cross References

<b>Code</b>	<b>Description</b>
0460	Local Control And Accountability Plan

0460	Local Control And Accountability Plan
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
<del>1312.4-E PDF(1)</del>	<del>Williams Uniform Complaint Procedures</del>
<del>1312.4-E PDF(2)</del>	<del>Williams Uniform Complaint Procedures</del>
3580	District Records
3580	District Records
4111	Recruitment And Selection
4112	Appointment And Conditions Of Employment
4112.21	Interns
4112.21	Interns
4112.22	Staff Teaching English Learners
4112.5	Criminal Record Check
4112.5-E (1)	Criminal Record Check
4112.6	Personnel Files
4113	Assignment
4113	Assignment
4114	Transfers
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4119.21	Professional Standards
4119.21-E (1)	Professional Standards
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4131	Staff Development
4131.1	Teacher Support And Guidance
4131.1	Teacher Support And Guidance
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.3	Professional Leaves
4161.8	Family Care And Medical Leave
4211	Recruitment And Selection
4212.5	Criminal Record Check
4212.5-E (1)	Criminal Record Check

4212.6	Personnel Files
4219.21	Professional Standards
4219.21-E (1)	Professional Standards
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4261.11	Industrial Accident/Illness Leave
4261.8	Family Care And Medical Leave
4311	Recruitment And Selection
4312.5	Criminal Record Check
4312.5-E (1)	Criminal Record Check
4312.6	Personnel Files
4317.14	Postretirement Employment
4319.21	Professional Standards
4319.21-E (1)	Professional Standards
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.8	Family Care And Medical Leave
5145.6	Parental Notifications
5145.6-E (1)	Parental Notifications
5148	Child Care And Development
5148	Child Care And Development
<del>5148.3</del>	<del>Preschool/Early Childhood Education</del>
<del>5148.3</del>	<del>Preschool/Early Childhood Education</del>
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6146.1	High School Graduation Requirements
6146.1	High School Graduation Requirements
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2-E (1)	Certificate Of Proficiency/High School Equivalency
6158	Independent Study
6158	Independent Study
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6163.1	Library Media Centers

6164.2	Guidance/Counseling Services
6170.1	Transitional Kindergarten
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6178	Career Technical Education
6178	Career Technical Education
6178.1	Work-Based Learning
6178.1	Work-Based Learning
6183	Home And Hospital Instruction
6200	Adult Education
6200	Adult Education

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**Regulation 4161.8: Family Care And Medical Leave**

**Status:** ADOPTED

**Original Adopted Date:** 08/01/2013 | **Last Revised Date:** 03/06/01/2021 ~~2022~~ | **Last Reviewed Date:** 03/06/01/2018 ~~2022~~

CSBA NOTE: The following optional administrative regulation addresses mandatory subjects of bargaining. The laws referenced in this regulation provide minimum amounts of leave which the district must grant its employees if more generous benefits are not provided as part of its collective bargaining agreement. Any covered subject that is already addressed in the district's collective bargaining agreements should be deleted from this administrative regulation.

Both federal and state law provide for family care and medical leave (29 USC 2601-2654, the Family and Medical Leave Act of 1993 (FMLA), and Government Code 12945.1-12945.2, the California Family Rights Act (CFRA)). However, these laws do not always provide identical rights or operate in the same manner. For example, pregnancy as a "serious health condition" is covered under FMLA but not under CFRA. Instead, under state law, an employee who is disabled due to pregnancy, childbirth, or a related medical condition is entitled to pregnancy disability leave (PDL) pursuant to Government Code 12945. Where there is a difference between state and federal law, the law that grants the greatest benefits generally controls. In those situations, legal counsel should be consulted as needed.

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or ~~leave for pregnancy disability pursuant to California~~ to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

### Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

CSBA NOTE: ~~Government Code 12945.2, as amended by SB 1383 (Ch. 86, Statutes of 2020), includes a child of a registered domestic partner in the definition of "child" for purposes of CFRA leave.~~

*Child* means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

*Eligible employee*, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

CSBA NOTE: Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of CFRA leave.

*Eligible family member* means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

*Employee disabled by pregnancy* means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

*Parent* means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child.

~~Parent~~ However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

~~CSBA NOTE: For purposes of CFRA leave, Government Code 12945.2, as amended by SB 1383, includes an employee's grandparent, grandchild, sibling, and registered domestic partner with a serious health condition as one for whom an employee may take family care and medical leave.~~

*Serious health condition* means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
  - a. A period of incapacity of more than three consecutive full days
  - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
  - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
  - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

- e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

### Eligibility/Purposes of Leave

CSBA NOTE: Government Code 12945.2 and 29 USC 2611-2612 require a district to grant family care and medical leave to an eligible employee for any of the reasons stated below. These requirements apply to all public agencies regardless of the number of employees.

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. To The care for the employee's of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform ~~one or more essential~~ the job functions of the position

CSBA NOTE: Pursuant to 29 CFR 825.126, FMLA military family leave is available to any eligible employee for a qualifying exigency while the employee's spouse, child, or parent who is a military member is on covered active duty during deployment to a foreign country. Government Code 12945.2, ~~as amended by SB 1383~~, provides exigency leave under CFRA for an employee whose registered domestic partner is on active duty. For requirements related to qualifying exigency leave, see the section "Military Family Leave Resulting from Qualifying Exigencies" below.

4. ~~Any~~ A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

CSBA NOTE: Pursuant to 29 CFR 825.127, military caregiver leave is available to any eligible employee who is a family member of a covered servicemember with a serious injury or illness. For requirements related to military caregiver leave, see the section on "Military Caregiver Leave" below.

5. To The care for of a covered servicemember with a serious injury or illness if when the covered ~~servicemember~~ employee is the employee's a spouse, child, parent, or next of kin, ~~as defined~~ of the covered servicemember

CSBA NOTE: Under federal law, pregnancy as a "serious health condition" is covered as part of FMLA leave. However, disability due to pregnancy is explicitly excluded from coverage under CFRA (2 CCR 11093). Instead, pursuant to Government Code 12926 and 12945, any California employee who is "disabled because of pregnancy, childbirth, or related medical conditions" is entitled to unpaid PDL of up to four months if the employer has five or more employees. Therefore, such an employee is entitled to up to four months of PDL and an additional 12 weeks of CFRA leave following the birth of the child.

Additionally, pursuant to 2 CCR 11037, PDL is not subject to eligibility requirements for other FMLA and CFRA leaves, such as minimum hours worked or length of service.

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

## Terms of Leave

CSBA NOTE: Leaves Pursuant to Government Code 12945.2, leaves common to CFRA and FMLA run concurrently so that total leave to which an employee is entitled would be ~~12 work weeks~~. However, when they do not run concurrently, an employee may be eligible for up to ~~12 work weeks~~ under both CFRA and FMLA, for a total of ~~24 work weeks~~. not be more than 12 work weeks.

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. ~~In circumstances where the leaves do not run concurrently under the law, the employee may take up to 12 work weeks for both CFRA and FMLA, for a total of 24 work weeks.~~ (Government Code 12945.2; 29 USC 2612)

CSBA NOTE: To determine the 12-month period in which the leave entitlement occurs, the district may use any of the methods identified in 29 CFR 825.200 and specified in options #1-4 below. However, a district may choose not to use any of these options and may instead choose some other fixed 12-month period. Whichever option is selected, it must be applied uniformly to all employees. If the district fails to select a method for calculating the 12-month period, the method that provides the most beneficial outcome for the employee will be used. Pursuant to 2 CCR 11090, if the district decides to change the calculation method, it must provide at least 60 days' notice to all employees.

**OPTION 1:** ~~This~~The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

**OPTION 2:** ~~This~~The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

**OPTION 3:** ~~This~~The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

**OPTION 4:** ~~This~~The 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

CSBA NOTE: 2 CCR 11042 clarifies that the four months of PDL to which an employee is entitled means the number of days or hours that the employee would normally work within the four calendar months. For employees who work 40 hours per week, PDL leave is defined as 17-1/3 weeks, 122 days, or 693 hours.

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

CSBA NOTE: While leaves common to CFRA and FMLA run concurrently, PDL is separate and distinct from CFRA leave. Consequently, pursuant to 2 CCR 11046, an employee who is "disabled by pregnancy" may be entitled to up to four months of PDL, followed by 12 work weeks of CFRA leave for the birth of the child (baby bonding). Determining which leaves run concurrently is a complex endeavor and districts should consult legal counsel as needed.

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945.2; 29 USC 2612)



12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

~~CSBA NOTE: Government Code 12945.6, which limited the amount of leave related to the birth or placement of a child to a combined total of 12 work weeks when both parents work for the district, was repealed by SB 1383, thereby allowing both parents to take up to 12 work weeks of leave for this purpose.~~ **CSBA NOTE:** Although 29 USC 2612 allows the district to limit the aggregate number of work weeks of leave to which two parents may be entitled when both parents work for the district, such leave is covered under both FMLA and CFRA and state law prevails since it provides greater rights to employees.

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

### Use/Substitution of Paid Leave

**CSBA NOTE:** The district may require employees (Option 1) or employees may elect (Option 2) to use paid leave during an otherwise unpaid portion of CFRA or FMLA leave or PDL. Pursuant to 2 CCR 11044 and 11092, the district may only require an employee to use sick leave if the leave is for the employee's own serious health condition or for PDL, unless mutually agreed to by the district and the employee.

**OPTION 1:** During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

**OPTION 2:** During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

**CSBA NOTE:** The following paragraph is for use with either option above.

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

### Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

**CSBA NOTE:** Pursuant to 2 CCR 11090, the minimum duration of CFRA parental leave for the birth, adoption, or foster care placement of a child is generally two weeks. However, the Page 185 of 377

request for CFRA leave of less than two weeks duration on any two occasions and may grant additional requests.

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.

CSBA NOTE: Pursuant to 2 CCR 11041, the district must accommodate the transfer request of a pregnant employee to the same extent that it accommodates transfer requests for other temporarily disabled employees.

2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.
3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

### **Request for Leave**

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, an employee is required to notify the district of the need to take PDL or family care and medical leave. The employee must provide at least verbal notice sufficient to make the district aware that the employee needs qualifying leave, and the anticipated timing and duration of the leave. However, the employee does not need to assert rights under CFRA or FMLA or even mention CFRA or FMLA to meet the notice requirement, but must state the reason the leave is needed. If there is a question about whether leave is FMLA/CFRA qualifying or if the district is considering denying CFRA leave based on an employee's refusal to provide further information, legal counsel should be consulted.

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11091 require the district to provide an employee with notice of the designation of leave as either qualifying for CFRA or FMLA protection. See section entitled "Notifications" below for further requirements of this "designation notice" as well as other required notifications.

Pursuant to 2 CCR 11091, an employee has the obligation to respond to questions designed to determine whether an absence is potentially CFRA qualifying. If the district is unable to determine whether requested leave is CFRA qualifying because of an employee's refusal to respond to its inquiries, the employee may be denied CFRA protection.

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

CSBA NOTE: Pursuant to 2 CCR 11091, the district may require an employee to provide at least 30 days advance notice of the need for family care and medical leave, if the need is foreseeable. If the district requires such advance notice from employees, then the district's notification of FMLA/CFRA rights must so specify; see section below entitled "Notifications."

Pursuant to 2 CCR 11050, an employee requesting PDL is required to provide the district at least 30 days advance notice if the need for PDL is foreseeable.

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

### **Certification of Health Condition**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for family care and medical leave for an employee's own serious health condition or to care for the employee's eligible family member with a serious health condition. In order to help avoid claims of discrimination, the district should generally treat all such employees uniformly; thus, districts using this section should request a medical certification from all such employees.

Districts requiring written medical certification from employees may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11097.

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition

CSBA NOTE: Item #3 below addresses an eligible employee's request for leave to care for an eligible family member. In such a case, 2 CCR 11087 provides that the health care provider's certification need not identify the serious health condition involved. The U.S. Department of Labor (DOL) provides a form, "Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act," that districts may use for this purpose to avoid unauthorized disclosure of the serious health condition.

3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:
  - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
  - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

CSBA NOTE: Government Code 12940 and other provisions of the California Genetic Information Nondiscrimination Act of 2011 prohibit an employer from making a non-job related inquiry into an employee's genetic information. A district which believes that an employee's leave may require obtaining this information should consult with legal counsel.

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third

health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

### **Certification for PDL**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for leave along with the request for PDL. Districts requiring written medical certification from employees who request reasonable accommodation, transfer, or disability leave because of pregnancy may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11050.

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

### **Release to Return to Work**

CSBA NOTE: The following optional section is for use by districts that choose to require a return-to-work certification and may be modified to list the specific positions for which certification is required. Pursuant to 2 CCR 11091, the district may require an employee to submit a return-to-work certification from the employee's health provider, stating that the employee is able to return to work. However, this requirement may only be made if the district has a uniformly applied practice of requiring such releases when employees return to work after illness, injury, or disability, any fitness-for-duty examination is job related and consistent with business necessity, and the practice is not forbidden by its collective bargaining agreement. 2 CCR 11050 has similar requirements when an employee is returning to work after PDL.

Pursuant to 29 CFR 825.312, when the health care provider certifies that the employee is able to resume work, the district may also require the health care provider to address the employee's ability to perform the essential functions of the job. If such a requirement is imposed, then the district must provide the employee with a list of the employee's essential job functions with the "designation notice"; see section entitled "Notifications" below.

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the

employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

## **Rights to Reinstatement**

CSBA NOTE: Pursuant to Government Code 12945.2, 2 CCR 11043 and 11089, and 29 USC 2614, an employee on PDL or family care and medical leave has the right to be reinstated to the same or a comparable position upon return from such leave. However, such an employee has no greater right to reinstatement or other benefits than the employee would have if employment had been continuous. As amended by SB 1383, Government Code 12945.2 eliminates the district's authority to deny reinstatement of a "key employee" in certain situations.

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

## **Maintenance of Benefits/Failure to Return from Leave**

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

CSBA NOTE: Pursuant to 2 CCR 11044 and 11092, the time that the district maintains and pays for group health coverage during PDL shall not be used to meet its obligation to pay for 12 weeks of group health coverage during leave taken under CFRA, even where the district designates the PDL as FMLA or CFRA leave. The entitlements to employer-paid group health coverage during PDL and during CFRA are two separate and distinct entitlements.

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

## **Military Family Leave Resulting from Qualifying Exigencies**

CSBA NOTE: The following optional section reflects 29 USC 2611 and 2612 which authorize an eligible employee to take up to 12 work weeks of unpaid FMLA leave to attend to an "exigency" arising out of the fact that the employee's spouse, child, or parent is on active duty or on call to active duty status in the National Guard or Reserves, or is a member of the regular Armed Forces on deployment to a foreign country. Pursuant to Government Code 12945.2, ~~as amended by SB 1383~~, an employee may take unpaid leave under CFRA to attend to an exigency involving the employee's registered domestic partner.

Pursuant to 29 CFR 825.200, an employee is entitled to 12 work weeks of qualifying exigency leave during each 12-month period established by the district; see section entitled "Terms of Leave" above. According to DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee may take all 12 weeks of FMLA leave entitlement as a qualifying exigency leave or take a combination of the 12 weeks of leave for both qualifying exigency leave and other FMLA leave, such as leave for a serious health condition.

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

*Covered active duty* means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country ~~or and~~, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

CSBA NOTE: Pursuant to 29 CFR 825.126, a "qualifying exigency" may include "other events" agreed to by the district and the employee. As an example of such other event, DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," and the California Department of Human Resources' "Questions and Answers - Military Family Leave - FMLA," list leave to spend time with the military member either prior to or post deployment or to attend to household emergencies that would normally have been handled by the military member.

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings

8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

CSBA NOTE: The district may require the employee to provide certification of the qualifying exigency containing the information specified in 29 CFR 825.309. A form has been developed by DOL for this purpose and is available on its web site.

The following paragraph is optional and should be deleted by those districts that do not require such documentation. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request certification from all employees requesting such leave.

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to use paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in the section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regards to FMLA/CFRA leave is also applicable to qualified exigency leave.

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

### **Military Caregiver Leave**

CSBA NOTE: 29 USC 2612 and 29 CFR 825.127 authorize an eligible employee to take up to 26 work weeks of unpaid military caregiver leave, as defined below, during a single 12-month period. According to DOL's ["Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers,"](#) if an employee does not use the entire 26-week entitlement in a single 12-month period, unused weeks cannot be carried over into another 12-month period. However, the employee may qualify for nonmilitary FMLA leave.

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is ~~not in addition to, but rather is inclusive of,~~ the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)



1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

CSBA NOTE: Unlike the provisions for other FMLA/CFRA leave, 29 CFR 825.127 places no age limit on the definition of "child," as detailed below. In addition, 29 CFR 825.127 defines "next of kin" of a covered servicemember in relation to military caregiver leave.

*Child of a covered servicemember* means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

*Parent of a covered servicemember* means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

*Next of kin* means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

*Outpatient status* means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

CSBA NOTE: 29 USC 2611 defines "serious injury or illness" for active members of the Armed Forces and for veterans, as provided below. Pursuant to 29 CFR 825.127, ~~one of the four conditions listed in item #2 below must be present for a veteran's injury or illness to~~will qualify as a "serious injury or illness" for the purpose of this leave, only if one of the four conditions listed in Item #2 below is present.

*Serious injury or illness* means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
  - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
  - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

CSBA NOTE: As is the case for other types of FMLA/CFRA leave, 29 CFR 825.302 requires the employee, when the need for the leave is foreseeable, to provide 30 days advance notice to the district before the leave is to begin.

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

CSBA NOTE: 29 CFR 825.310 authorizes the district to require employees to provide certification of the need for the leave, which is to be completed by an authorized health care provider of the covered servicemember.

The following paragraph is optional. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request a medical certification from all employees requesting such leave.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

CSBA NOTE: Pursuant to 29 CFR 825.127, an employee may take up to a total of 26 work weeks of leave for both regular FMLA and military caregiver leave during the 12-month leave entitlement period. However, the employee may not take more than 12 weeks for regular FMLA leave. For example, according to DOL's, "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee could take 12 weeks of FMLA leave to care for a newborn child and 14 weeks of military caregiver leave, but could not take 16 weeks to care for a newborn and 10 weeks of military caregiver leave. If the leave qualifies as both military caregiver leave and leave to care for a family member with a serious health condition, 29 CFR 825.127 specifies that the district must first designate the leave as military caregiver leave.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to substitute paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regard to FMLA/CFRA leave is also applicable to military caregiver leave.

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

## Notifications

CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11095 require employers to provide general notification to employees of their rights under the FMLA/CFRA as well as specific notifications when an employee has requested leave, as detailed below. 2 CCR 11049 contains similar notice requirements for PDL purposes. Samples of notices which describe an employee's rights are available on the web sites of the California Department of Fair Employment and Housing and the DOL.

Pursuant to 2 CCR 11095, the district must translate the notice into every language that is spoken by at least 10 percent of the district's employees at any facility.

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the ~~FEHA~~ Fair Employment and Housing Act/PDL and FMLA/CFRA and ~~employee~~ employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, a district may require an employee, when the need for the leave is foreseeable, to provide at least 30 days advance notice before the leave is to begin; see the section entitled "Request for Leave" above. 2 CCR 11049 and 11091 specify that districts requiring such notice from employees must give them "reasonable advance notice" of their obligation and that incorporation of the requirement into the general notice satisfies the "advance notice" requirement.

The following optional paragraph is for use by districts that require employees to provide advance notice.

2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
  - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

CSBA NOTE: Item ~~#3b~~ 4b below is for use by districts that require medical certification to the effect that the employee is able to resume work. See the section entitled "Release to Return to Work" above.

- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid

leave if the employee does not meet the conditions for paid leave

- d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

5. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, ~~he/she~~the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

CSBA NOTE: 29 CFR 825.300 requires the designation notice to specify whether the district requires paid leave to be used during an otherwise unpaid family care and medical leave, whether the district requires an employee to present release to return to work certification, and whether that certification must address the employee's ability to perform the essential functions of the job. See the sections entitled "Use/Substitution of Paid Leave" and "Release to Return to Work" above. The following paragraph should be revised to reflect district practice.

6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

## Records

CSBA NOTE: Government Code 12946, 29 USC 2616, and 29 CFR 825.500 require districts to maintain records of, among other things, applications, dates, and personnel and employment action related to family care and medical leave. Pursuant to 42 USC 2000ff-1, any individually identifiable genetic information possessed by the district must be treated as a confidential medical record of the employee involved.

The Superintendent or designee shall maintain records pertaining to an individual employee's use of ~~family care and medical~~FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087- <del>11097</del> <a href="#">11098</a>	California Family Rights Act
Ed. Code 44965	Granting of leaves of absence for pregnancy and childbirth
Fam. Code 297-297.5	Rights, protections, benefits under the law; registered domestic partners
Fam. Code 300	Definition of marriage
Gov. Code 12926	Definitions
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12945	Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
Gov. Code 12945.1-12945.2	California Family Rights Act
<a href="#">Gov. Code 12945.6</a>	<a href="#">Parental leave</a>
Gov. Code 12946	Fair employment and Housing Act: discrimination prohibited
<del>Unemployment Insurance Code 3300-3308</del>	<del>Paid family leave</del>
<b>Federal</b>	<b>Description</b>
1 USC 7	Definition of marriage, <a href="#">and</a> spouse
29 CFR 825.100-825.702	Family and Medical Leave Act of 1993
29 USC 2601-2654	Family Care and Medical Leave Act
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
<b>Management Resources</b>	<b>Description</b>
<del>CA Dept of HR Publication</del>	<del>Questions and Answers – Military Family Leave – FMLA</del>
Court Decision	Faust v. California Portland Cement Company; (2007) 150 Cal.App.4th 864
Court Decision	Tellis v. Alaska Airlines; (9th Cir., 2005) 414 F.3d 1045
Court Decision	United States v. Windsor; (2013) 699 F.3d 169
U.S. Department of Labor Publication	<a href="#">Military Family Leave Provisions of the FMLA</a> Frequently Asked Questions <a href="#">and Answers</a>
<del>U.S. Department of Labor Publications</del>	<del>Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act, Form WH-380-F</del>
Website	California Department of Human Resources

Website	U.S. Department of Labor, FMLA
Website	California Department of Fair Employment and Housing

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0470	COVID-19 Mitigation Plan
2121	Superintendent's Contract
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4033	Lactation Accommodation
4112.2	Certification
4112.2	Certification
4112.4	Health Examinations
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.9	Employee Notifications
4112.9-E-(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4117.3	Personnel Reduction
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4361.9	Catastrophic Leave Program

**Regulation 4261.8: Family Care And Medical Leave**

**Status:** ADOPTED

**Original Adopted Date:** 08/01/2013 | **Last Revised Date:** 03/06/01/2021 ~~2022~~ | **Last Reviewed Date:** 03/06/01/2018 ~~2022~~

CSBA NOTE: The following optional administrative regulation addresses mandatory subjects of bargaining. The laws referenced in this regulation provide minimum amounts of leave which the district must grant its employees if more generous benefits are not provided as part of its collective bargaining agreement. Any covered subject that is already addressed in the district's collective bargaining agreements should be deleted from this administrative regulation.

Both federal and state law provide for family care and medical leave (29 USC 2601-2654, the Family and Medical Leave Act of 1993 (FMLA), and Government Code 12945.1-12945.2, the California Family Rights Act (CFRA)). However, these laws do not always provide identical rights or operate in the same manner. For example, pregnancy as a "serious health condition" is covered under FMLA but not under CFRA. Instead, under state law, an employee who is disabled due to pregnancy, childbirth, or a related medical condition is entitled to pregnancy disability leave (PDL) pursuant to Government Code 12945. Where there is a difference between state and federal law, the law that grants the greatest benefits generally controls. In those situations, legal counsel should be consulted as needed.

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or ~~leave for pregnancy disability pursuant to California~~ to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

### Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

CSBA NOTE: ~~Government Code 12945.2, as amended by SB 1383 (Ch. 86, Statutes of 2020), includes a child of a registered domestic partner in the definition of "child" for purposes of CFRA leave.~~

*Child* means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

*Eligible employee*, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

CSBA NOTE: Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of CFRA leave.



*Eligible family member* means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

*Employee disabled by pregnancy* means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

*Parent* means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child.

~~Parent~~ However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

CSBA NOTE: For purposes of CFRA leave, Government Code 12945.2, as amended by SB 1383, includes an employee's grandparent, grandchild, sibling, and registered domestic partner with a serious health condition as one for whom an employee may take family care and medical leave.

*Serious health condition* means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
  - a. A period of incapacity of more than three consecutive full days
  - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
  - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
  - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

- e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

### Eligibility/Purposes of Leave

CSBA NOTE: Government Code 12945.2 and 29 USC 2611-2612 require a district to grant family care and medical leave to an eligible employee for any of the reasons stated below. These requirements apply to all public agencies regardless of the number of employees.

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. To The care for the employee's of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform ~~one or more essential~~ the job functions of the position

CSBA NOTE: Pursuant to 29 CFR 825.126, FMLA military family leave is available to any eligible employee for a qualifying exigency while the employee's spouse, child, or parent who is a military member is on covered active duty during deployment to a foreign country. Government Code 12945.2, ~~as amended by SB 1383~~, provides exigency leave under CFRA for an employee whose registered domestic partner is on active duty. For requirements related to qualifying exigency leave, see the section "Military Family Leave Resulting from Qualifying Exigencies" below.

4. ~~Any~~ A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

CSBA NOTE: Pursuant to 29 CFR 825.127, military caregiver leave is available to any eligible employee who is a family member of a covered servicemember with a serious injury or illness. For requirements related to military caregiver leave, see the section on "Military Caregiver Leave" below.

5. To The care for of a covered servicemember with a serious injury or illness if when the covered ~~servicemember~~ employee is the employee's a spouse, child, parent, or next of kin, ~~as defined~~ of the covered servicemember

CSBA NOTE: Under federal law, pregnancy as a "serious health condition" is covered as part of FMLA leave. However, disability due to pregnancy is explicitly excluded from coverage under CFRA (2 CCR 11093). Instead, pursuant to Government Code 12926 and 12945, any California employee who is "disabled because of pregnancy, childbirth, or related medical conditions" is entitled to unpaid PDL of up to four months if the employer has five or more employees. Therefore, such an employee is entitled to up to four months of PDL and an additional 12 weeks of CFRA leave following the birth of the child.

Additionally, pursuant to 2 CCR 11037, PDL is not subject to eligibility requirements for other FMLA and CFRA leaves, such as minimum hours worked or length of service.

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

## Terms of Leave

CSBA NOTE: Leaves Pursuant to Government Code 12945.2, leaves common to CFRA and FMLA run concurrently so that total leave to which an employee is entitled would be 12 work weeks. However, when they do not run concurrently, an employee may be eligible for up to 12 work weeks under both CFRA and FMLA, for a total of 24 work weeks. not be more than 12 work weeks.

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. In circumstances where the leaves do not run concurrently under the law, the employee may take up to 12 work weeks for both CFRA and FMLA, for a total of 24 work weeks. (Government Code 12945.2; 29 USC 2612)

CSBA NOTE: To determine the 12-month period in which the leave entitlement occurs, the district may use any of the methods identified in 29 CFR 825.200 and specified in options #1-4 below. However, a district may choose not to use any of these options and may instead choose some other fixed 12-month period. Whichever option is selected, it must be applied uniformly to all employees. If the district fails to select a method for calculating the 12-month period, the method that provides the most beneficial outcome for the employee will be used. Pursuant to 2 CCR 11090, if the district decides to change the calculation method, it must provide at least 60 days' notice to all employees.

**OPTION 1:** ~~This~~The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

**OPTION 2:** ~~This~~The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

**OPTION 3:** ~~This~~The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

**OPTION 4:** ~~This~~The 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

CSBA NOTE: 2 CCR 11042 clarifies that the four months of PDL to which an employee is entitled means the number of days or hours that the employee would normally work within the four calendar months. For employees who work 40 hours per week, PDL leave is defined as 17-1/3 weeks, 122 days, or 693 hours.

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

CSBA NOTE: While leaves common to CFRA and FMLA run concurrently, PDL is separate and distinct from CFRA leave. Consequently, pursuant to 2 CCR 11046, an employee who is "disabled by pregnancy" may be entitled to up to four months of PDL, followed by 12 work weeks of CFRA leave for the birth of the child (baby bonding). Determining which leaves run concurrently is a complex endeavor and districts should consult legal counsel as needed.

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945.2; 29 USC 2612)

12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

~~CSBA NOTE: Government Code 12945.6, which limited the amount of leave related to the birth or placement of a child to a combined total of 12 work weeks when both parents work for the district, was repealed by SB 1383, thereby allowing both parents to take up to 12 work weeks of leave for this purpose.~~ **CSBA NOTE:** Although 29 USC 2612 allows the district to limit the aggregate number of work weeks of leave to which two parents may be entitled when both parents work for the district, such leave is covered under both FMLA and CFRA and state law prevails since it provides greater rights to employees.

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

### Use/Substitution of Paid Leave

**CSBA NOTE:** The district may require employees (Option 1) or employees may elect (Option 2) to use paid leave during an otherwise unpaid portion of CFRA or FMLA leave or PDL. Pursuant to 2 CCR 11044 and 11092, the district may only require an employee to use sick leave if the leave is for the employee's own serious health condition or for PDL, unless mutually agreed to by the district and the employee.

**OPTION 1:** During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

**OPTION 2:** During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

**CSBA NOTE:** The following paragraph is for use with either option above.

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

### Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

**CSBA NOTE:** Pursuant to 2 CCR 11090, the minimum duration of CFRA parental leave for the birth, adoption, or foster care placement of a child is generally two weeks. However, the district may grant

request for CFRA leave of less than two weeks duration on any two occasions and may grant additional requests.

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.

CSBA NOTE: Pursuant to 2 CCR 11041, the district must accommodate the transfer request of a pregnant employee to the same extent that it accommodates transfer requests for other temporarily disabled employees.

2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.
3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

### **Request for Leave**

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, an employee is required to notify the district of the need to take PDL or family care and medical leave. The employee must provide at least verbal notice sufficient to make the district aware that the employee needs qualifying leave, and the anticipated timing and duration of the leave. However, the employee does not need to assert rights under CFRA or FMLA or even mention CFRA or FMLA to meet the notice requirement, but must state the reason the leave is needed. If there is a question about whether leave is FMLA/CFRA qualifying or if the district is considering denying CFRA leave based on an employee's refusal to provide further information, legal counsel should be consulted.

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11091 require the district to provide an employee with notice of the designation of leave as either qualifying for CFRA or FMLA protection. See section entitled "Notifications" below for further requirements of this "designation notice" as well as other required notifications.

Pursuant to 2 CCR 11091, an employee has the obligation to respond to questions designed to determine whether an absence is potentially CFRA qualifying. If the district is unable to determine whether requested leave is CFRA qualifying because of an employee's refusal to respond to its inquiries, the employee may be denied CFRA protection.

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

CSBA NOTE: Pursuant to 2 CCR 11091, the district may require an employee to provide at least 30 days advance notice of the need for family care and medical leave, if the need is foreseeable. If the district requires such advance notice from employees, then the district's notification of FMLA/CFRA rights must so specify; see section below entitled "Notifications."

Pursuant to 2 CCR 11050, an employee requesting PDL is required to provide the district at least 30 days advance notice if the need for PDL is foreseeable.

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

### **Certification of Health Condition**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for family care and medical leave for an employee's own serious health condition or to care for the employee's eligible family member with a serious health condition. In order to help avoid claims of discrimination, the district should generally treat all such employees uniformly; thus, districts using this section should request a medical certification from all such employees.

Districts requiring written medical certification from employees may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11097.

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition

CSBA NOTE: Item #3 below addresses an eligible employee's request for leave to care for an eligible family member. In such a case, 2 CCR 11087 provides that the health care provider's certification need not identify the serious health condition involved. The U.S. Department of Labor (DOL) provides a form, "Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act," that districts may use for this purpose to avoid unauthorized disclosure of the serious health condition.

3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:
  - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
  - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

CSBA NOTE: Government Code 12940 and other provisions of the California Genetic Information Nondiscrimination Act of 2011 prohibit an employer from making a non-job related inquiry into an employee's genetic information. A district which believes that an employee's leave may require obtaining this information should consult with legal counsel.

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third

health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

### **Certification for PDL**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for leave along with the request for PDL. Districts requiring written medical certification from employees who request reasonable accommodation, transfer, or disability leave because of pregnancy may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11050.

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

### **Release to Return to Work**

CSBA NOTE: The following optional section is for use by districts that choose to require a return-to-work certification and may be modified to list the specific positions for which certification is required. Pursuant to 2 CCR 11091, the district may require an employee to submit a return-to-work certification from the employee's health provider, stating that the employee is able to return to work. However, this requirement may only be made if the district has a uniformly applied practice of requiring such releases when employees return to work after illness, injury, or disability, any fitness-for-duty examination is job related and consistent with business necessity, and the practice is not forbidden by its collective bargaining agreement. 2 CCR 11050 has similar requirements when an employee is returning to work after PDL.

Pursuant to 29 CFR 825.312, when the health care provider certifies that the employee is able to resume work, the district may also require the health care provider to address the employee's ability to perform the essential functions of the job. If such a requirement is imposed, then the district must provide the employee with a list of the employee's essential job functions with the "designation notice"; see section entitled "Notifications" below.

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the



employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

### **Rights to Reinstatement**

CSBA NOTE: Pursuant to Government Code 12945.2, 2 CCR 11043 and 11089, and 29 USC 2614, an employee on PDL or family care and medical leave has the right to be reinstated to the same or a comparable position upon return from such leave. However, such an employee has no greater right to reinstatement or other benefits than the employee would have if employment had been continuous. As amended by SB 1383, Government Code 12945.2 eliminates the district's authority to deny reinstatement of a "key employee" in certain situations.

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

### **Maintenance of Benefits/Failure to Return from Leave**

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

CSBA NOTE: Pursuant to 2 CCR 11044 and 11092, the time that the district maintains and pays for group health coverage during PDL shall not be used to meet its obligation to pay for 12 weeks of group health coverage during leave taken under CFRA, even where the district designates the PDL as FMLA or CFRA leave. The entitlements to employer-paid group health coverage during PDL and during CFRA are two separate and distinct entitlements.

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

### **Military Family Leave Resulting from Qualifying Exigencies**

CSBA NOTE: The following optional section reflects 29 USC 2611 and 2612 which authorize an eligible employee to take up to 12 work weeks of unpaid FMLA leave to attend to an "exigency" arising out of the fact that the employee's spouse, child, or parent is on active duty or on call to active duty status in the National Guard or Reserves, or is a member of the regular Armed Forces on deployment to a foreign country. Pursuant to Government Code 12945.2, ~~as amended by SB 1383~~, an employee may take unpaid leave under CFRA to attend to an exigency involving the employee's registered domestic partner.

Pursuant to 29 CFR 825.200, an employee is entitled to 12 work weeks of qualifying exigency leave during each 12-month period established by the district; see section entitled "Terms of Leave" above. According to DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee may take all 12 weeks of FMLA leave entitlement as a qualifying exigency leave or take a combination of the 12 weeks of leave for both qualifying exigency leave and other FMLA leave, such as leave for a serious health condition.

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

*Covered active duty* means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country ~~or and~~, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

CSBA NOTE: Pursuant to 29 CFR 825.126, a "qualifying exigency" may include "other events" agreed to by the district and the employee. As an example of such other event, DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," and the California Department of Human Resources' "Questions and Answers - Military Family Leave - FMLA," list leave to spend time with the military member either prior to or post deployment or to attend to household emergencies that would normally have been handled by the military member.

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings

8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

CSBA NOTE: The district may require the employee to provide certification of the qualifying exigency containing the information specified in 29 CFR 825.309. A form has been developed by DOL for this purpose and is available on its web site.

The following paragraph is optional and should be deleted by those districts that do not require such documentation. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request certification from all employees requesting such leave.

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to use paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in the section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regards to FMLA/CFRA leave is also applicable to qualified exigency leave.

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

### **Military Caregiver Leave**

CSBA NOTE: 29 USC 2612 and 29 CFR 825.127 authorize an eligible employee to take up to 26 work weeks of unpaid military caregiver leave, as defined below, during a single 12-month period. According to DOL's ["Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers,"](#) if an employee does not use the entire 26-week entitlement in a single 12-month period, unused weeks cannot be carried over into another 12-month period. However, the employee may qualify for nonmilitary FMLA leave.

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is ~~not in addition to, but rather is inclusive of,~~ the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

CSBA NOTE: Unlike the provisions for other FMLA/CFRA leave, 29 CFR 825.127 places no age limit on the definition of "child," as detailed below. In addition, 29 CFR 825.127 defines "next of kin" of a covered servicemember in relation to military caregiver leave.

*Child of a covered servicemember* means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

*Parent of a covered servicemember* means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

*Next of kin* means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

*Outpatient status* means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

CSBA NOTE: 29 USC 2611 defines "serious injury or illness" for active members of the Armed Forces and for veterans, as provided below. Pursuant to 29 CFR 825.127, ~~one of the four conditions listed in item #2 below must be present for a veteran's injury or illness to~~will qualify as a "serious injury or illness" for the purpose of this leave, only if one of the four conditions listed in Item #2 below is present.

*Serious injury or illness* means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
  - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
  - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

CSBA NOTE: As is the case for other types of FMLA/CFRA leave, 29 CFR 825.302 requires the employee, when the need for the leave is foreseeable, to provide 30 days advance notice to the district before the leave is to begin.

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

CSBA NOTE: 29 CFR 825.310 authorizes the district to require employees to provide certification of the need for the leave, which is to be completed by an authorized health care provider of the covered servicemember.

The following paragraph is optional. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request a medical certification from all employees requesting such leave.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

CSBA NOTE: Pursuant to 29 CFR 825.127, an employee may take up to a total of 26 work weeks of leave for both regular FMLA and military caregiver leave during the 12-month leave entitlement period. However, the employee may not take more than 12 weeks for regular FMLA leave. For example, according to DOL's, "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee could take 12 weeks of FMLA leave to care for a newborn child and 14 weeks of military caregiver leave, but could not take 16 weeks to care for a newborn and 10 weeks of military caregiver leave. If the leave qualifies as both military caregiver leave and leave to care for a family member with a serious health condition, 29 CFR 825.127 specifies that the district must first designate the leave as military caregiver leave.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to substitute paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regard to FMLA/CFRA leave is also applicable to military caregiver leave.

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

## Notifications

CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11095 require employers to provide general notification to employees of their rights under the FMLA/CFRA as well as specific notifications when an employee has requested leave, as detailed below. 2 CCR 11049 contains similar notice requirements for PDL purposes. Samples of notices which describe an employee's rights are available on the web sites of the California Department of Fair Employment and Housing and the DOL.

Pursuant to 2 CCR 11095, the district must translate the notice into every language that is spoken by at least 10 percent of the district's employees at any facility.

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the ~~FEHA~~ Fair Employment and Housing Act/PDL and FMLA/CFRA and ~~employee~~ employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, a district may require an employee, when the need for the leave is foreseeable, to provide at least 30 days advance notice before the leave is to begin; see the section entitled "Request for Leave" above. 2 CCR 11049 and 11091 specify that districts requiring such notice from employees must give them "reasonable advance notice" of their obligation and that incorporation of the requirement into the general notice satisfies the "advance notice" requirement.

The following optional paragraph is for use by districts that require employees to provide advance notice.

2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
  - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

CSBA NOTE: Item ~~#3b~~ 4b below is for use by districts that require medical certification to the effect that the employee is able to resume work. See the section entitled "Release to Return to Work" above.

- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid

leave if the employee does not meet the conditions for paid leave

- d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

- 5. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, ~~he/she~~ the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

CSBA NOTE: 29 CFR 825.300 requires the designation notice to specify whether the district requires paid leave to be used during an otherwise unpaid family care and medical leave, whether the district requires an employee to present release to return to work certification, and whether that certification must address the employee's ability to perform the essential functions of the job. See the sections entitled "Use/Substitution of Paid Leave" and "Release to Return to Work" above. The following paragraph should be revised to reflect district practice.

- 6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

## Records

CSBA NOTE: Government Code 12946, 29 USC 2616, and 29 CFR 825.500 require districts to maintain records of, among other things, applications, dates, and personnel and employment action related to family care and medical leave. Pursuant to 42 USC 2000ff-1, any individually identifiable genetic information possessed by the district must be treated as a confidential medical record of the employee involved.

The Superintendent or designee shall maintain records pertaining to an individual employee's use of ~~family care and medical~~ FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087- <del>11097</del> <a href="#">11098</a>	California Family Rights Act
Ed. Code 44965	Granting of leaves of absence for pregnancy and childbirth
Fam. Code 297-297.5	Rights, protections, benefits under the law; registered domestic partners
Fam. Code 300	Definition of marriage
Gov. Code 12926	Definitions
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12945	Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
Gov. Code 12945.1-12945.2	California Family Rights Act
<a href="#">Gov. Code 12945.6</a>	<a href="#">Parental leave</a>
Gov. Code 12946	Fair employment and Housing Act: discrimination prohibited
<del>Unemployment Insurance Code 3300-3308</del>	<del>Paid family leave</del>
<b>Federal</b>	<b>Description</b>
1 USC 7	Definition of marriage, <a href="#">and</a> spouse
29 CFR 825.100-825.702	Family and Medical Leave Act of 1993
29 USC 2601-2654	Family Care and Medical Leave Act
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
<b>Management Resources</b>	<b>Description</b>
<del>CA Dept of HR Publication</del>	<del>Questions and Answers – Military Family Leave – FMLA</del>
Court Decision	Faust v. California Portland Cement Company; (2007) 150 Cal.App.4th 864
Court Decision	Tellis v. Alaska Airlines; (9th Cir., 2005) 414 F.3d 1045
Court Decision	United States v. Windsor; (2013) 699 F.3d 169
U.S. Department of Labor Publication	<a href="#">Military Family Leave Provisions of the FMLA</a> Frequently Asked Questions <a href="#">and Answers</a>
<del>U.S. Department of Labor Publications</del>	<del>Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act, Form WH-380-F</del>
Website	California Department of Human Resources



Website

U.S. Department of Labor, FMLA

Website

California Department of Fair Employment and Housing

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0470	COVID-19 Mitigation Plan
2121	Superintendent's Contract
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4033	Lactation Accommodation
4112.2	Certification
4112.2	Certification
4112.4	Health Examinations
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.9	Employee Notifications
4112.9-E-(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4117.3	Personnel Reduction
4141	Collective Bargaining Agreement
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161	Leaves
4161	Leaves
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4161.9	Catastrophic Leave Program
<del>4161.9</del>	<del>Catastrophic Leave Program</del>
4212.4	Health Examinations
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.9	Employee Notifications
4212.9-E-(1)	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment

4217.3	Layoff/Rehire
4241	Collective Bargaining Agreement
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4259	Employee Assistance Programs
4261	Leaves
4261	Leaves
4261.1	Personal Illness/Injury Leave
4261.2	Personal Leaves
4261.9	Catastrophic Leave Program
4261.9	Catastrophic Leave Program
4312.4	Health Examinations
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4359	Employee Assistance Programs
4361	Leaves
4361	Leaves
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
4361.9	Catastrophic Leave Program
4361.9	Catastrophic Leave Program

**Regulation 4361.8: Family Care And Medical Leave**

**Status:** ADOPTED

**Original Adopted Date:** 08/01/2013 | **Last Revised Date:** 03/06/01/2021 ~~2022~~ | **Last Reviewed Date:** 03/06/01/2018 ~~2022~~

CSBA NOTE: The following optional administrative regulation addresses mandatory subjects of bargaining. The laws referenced in this regulation provide minimum amounts of leave which the district must grant its employees if more generous benefits are not provided as part of its collective bargaining agreement. Any covered subject that is already addressed in the district's collective bargaining agreements should be deleted from this administrative regulation.

Both federal and state law provide for family care and medical leave (29 USC 2601-2654, the Family and Medical Leave Act of 1993 (FMLA), and Government Code 12945.1-12945.2, the California Family Rights Act (CFRA)). However, these laws do not always provide identical rights or operate in the same manner. For example, pregnancy as a "serious health condition" is covered under FMLA but not under CFRA. Instead, under state law, an employee who is disabled due to pregnancy, childbirth, or a related medical condition is entitled to pregnancy disability leave (PDL) pursuant to Government Code 12945. Where there is a difference between state and federal law, the law that grants the greatest benefits generally controls. In those situations, legal counsel should be consulted as needed.

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or ~~leave for pregnancy disability pursuant to California~~ to Pregnancy Disability Leave (PDL), when an employee is disabled by a pregnancy, childbirth, or related medical condition. The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

### Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

~~CSBA NOTE: Government Code 12945.2, as amended by SB 1383 (Ch. 86, Statutes of 2020), includes a child of a registered domestic partner in the definition of "child" for purposes of CFRA leave.~~

*Child* means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

*Eligible employee*, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

~~CSBA NOTE: Government Code 12945.2, as amended by AB 1033 (Ch. 327, Statutes of 2021), includes a parent-in-law in the definition of "parent" for purposes of CFRA leave.~~

*Eligible family member* means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

*Employee disabled by pregnancy* means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

*Parent* means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child.

~~Parent~~ However, for FMLA purposes, parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

CSBA NOTE: For purposes of CFRA leave, Government Code 12945.2, as amended by SB 1383, includes an employee's grandparent, grandchild, sibling, and registered domestic partner with a serious health condition as one for whom an employee may take family care and medical leave.

*Serious health condition* means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
  - a. A period of incapacity of more than three consecutive full days
  - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
  - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
  - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

- e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

### Eligibility/Purposes of Leave

CSBA NOTE: Government Code 12945.2 and 29 USC 2611-2612 require a district to grant family care and medical leave to an eligible employee for any of the reasons stated below. These requirements apply to all public agencies regardless of the number of employees.

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. To The care for the employee's of an eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform ~~one or more essential~~ the job functions of the position

CSBA NOTE: Pursuant to 29 CFR 825.126, FMLA military family leave is available to any eligible employee for a qualifying exigency while the employee's spouse, child, or parent who is a military member is on covered active duty during deployment to a foreign country. Government Code 12945.2, ~~as amended by SB 1383~~, provides exigency leave under CFRA for an employee whose registered domestic partner is on active duty. For requirements related to qualifying exigency leave, see the section "Military Family Leave Resulting from Qualifying Exigencies" below.

4. ~~Any~~ A qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

CSBA NOTE: Pursuant to 29 CFR 825.127, military caregiver leave is available to any eligible employee who is a family member of a covered servicemember with a serious injury or illness. For requirements related to military caregiver leave, see the section on "Military Caregiver Leave" below.

5. To The care for of a covered servicemember with a serious injury or illness if when the covered ~~servicemember~~ employee is the employee's a spouse, child, parent, or next of kin, ~~as defined~~ of the covered servicemember

CSBA NOTE: Under federal law, pregnancy as a "serious health condition" is covered as part of FMLA leave. However, disability due to pregnancy is explicitly excluded from coverage under CFRA (2 CCR 11093). Instead, pursuant to Government Code 12926 and 12945, any California employee who is "disabled because of pregnancy, childbirth, or related medical conditions" is entitled to unpaid PDL of up to four months if the employer has five or more employees. Therefore, such an employee is entitled to up to four months of PDL and an additional 12 weeks of CFRA leave following the birth of the child.

Additionally, pursuant to 2 CCR 11037, PDL is not subject to eligibility requirements for other FMLA and CFRA leaves, such as minimum hours worked or length of service.

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

## Terms of Leave

CSBA NOTE: Pursuant to Government Code 12945.2, leaves common to CFRA and FMLA run concurrently so that total leave to which an employee is entitled would be 12 work weeks. However, when they do not run concurrently, an employee may be eligible for up to 12 work weeks under both CFRA and FMLA, for a total of 24 work weeks, not be more than 12 work weeks.

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. In circumstances where the leaves do not run concurrently under the law, the employee may take up to 12 work weeks for both CFRA and FMLA, for a total of 24 work weeks. (Government Code 12945.2; 29 USC 2612)

CSBA NOTE: To determine the 12-month period in which the leave entitlement occurs, the district may use any of the methods identified in 29 CFR 825.200 and specified in options #1-4 below. However, a district may choose not to use any of these options and may instead choose some other fixed 12-month period. Whichever option is selected, it must be applied uniformly to all employees. If the district fails to select a method for calculating the 12-month period, the method that provides the most beneficial outcome for the employee will be used. Pursuant to 2 CCR 11090, if the district decides to change the calculation method, it must provide at least 60 days' notice to all employees.

**OPTION 1:** This ~~This~~ The 12-month period shall coincide with the calendar year. (29 CFR 825.200)

**OPTION 2:** This ~~This~~ The 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

**OPTION 3:** This ~~This~~ The 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

**OPTION 4:** This ~~This~~ The 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

CSBA NOTE: 2 CCR 11042 clarifies that the four months of PDL to which an employee is entitled means the number of days or hours that the employee would normally work within the four calendar months. For employees who work 40 hours per week, PDL leave is defined as 17-1/3 weeks, 122 days, or 693 hours.

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

CSBA NOTE: While leaves common to CFRA and FMLA run concurrently, PDL is separate and distinct from CFRA leave. Consequently, pursuant to 2 CCR 11046, an employee who is "disabled by pregnancy" may be entitled to up to four months of PDL, followed by 12 work weeks of CFRA leave for the birth of the child (baby bonding). Determining which leaves run concurrently is a complex endeavor and districts should consult legal counsel as needed.

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945.2; 29 USC 2612)

12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

~~CSBA NOTE: Government Code 12945.6, which limited the amount of leave related to the birth or placement of a child to a combined total of 12 work weeks when both parents work for the district, was repealed by SB 1383, thereby allowing both parents to take up to 12 work weeks of leave for this purpose.~~ **CSBA NOTE:** Although 29 USC 2612 allows the district to limit the aggregate number of work weeks of leave to which two parents may be entitled when both parents work for the district, such leave is covered under both FMLA and CFRA and state law prevails since it provides greater rights to employees.

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

### Use/Substitution of Paid Leave

**CSBA NOTE:** The district may require employees (Option 1) or employees may elect (Option 2) to use paid leave during an otherwise unpaid portion of CFRA or FMLA leave or PDL. Pursuant to 2 CCR 11044 and 11092, the district may only require an employee to use sick leave if the leave is for the employee's own serious health condition or for PDL, unless mutually agreed to by the district and the employee.

**OPTION 1:** During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

**OPTION 2:** During any otherwise unpaid period of PDL or any FMLA or CFRA leave, the employee may elect to use accrued vacation leave, or any other paid time off negotiated with the district that the employee is eligible to use. If the leave is for the employee's own serious health condition or PDL, the employee may also elect to use accrued sick leave during the period of leave. (Government Code 12945, 12945.2; 2 CCR 11044; 11092; 29 USC 2612)

**CSBA NOTE:** The following paragraph is for use with either option above.

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

### Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

**CSBA NOTE:** Pursuant to 2 CCR 11090, the minimum duration of CFRA parental leave for the birth, adoption, or foster care placement of a child is generally two weeks. However, the Page 223 of 377

request for CFRA leave of less than two weeks duration on any two occasions and may grant additional requests.

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.

CSBA NOTE: Pursuant to 2 CCR 11041, the district must accommodate the transfer request of a pregnant employee to the same extent that it accommodates transfer requests for other temporarily disabled employees.

2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.
3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

### **Request for Leave**

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, an employee is required to notify the district of the need to take PDL or family care and medical leave. The employee must provide at least verbal notice sufficient to make the district aware that the employee needs qualifying leave, and the anticipated timing and duration of the leave. However, the employee does not need to assert rights under CFRA or FMLA or even mention CFRA or FMLA to meet the notice requirement, but must state the reason the leave is needed. If there is a question about whether leave is FMLA/CFRA qualifying or if the district is considering denying CFRA leave based on an employee's refusal to provide further information, legal counsel should be consulted.

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)



CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11091 require the district to provide an employee with notice of the designation of leave as either qualifying for CFRA or FMLA protection. See section entitled "Notifications" below for further requirements of this "designation notice" as well as other required notifications.

Pursuant to 2 CCR 11091, an employee has the obligation to respond to questions designed to determine whether an absence is potentially CFRA qualifying. If the district is unable to determine whether requested leave is CFRA qualifying because of an employee's refusal to respond to its inquiries, the employee may be denied CFRA protection.

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

CSBA NOTE: Pursuant to 2 CCR 11091, the district may require an employee to provide at least 30 days advance notice of the need for family care and medical leave, if the need is foreseeable. If the district requires such advance notice from employees, then the district's notification of FMLA/CFRA rights must so specify; see section below entitled "Notifications."

Pursuant to 2 CCR 11050, an employee requesting PDL is required to provide the district at least 30 days advance notice if the need for PDL is foreseeable.

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

### **Certification of Health Condition**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for family care and medical leave for an employee's own serious health condition or to care for the employee's eligible family member with a serious health condition. In order to help avoid claims of discrimination, the district should generally treat all such employees uniformly; thus, districts using this section should request a medical certification from all such employees.

Districts requiring written medical certification from employees may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11097.

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition

CSBA NOTE: Item #3 below addresses an eligible employee's request for leave to care for an eligible family member. In such a case, 2 CCR 11087 provides that the health care provider's certification need not identify the serious health condition involved. The U.S. Department of Labor (DOL) provides a form, "Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act," that districts may use for this purpose to avoid unauthorized disclosure of the serious health condition.

3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:
  - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
  - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

CSBA NOTE: Government Code 12940 and other provisions of the California Genetic Information Nondiscrimination Act of 2011 prohibit an employer from making a non-job related inquiry into an employee's genetic information. A district which believes that an employee's leave may require obtaining this information should consult with legal counsel.

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third

health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

### **Certification for PDL**

CSBA NOTE: The following optional section is for use by districts that require an employee to submit a medical certification of the need for leave along with the request for PDL. Districts requiring written medical certification from employees who request reasonable accommodation, transfer, or disability leave because of pregnancy may develop their own form, utilize one provided by the employee's health care provider, or use the form provided in 2 CCR 11050.

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

### **Release to Return to Work**

CSBA NOTE: The following optional section is for use by districts that choose to require a return-to-work certification and may be modified to list the specific positions for which certification is required. Pursuant to 2 CCR 11091, the district may require an employee to submit a return-to-work certification from the employee's health provider, stating that the employee is able to return to work. However, this requirement may only be made if the district has a uniformly applied practice of requiring such releases when employees return to work after illness, injury, or disability, any fitness-for-duty examination is job related and consistent with business necessity, and the practice is not forbidden by its collective bargaining agreement. 2 CCR 11050 has similar requirements when an employee is returning to work after PDL.

Pursuant to 29 CFR 825.312, when the health care provider certifies that the employee is able to resume work, the district may also require the health care provider to address the employee's ability to perform the essential functions of the job. If such a requirement is imposed, then the district must provide the employee with a list of the employee's essential job functions with the "designation notice"; see section entitled "Notifications" below.

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the

employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

### **Rights to Reinstatement**

CSBA NOTE: Pursuant to Government Code 12945.2, 2 CCR 11043 and 11089, and 29 USC 2614, an employee on PDL or family care and medical leave has the right to be reinstated to the same or a comparable position upon return from such leave. However, such an employee has no greater right to reinstatement or other benefits than the employee would have if employment had been continuous. As amended by SB 1383, Government Code 12945.2 eliminates the district's authority to deny reinstatement of a "key employee" in certain situations.

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

### **Maintenance of Benefits/Failure to Return from Leave**

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

CSBA NOTE: Pursuant to 2 CCR 11044 and 11092, the time that the district maintains and pays for group health coverage during PDL shall not be used to meet its obligation to pay for 12 weeks of group health coverage during leave taken under CFRA, even where the district designates the PDL as FMLA or CFRA leave. The entitlements to employer-paid group health coverage during PDL and during CFRA are two separate and distinct entitlements.

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

### **Military Family Leave Resulting from Qualifying Exigencies**

CSBA NOTE: The following optional section reflects 29 USC 2611 and 2612 which authorize an eligible employee to take up to 12 work weeks of unpaid FMLA leave to attend to an "exigency" arising out of the fact that the employee's spouse, child, or parent is on active duty or on call to active duty status in the National Guard or Reserves, or is a member of the regular Armed Forces on deployment to a foreign country. Pursuant to Government Code 12945.2, ~~as amended by SB 1383~~, an employee may take unpaid leave under CFRA to attend to an exigency involving the employee's registered domestic partner.

Pursuant to 29 CFR 825.200, an employee is entitled to 12 work weeks of qualifying exigency leave during each 12-month period established by the district; see section entitled "Terms of Leave" above. According to DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee may take all 12 weeks of FMLA leave entitlement as a qualifying exigency leave or take a combination of the 12 weeks of leave for both qualifying exigency leave and other FMLA leave, such as leave for a serious health condition.

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

*Covered active duty* means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country ~~or and~~, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

CSBA NOTE: Pursuant to 29 CFR 825.126, a "qualifying exigency" may include "other events" agreed to by the district and the employee. As an example of such other event, DOL's "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," and the California Department of Human Resources' "Questions and Answers - Military Family Leave - FMLA," list leave to spend time with the military member either prior to or post deployment or to attend to household emergencies that would normally have been handled by the military member.

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings

8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

CSBA NOTE: The district may require the employee to provide certification of the qualifying exigency containing the information specified in 29 CFR 825.309. A form has been developed by DOL for this purpose and is available on its web site.

The following paragraph is optional and should be deleted by those districts that do not require such documentation. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request certification from all employees requesting such leave.

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to use paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in the section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regards to FMLA/CFRA leave is also applicable to qualified exigency leave.

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

### **Military Caregiver Leave**

CSBA NOTE: 29 USC 2612 and 29 CFR 825.127 authorize an eligible employee to take up to 26 work weeks of unpaid military caregiver leave, as defined below, during a single 12-month period. According to DOL's ["Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers,"](#) if an employee does not use the entire 26-week entitlement in a single 12-month period, unused weeks cannot be carried over into another 12-month period. However, the employee may qualify for nonmilitary FMLA leave.

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is ~~not in addition to, but rather is inclusive of,~~ the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

CSBA NOTE: Unlike the provisions for other FMLA/CFRA leave, 29 CFR 825.127 places no age limit on the definition of "child," as detailed below. In addition, 29 CFR 825.127 defines "next of kin" of a covered servicemember in relation to military caregiver leave.

*Child of a covered servicemember* means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

*Parent of a covered servicemember* means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

*Next of kin* means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

*Outpatient status* means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

CSBA NOTE: 29 USC 2611 defines "serious injury or illness" for active members of the Armed Forces and for veterans, as provided below. Pursuant to 29 CFR 825.127, ~~one of the four conditions listed in item #2 below must be present for a veteran's injury or illness to~~will qualify as a "serious injury or illness" for the purpose of this leave, only if one of the four conditions listed in Item #2 below is present.

*Serious injury or illness* means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
  - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
  - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition

- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

CSBA NOTE: As is the case for other types of FMLA/CFRA leave, 29 CFR 825.302 requires the employee, when the need for the leave is foreseeable, to provide 30 days advance notice to the district before the leave is to begin.

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

CSBA NOTE: 29 CFR 825.310 authorizes the district to require employees to provide certification of the need for the leave, which is to be completed by an authorized health care provider of the covered servicemember.

The following paragraph is optional. In order to help avoid claims of discrimination, the district should generally treat all employees uniformly; thus, districts using this paragraph should request a medical certification from all employees requesting such leave.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

CSBA NOTE: Pursuant to 29 CFR 825.127, an employee may take up to a total of 26 work weeks of leave for both regular FMLA and military caregiver leave during the 12-month leave entitlement period. However, the employee may not take more than 12 weeks for regular FMLA leave. For example, according to DOL's, "Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers," an employee could take 12 weeks of FMLA leave to care for a newborn child and 14 weeks of military caregiver leave, but could not take 16 weeks to care for a newborn and 10 weeks of military caregiver leave. If the leave qualifies as both military caregiver leave and leave to care for a family member with a serious health condition, 29 CFR 825.127 specifies that the district must first designate the leave as military caregiver leave.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

CSBA NOTE: Pursuant to 29 USC 2612 and 29 CFR 825.207, the district has the option to require or give employees discretion to substitute paid leave when taking FMLA/CFRA leave; see Options 1 and 2 in section entitled "Use/Substitution of Paid Leave" above. Whichever option is selected by the district with regard to FMLA/CFRA leave is also applicable to military caregiver leave.

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

## Notifications



CSBA NOTE: Both 29 CFR 825.300 and 2 CCR 11095 require employers to provide general notification to employees of their rights under the FMLA/CFRA as well as specific notifications when an employee has requested leave, as detailed below. 2 CCR 11049 contains similar notice requirements for PDL purposes. Samples of notices which describe an employee's rights are available on the web sites of the California Department of Fair Employment and Housing and the DOL.

Pursuant to 2 CCR 11095, the district must translate the notice into every language that is spoken by at least 10 percent of the district's employees at any facility.

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the ~~FEHA~~ Fair Employment and Housing Act/PDL and FMLA/CFRA and ~~employee~~ employees' rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

CSBA NOTE: Pursuant to 2 CCR 11050 and 11091, a district may require an employee, when the need for the leave is foreseeable, to provide at least 30 days advance notice before the leave is to begin; see the section entitled "Request for Leave" above. 2 CCR 11049 and 11091 specify that districts requiring such notice from employees must give them "reasonable advance notice" of their obligation and that incorporation of the requirement into the general notice satisfies the "advance notice" requirement.

The following optional paragraph is for use by districts that require employees to provide advance notice.

2. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)
3. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
4. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)
  - a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

CSBA NOTE: Item ~~#3b~~ 4b below is for use by districts that require medical certification to the effect that the employee is able to resume work. See the section entitled "Release to Return to Work" above.

- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid

leave if the employee does not meet the conditions for paid leave

- d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

- 5. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, ~~he/she~~ the Superintendent or designee shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

CSBA NOTE: 29 CFR 825.300 requires the designation notice to specify whether the district requires paid leave to be used during an otherwise unpaid family care and medical leave, whether the district requires an employee to present release to return to work certification, and whether that certification must address the employee's ability to perform the essential functions of the job. See the sections entitled "Use/Substitution of Paid Leave" and "Release to Return to Work" above. The following paragraph should be revised to reflect district practice.

- 6. If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

## Records

CSBA NOTE: Government Code 12946, 29 USC 2616, and 29 CFR 825.500 require districts to maintain records of, among other things, applications, dates, and personnel and employment action related to family care and medical leave. Pursuant to 42 USC 2000ff-1, any individually identifiable genetic information possessed by the district must be treated as a confidential medical record of the employee involved.

The Superintendent or designee shall maintain records pertaining to an individual employee's use of ~~family care and medical~~ FMLA or CFRA leave or PDL in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
2 CCR 11035-11051	Unlawful sex discrimination: pregnancy, childbirth and related medical conditions
2 CCR 11087- <del>11097</del> <a href="#">11098</a>	California Family Rights Act
Ed. Code 44965	Granting of leaves of absence for pregnancy and childbirth
Fam. Code 297-297.5	Rights, protections, benefits under the law; registered domestic partners
Fam. Code 300	Definition of marriage
Gov. Code 12926	Definitions
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12945	Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
Gov. Code 12945.1-12945.2	California Family Rights Act
<a href="#">Gov. Code 12945.6</a>	<a href="#">Parental leave</a>
Gov. Code 12946	Fair employment and Housing Act: discrimination prohibited
<del>Unemployment Insurance Code 3300-3308</del>	<del>Paid family leave</del>
<b>Federal</b>	<b>Description</b>
1 USC 7	Definition of marriage, <a href="#">and</a> spouse
29 CFR 825.100-825.702	Family and Medical Leave Act of 1993
29 USC 2601-2654	Family Care and Medical Leave Act
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
<b>Management Resources</b>	<b>Description</b>
<del>CA Dept of HR Publication</del>	<del>Questions and Answers – Military Family Leave – FMLA</del>
Court Decision	Faust v. California Portland Cement Company; (2007) 150 Cal.App.4th 864
Court Decision	Tellis v. Alaska Airlines; (9th Cir., 2005) 414 F.3d 1045
Court Decision	United States v. Windsor; (2013) 699 F.3d 169
U.S. Department of Labor Publication	<a href="#">Military Family Leave Provisions of the FMLA</a> Frequently Asked Questions <a href="#">and Answers</a>
<del>U.S. Department of Labor Publications</del>	<del>Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act, Form WH-380-F</del>
Website	California Department of Human Resources

Website

U.S. Department of Labor, FMLA

Website

California Department of Fair Employment and Housing

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0470	COVID-19 Mitigation Plan
2121	Superintendent's Contract
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4033	Lactation Accommodation
4112.2	Certification
4112.2	Certification
4112.4	Health Examinations
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.9	Employee Notifications
4112.9-E-(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4117.3	Personnel Reduction
4141	Collective Bargaining Agreement
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161	Leaves
4161	Leaves
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4161.9	Catastrophic Leave Program
<del>4161.9</del>	<del>Catastrophic Leave Program</del>
4212.4	Health Examinations
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.9	Employee Notifications
4212.9-E-(1)	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment

4217.3	Layoff/Rehire
4241	Collective Bargaining Agreement
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4259	Employee Assistance Programs
4261	Leaves
4261	Leaves
4261.1	Personal Illness/Injury Leave
4261.2	Personal Leaves
4261.9	Catastrophic Leave Program
4261.9	Catastrophic Leave Program
4312.4	Health Examinations
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.9	Employee Notifications
4312.9-E-(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4359	Employee Assistance Programs
4361	Leaves
4361	Leaves
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
4361.9	Catastrophic Leave Program
4361.9	Catastrophic Leave Program

**Regulation 6173.1: Education For Foster Youth**

**Status:** ADOPTED

**Original Adopted Date:** 12/01/2013 | **Last Revised Date:** ~~10/06/01/2017~~-2022 | **Last Reviewed Date:** ~~10/06/01/2017~~2022

**Definitions**

CSBA NOTE: Pursuant to Education Code 48853.5, as amended by AB 1055 (Ch. 287, Statutes of 2021), "foster youth" has the same meaning as the term is defined in Education Code 42238.01, as amended by AB 167 (Ch. 252, Statutes of 2021). See Items #4 and 5 below.

*Foster youth, foster child, or student in foster care* means ~~any~~ any of the following: (Education Code 42238.01, 48853.5)

1. A child who ~~has been removed from his/her home~~ is the subject of a petition filed pursuant to Welfare and Institutions Code ~~309,300~~, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361.
2. A child who is the subject of a petition filed under ~~Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under~~ pursuant to Welfare and Institutions Code ~~300 or 602~~ or is a 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d).
3. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01. (~~Education Code 42238.01, 48853.5~~)
4. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
5. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400

CSBA NOTE: In instances where the rights of the parent/guardian have been limited, the court may appoint an educational representative on a temporary or long-term basis to make educational decisions for the student.

*Person holding the right to make educational decisions* means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

*School of origin* means the school that the foster youth attended when permanently housed or the school in which ~~he/she~~ the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which ~~he/she~~ the foster youth was last enrolled, or if there is another school that the foster youth attended within the preceding 15 months and with which the foster youth is connected, the district liaison for foster youth shall determine, in the best interests of the foster youth, which school ~~is~~ shall be deemed the school of origin. This determination shall be made in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, ~~and shall be based on the best interests of the foster youth.~~ (Education Code 48853.5)

CSBA NOTE: Education Code 48850 expresses the legislative intent that the "best interests" of a foster youth include educational stability as well as placement in the least restrictive educational program, as provided below.

In addition, pursuant to 20 USC 6311, determination of a student's "best interest" requires consideration of all factors relating to the student's best interest, including the appropriateness of the current educational setting and the proximity to the school in which the student is enrolled at the time of placement.

*Best interest* interests of a foster youth means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 20 USC 6311)

### District Liaison

CSBA NOTE: Pursuant to Education Code 48853.5, districts are required to designate a staff person as the educational liaison for foster youth. ~~This~~ The person may be the same individual designated as the liaison for homeless students as required by 42 USC 11432; see AR 6173 - Education for Homeless Children. In addition, Education Code 48853.5 requires that, for districts operating a foster youth services program, the liaison be affiliated with that program. The duties of the liaison are as specified below.

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code 48853.5)

\_\_\_\_\_

(position or title)

\_\_\_\_\_

(address)

\_\_\_\_\_

(phone number)

\_\_\_\_\_

(email)

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5)

CSBA NOTE: Education Code 48645.5 requires districts to accept for credit full or partial coursework completed in a public school or nonpublic nonsectarian school or agency in addition to a juvenile court school; see the section below entitled "Transfer of Coursework and Credits."

- ~~1.~~ 2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

- ~~2.~~ 3. When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

CSBA NOTE: Pursuant to Education Code 48853.5, 48911, 48915.5, and 48918.1, the district liaison is required to invite or notify a foster youth's attorney and the appropriate official of the county child welfare agency in certain circumstances when expulsion-related proceedings are pending against the foster youth. For specific situations requiring such invitation or notice, see AR 5144.1 - Suspension and Expulsion/Due Process.

- ~~2.4.~~ When required by law, notify the ~~Notify a~~ foster youth's attorney and the representative of the appropriate county child welfare agency, when ~~the~~ required by law for a foster youth who is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination for a foster youth who is a student with a disability, prior to a change in the foster youth's placement ~~when he/she is a student with a disability~~. (Education Code 48853.5, 48911, 48915.5, 48918.1)

CSBA NOTE: Items #4-8 below are optional and should be modified to reflect district practice.

- ~~3.5.~~ As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
- ~~4.6.~~ As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services
- ~~5.7.~~ Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth

CSBA NOTE: Optional item #7 establishes the responsibility of the district liaison to collaborate with other local agencies to coordinate services for foster youth.

Education Code 42920.5-42921 establish the Foster Youth Services Coordinating Program and provide funding for a county office of education or consortium of county offices of education to coordinate educational support for foster youth among the districts within their jurisdiction. As part of the program, such county offices must develop and implement a coordinating plan for purposes of establishing guiding principles and protocols to provide supports for foster care students. To the extent possible, such a plan must include, but is not limited to, a description of how the program will establish ongoing collaboration among local educational agencies, county child welfare agencies, and county probation departments to determine the proper educational placement of foster youth. In addition, pursuant to Education Code 42921, if a district annually certifies in writing that it is unable, using any other state, federal, local, or private funds, to provide tutoring, mentoring, and counseling for foster youth, it may enter into a temporary agreement with the foster youth services coordinating program to provide those services, if the program has established such services.

- ~~6.8.~~ Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate instruction, counseling, tutoring, mentoring vocational training, and other related services for the district's foster youth

CSBA NOTE: The following optional item facilitates the annual update of the local control and accountability plan required pursuant to Education Code 52060; see BP/AR 0460 - Local Control and Accountability Plan.

- ~~7.9.~~ Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan



**CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice.**

The Superintendent or designee shall regularly monitor the liaison's caseload ~~of the liaison~~, as well as his/her additional duties outside of the foster youth program, to ~~determine whether~~ ensure that adequate time and resources are available provided to meet the needs of foster youth in the district.

## Enrollment

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

**CSBA NOTE: Pursuant to Education Code 48853, a district is required to educate foster youth in the least restrictive environment necessary for their educational achievement. However, a district may be discharged from this obligation when the parent/guardian or other person holding the right to make educational decisions for the foster youth unilaterally decides to place the foster youth in another educational program and provides the district a written statement as specified in item #2 below.**

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best ~~interest~~ interests of the student to be placed in another education program and submits a written statement to the district indicating that determination and ~~that he/she is aware~~ an awareness of the following:
  - a. The student has a right to attend a regular public school in the least restrictive environment.
  - b. The alternate education program is a special education program, if applicable.
  - c. The decision to unilaterally remove the student from the district school and to place ~~him/her~~ the student in an alternate education program may not be financed by the district.
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

**CSBA NOTE: Pursuant to Education Code 48853.5, the education of a foster youth may continue ~~his/her education~~ in the school of origin under the circumstances stated below. Elementary and high school districts should delete any item (#3b or c) that is not applicable to the grade levels served by the district.**

3. At the initial placement or any subsequent change in placement, the student exercises his/her the right to continue in his/her the school of origin, as defined above. In any such circumstance, the following shall apply:
  - a. The student may continue in the school of origin for the duration of the court's jurisdiction.
  - b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her the school of origin for the remainder of the school year.

- c. -If the court's jurisdiction is terminated while the student is in high school, the student may continue in ~~his/her~~the school of origin until he/she graduates through graduation.
- d. If the student is transitioning between school grade levels, ~~he/she~~the student shall be allowed to continue in the district of origin in the same attendance area to provide ~~him/her~~the student the benefit of matriculating with ~~his/her~~the student's peers in accordance with the established feeder patterns of school districts in the district. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

**The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)**

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the foster youth, recommend that the foster youth's right to attend the school of origin be waived and ~~he/she~~the foster youth be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from ~~his/her~~the school of origin, the liaison shall provide the foster youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests. (Education Code 48853.5) (~~Education Code 48853.5~~)

CSBA NOTE: Pursuant to Education Code 48853.5, a district is required to immediately enroll any foster youth transferring into the district even when the foster youth has outstanding fees or fines due to the last school attended or the district has not received the foster youth's academic and medical records, as listed in ~~items~~Items #1-3 below. However, pursuant to Health and Safety Code 120341, if a district does not receive a foster youth's immunization records prior to ~~enrolling him/her~~enrollment, the district must take steps, after the foster youth is enrolled, to obtain ~~his/her~~the immunization records or ensure that ~~he/she~~the foster youth is properly immunized. See BP/AR 5141.31 - Immunizations.

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the foster youth would be served by ~~his/her~~a transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. ~~The, regardless of whether the~~ foster youth ~~shall be immediately enrolled even if he/she~~: (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

CSBA NOTE: Education Code 48853 and 48853.5 specify that, if a dispute arises regarding school placement, then the district shall use an existing dispute resolution process available to any district student. The following paragraph should be modified to reflect district practice.

If the foster youth or a person holding the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, ~~he/she may~~an appeal to may be filed with the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the ~~parent/guardian or~~foster youth or the person holding the right to make educational decisions for the foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The

Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

## Transportation

CSBA NOTE: Pursuant to Education Code 48853.5, a district may, but is not required to, provide transportation to enable a foster youth to attend a school or school district of origin, except when it is otherwise required by federal law or pursuant to the individualized education program of a student with a disability. In accordance with 20 USC 6312, ~~as amended by the Every Student Succeeds Act (P.L. 114-95)~~, districts are mandated to collaborate with the local child welfare agency to develop clear written procedures governing how transportation will be provided, arranged, and funded to enable foster youth to attend their school of origin, when it is in their best interest to do so. The local child welfare agency may reimburse the district for any additional costs of such transportation, or the district may agree to pay for or share the costs with the child welfare agency. The following section may be revised to reflect the procedures established in collaboration with the child welfare agency, or such procedures may be incorporated into a memorandum of understanding or other document.

The Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable a foster youth to remain in ~~their~~the school of origin, for the duration of ~~their~~the time spent in foster care, when it is in ~~their~~the foster youth's best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both. (20 USC 6312)

## Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the ~~student's~~ grades shall be calculated as of the date ~~he/she~~the student left school
2. A verified court appearance or related court-ordered activity

## Transfer of Coursework and Credits

CSBA NOTE: The following section is for use by districts maintaining high schools. Education Code 51225.2 addresses the transferability of coursework and credits completed by foster youth, as provided below.

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

If the ~~foster youth did not complete the entire course, he/she~~ was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course ~~that he/she did not complete at his/her previous school.~~

However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, ~~he/she~~the foster youth shall be enrolled

in the same or equivalent course, if applicable, so that he/she may continue and complete to enable the completion of the entire course. (Education Code 51225.2)

CSBA NOTE: Although Education Code 51225.2 requires districts to award partial credits to foster youth who transfer from school to school, there is no uniform system for calculating and awarding partial credits. To ensure consistency in the treatment of foster youth, the California Child Welfare Council (CCWC), in its "Partial Credit Model Policy and Practice Recommendations," available on its web site, recommends the approach specified in the following optional paragraph, which may be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

### **Applicability of Graduation Requirements**

CSBA NOTE: The following section is for use by districts maintaining high schools. Also see BP 6146.1 - High School Graduation Requirements.

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Board.

However, when a foster youth who has completed his/her the second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she the foster youth shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her the fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her the foster youth, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code 51225.1)

To determine whether a foster youth is in his/her the third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her the foster youth for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for him/her the foster youth how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and no shall not grant any request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth for a transfer solely to qualify the foster youth for an exemption. (Education Code 51225.1)

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while ~~he/she is~~ still enrolled in school or if ~~he/she~~ the foster youth transfers to another school or school district. (Education Code 51225.1)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within ~~his/her~~ the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for ~~him/her~~ of the foster youth's youth of the option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect ~~his/her~~ the foster youth's ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if ~~he/she is~~ under 18 years of age, the person holding the right to make educational decisions for ~~him/her~~ the foster youth, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

### Eligibility for Extracurricular Activities

CSBA NOTE: Education Code 48850 provides that, when a foster youth's residence changes pursuant to a court order or decision of a child welfare worker, the student shall be immediately deemed to meet all residency requirements for participation in extracurricular activities and interscholastic sports. For additional information about eligibility requirements, see BP 6145 - Extracurricular and Cocurricular Activities.

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

### Notification and Complaints

CSBA NOTE: Education Code 48853, 49069.5, 51225.1, and 51225.2 require that the district's annual uniform complaint procedures notification include specified information regarding the educational rights of foster youth. See AR 1312.3 - Uniform Complaint Procedures for further information regarding this notification. Education Code 48853.5 requires the California Department of Education (CDE), in consultation with the California Foster Youth Education Task Force, to develop a standardized notice of the educational rights of foster youth and to post that notice on its web site.

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

CSBA NOTE: Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2 provide that complaints of noncompliance with specified requirements related to the education of foster youth may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to ~~the~~ CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint alleging that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

**Policy Reference UPDATE Service**

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 32228-32228.5	Student safety and violence prevention
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 42920-42925	Foster children educational services
Ed. Code 48645-48646	Juvenile court schools
Ed. Code 48850-48859	Education of students in foster care and students who are homeless
Ed. Code 48915.5	Recommended expulsion; homeless student with disabilities
Ed. Code 48918.1	Notice of recommended expulsion
Ed. Code 49061	Student records; definitions
Ed. Code 49069.5	Students in foster care; grades and credits
Ed. Code 49076	Access to student records
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Course credits
Ed. Code 51225.3	High school graduation
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 56055	Rights of foster parents pertaining to foster child's education
H&S Code 120341	Foster youth; school placement; <u>and</u> immunization records
H&S Code 1522.41	Training and certification of group home administrators
H&S Code 1529.2	Training of licensed foster parents
W&I Code 16000-16014	Foster care placement
W&I Code 300	Minors subject to jurisdiction
W&I Code 309	Investigation and release of child
W&I Code 317	Appointment of legal counsel

W&I Code 361	Limitations on parental control
W&I Code 366.27	Educational decision by relative providing living arrangements
W&I Code 602	Minors violating law; ward of court
W&I Code 726	Limitations on parental control
W&I Code 727	Order of care; ward of court

### Federal

20 USC 1415	Procedural safeguards
20 USC 6311	State plan
29 USC 794	Rehabilitation Act of 1973; Section 504
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 670-679b	Federal assistance for foster care programs

### Management Resources

	Description
Alliance for Children's Rights Publication	Foster Youth Education Toolkit, December 2016
California Child Welfare Council <a href="#">Publication</a>	Partial Credit Model Policy and Practice Recommendations
Cities, Counties and Schools Partnership <a href="#">Pub. Publication</a>	Our Children: Emancipating Foster Youth, A Community Action Guide
CSBA Publication	Our Foster Youth: What School Boards Can Do, May 2016
CSBA Publication	Foster Youth: Supports for Success, Governance Brief, May 2016
U.S. Department of Education Publication	Ensuring Educational Stability for Children in Foster Care, Non-Regulatory Guidance, June 2016
Website	Alliance for Children's Rights
Website	Foster Ed
Website	National Center for Youth Law
Website	California Department of Education, Foster Youth Services
Website	California Department of Social Services, Foster Youth Ombudsman Office
Website	California Foster Youth Education Task Force
Website	California Youth Connection
Website	Cities, Counties and Schools Partnership
Website	CSBA
Website	California Child Welfare Council

### Cross References

Code	Description
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities

0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0470	COVID-19 Mitigation Plan
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures
1312.3-E PDF(2)	Uniform Complaint Procedures
1400	Relations Between Other Governmental Agencies And The Schools
3100	Budget
3100	Budget
3260	Fees And Charges
3260	Fees And Charges
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3540	Transportation
3541	Transportation Routes And Services
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4131	Staff Development
4231	Staff Development
4331	Staff Development
5111	Admission
5111	Admission
5111.1	District Residency
5111.1	District Residency
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment



5117	Interdistrict Attendance
5117	Interdistrict Attendance
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5132	Dress And Grooming
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parental Notifications
5145.6-E PDF(1)	Parental Notifications
5145.9	Hate-Motivated Behavior

5147	Dropout Prevention
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
<del>6120</del>	<del>Response To Instruction And Intervention</del>
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6146.1	High School Graduation Requirements
6146.1	High School Graduation Requirements
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6159	Individualized Education Program
6159	Individualized Education Program
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.4	Behavioral Interventions For Special Education Students
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
<del>6164.5</del>	<del>Student Success Teams</del>

<del>6164.5</del>	<u>Student Success Teams</u>
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E PDF(1)	Education For Homeless Children
6173-E PDF(2)	Education For Homeless Children
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs
6179	Supplemental Instruction
6190	Evaluation Of The Instructional Program
9320	Meetings And Notices

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13a</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve 2021-22 HUSD Program Self-Evaluation State Preschool.	
<b>Background:</b> Each year, program self-evaluation is completed by program staff and reviewed by board members. The teachers helped complete evaluations and create goals. The evaluation is submitted to Early Learning and Care Division of California Department of Education each year by June 1 <sup>st</sup> .	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> None.	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Recommend the board approve 2021-22 HUSD Program Self-Evaluation State Preschool.	

## -Program Self-Evaluation

Fiscal Year 2021–22

1. **Contractor Legal Name** (Full Spelling of Legal Name only. Acronyms or site names not accepted): **Hamilton Unified School District**

2. **Four-Digit Vendor Number:** 7656

3. **Program Director Name** (As listed in the Child Development Management Information System [CDMIS]): Margrit Vogelesang

4. **Program Director Phone Number:** 530-826-0341

5. **Program Director Email Address:** mvogelesang@husdschools.org

6. **Statement of Completion:**

I certify that an annual plan has been developed and implemented for the Program Self-Evaluation (PSE) that includes the use of the Program Instrument (PI), age appropriate Environment Rating Scales, Desired Results Parent Survey, and the Desired Results Development Profile for the California State Preschool Program (CSPP) contract, per *California Code of Regulations*, Title 5 (5 CCR), Section 18279.

I also certify that all documents required as part of the PSE have been completed and are available for review and/or for submittal upon request.

- The Early Education 21–22 Program Instrument (DOCX), which can be found at <https://www.cde.ca.gov/sp/cd/ci/documents/eed2122.docx>, includes Items 1 through 20 as applicable to your contract type(s).

7. **Signature of Program Director** (As listed in the CDMIS):



8. **Date of Signature:** May 23, 2022

9. **Name and Title of contact person completing the PSE:** Margrit Vogelesang;  
Director

10. **Contact Person Telephone number:** 530-826-0341

**11. Contact Person Email Address:** Mvogelesang@husdshcools.org

**12. Email the signed PSE, all four (4) pages, including additional sheets, together to the PSE email inbox at PSEFY2122@cde.ca.gov using the Fiscal Year (FY) and the contractor's legal name in the subject line (e.g., PSE 21-22 XYZ School District).**

**Note:** All supporting documents required as part of the PSE (see Statement of Completion) are to be kept on site and shall not be included with the submission of the PSE.

## Summary of Program Self-Evaluation

Fiscal Year 2021–22

**13. In accordance with the 5 CCR, Section 18279(b)(3), provide an assessment, in narrative format, summarizing the:**

**a. Staff and**

**b. Board member participation, in the PSE process.**

**Responses are not limited to space provided. Attach additional (Word document) sheets as necessary.**

- 1. Parent Survey:** During the April spring conference's with teachers and parents, parents completed the survey. Seventeen surveys were collected. The results were tallied and shared with teachers and parents on parent board and Bloomz app. The director created actions steps which will involve the help of the office secretary and computer technician.
- 2. DRDP's Assessment:** Teachers completed fall assessments in October 2021, and the results were imputed onto webpage DRDPonline.org. by the office secretary. The scores were reviewed and the action plan was created by staff and director. The DRDP was used again in April 2022 for spring assesemtns.
- 3. Environmental Rating Scale:** The rating scale was divided among the teachers and director to complete. The scores were shared during staff meetings, and suggestions were made for improvements on key findings. An action plan was created. Goals will be extended to 2022-23 school year.
- 4. Early Education 2021-2022 Program Instrument:** The director completed with met standard, or does not met standard on the program instrument. She created action steps with trainings and additional materials and shared it with the staff. Materials were purchased and approved by the board.
- 5. Completion on Summary of findings:** The director completed the report and the board of directors reviewed and approved at the June board meeting.

**14. In accordance with the 5 CCR, sections 18279(b)(4) and 18279(b)(5), provide a summary of the findings for areas that:**

- a. Did not meet standards, and**
- b. A list of tasks needed to modify the program to address all items in need of improvement**

**Responses are not limited to space provided. Attach additional (Word document) sheets as necessary.**

**ELC02: Family Eligibility Requirements.** All enrolled families have a file. Each file has a check off sheet of requirements. It includes 9600, family size, notice of action, countable income, earning statements/CPS/ homeless /aid recipient, proof of residency, and birth certificates of all children under the age of 18.

Information of eligibility for services is written on a brochure that not all families see. It has been added to the initial application.

**ELC05: Compliance with Due Process.** Each family signs an initial on their notice of action when first enrolled. On orientation day, teachers review the handbook with compliance policies. Parents are also issued Notice of Action when policies are not being followed. There were no appeals for school year 2021-22.

Policy to inform parents of their appeal rights are located in a brochure and offered as parents sign the notice of action. The information will also be added to the handbook.

**ELC 07: Parent Involvement and education.** Parent/teacher conferences were in in October and April. Parents filled in activities they can do at home with their child. They were also given information on stages of writing, cutting, open ended questions, self-discipline, and developmentally appropriate activities to do with their child. Teachers made accommodations for parents to meet.

Open door policy is posted on the handbook and on the parent board.

Orientation was on Aug 9 and the director reviewed the handbook, Bloomz app, family projects, volunteer sign ups, safety procedures, and a tour of school with information on parent board. At this time, parents were able to sign up to volunteer with planning cultural activities, ingredients for food activity, or classroom deep cleaning among other things.

School outreach and communication with families was through the weekly updates on the Bloomz app, the white board at entrance, sign in folder with copies of announcements, and during drop off and pick up. Parents completed survey's during spring conference time in April. Results were shared on the parent board and announced to parents on the Bloomz app.



Program goals were not shared with families during the parent meeting. Goals were created in May. Goals will be shared and posted on the parent board for school year 2022-23.

**ELC15:** Staff development program. There were two in-service staff days for trainings. Aug 6 and Sept 20, with 13 staff meetings throughout the year. Topics included work safety, cultural diversity, and first aid. Job descriptions for teacher and aid are located on file. A job description for director will be sent to the board for approval.

A calendar of trainings was not created. Trainings will be marked during the first month of school 2022-23.

**ELC17:** Inventory records. The closing check list, includes checking inventory records. The finance manager has documentation of a spreadsheet used of new and old items, with serial number, cost, location, and current condition. The director signs her signature after physically checking items.

There are no written procedures for competitive procurement. The inventory check list was edited to include the procedures.

**15. In accordance with the 5 CCR, section 18279(b)(4) and 18279(b)(6), provide a summary of the findings for areas that:**

- a. Met standards, and**
- b. Describe the procedures for ongoing monitoring to ensure that those areas continue to meet standards.**

**Responses are not limited to space provided. Attach additional (Word document) sheets as necessary.**

**ELC 01: Family section.** A waiting list documents rank, name of child, name of parent, date of birth, and phone number. The list is located in a folder with all of the applications. Once the application is turned in, the child's information is documented on the waiting list.

**ELC 06: Recording and reporting attendance.** The school policy states the staff will complete daily attendance on the attendance sheet. The director will complete end of the month attendance calculations, and document reasons for absences in a master binder to track absences. If absences fall close to termination, the director gives the parent a notice of their absence record. The absences policy is written in the parent handbook describing what is excusable, inexcusable, emergency, and days of best interest. Parents sign in their child in and out every day on a monthly attendance sheet.

**ELC08: Health and social services.** A wellness / health check form is located under the attendance sheet clip board. Children are documented when concerns arrive. The form is coded with illness ailments, services offered, and follow up dates. Services are posted on the parent board and in a parent binder of information.

**ELC09: Site Licensure and License Exempt.** A current license authorized by licensing's agency is posted on the parent board, and on file at the preschool. The main office has the receipt on file. When licensing inspects the school and writes a report, it is posted on the parent board. There were no visits this year.

**ELC10: Staff-Child Ratios.** There are 24 enrolled preschool students and three staff members. The child ratio schedule CD3705 is located on file with the personal report.

**ELC11; Environmental Rating Scale.** The environment rating scale was completed by February by all teachers. Scores were shared during staff meetings. A summary report was created with goals and due dates by June 2, by all staff members.

**ELC12: Nutritional Needs:** The program offers children breakfast and lunch with the components of grains, vegetables, fruits, protein and dairy. The month's menu is posted on the parent board, given out monthly, and children write the daily menu on the menu board. Children's allergies are posted in the food supply cabinet, in child's file,

and documented on the enrollment check list. The meal time procedure is posted on the parent board and is reviewed with parents in the handbook.

**ELC13: Desired Results Profile and Data.** DPDP's were completed in October and April. The class findings were printed out on the planning report from DRDP online; Group Progress Report. A finding report was completed and used to create children's goals and shared with parents during the fall and spring. Parents helped pick goals and how they could help with progress. The director completed the DRDP summary of findings with action steps and expected completion dates. The lesson plan reflects the goals tallied on a DRDP graph of children's goals. Children's portfolio contains assessment records, work samples, pictures of students demonstrating DRDP goals.

**ELC14: Qualified staff and director.** Personal roster, certificates, and credentials are posted on parent board. The director holds a child development program director permit. The teacher has child development teacher permit, and the teacher aid has teacher permit.

**ELC16: Refrain from religious instruction.** Information is posed on parent board and handbook that the program refrains from religious instruction and worship.

**ELC18:** The program self-evaluation binder contains information of DRDP results and reports, parent survey, ECERS, and program instruments to create yearly goals. When assessments are first collected in October, goals are created, and the staff start to evaluate. During staff meetings results are shared. Last year's evaluations were reviewed during staff meetings.

**ELC19: Fiscal Reporting.** The finance office manager submits attendance and accounting reports.

**ELC20: Annual Fiscal Audit.** The finance office manager submits annual audits in a timely manner.

HAMILTON UNIFIED SCHOOL DISTRICT

<p><b>Agenda Item Number: 13b</b></p>	<p><b>Date: 6/27/2022</b></p>
<p><b>Agenda Item Description:</b>                  Approve Agricultural Career Technical Education Incentive Grant 2022-23 Application for Funding</p>	
<p><b>Background:</b>                  The Agricultural Career Technical Education Incentive Grant provides local educational agencies (LEAs) with funds to improve the quality of their agricultural career technical education programs. The goal is to maintain a high-quality, comprehensive agricultural career technical program in California's public school system to ensure a constant source of employable, trained, and skilled individuals.</p> <p>Grant amount is based on number of ag teachers, FFA activities checklist, in-service activities, class size, extended contract and project period, number of students on FFA Roster, and Quality Criterion 12.</p> <p>Grant is funded depending upon how many schools submit, and how many meet categories. Amount awarded is usually less than application amount.</p>	
<p><b>Status:</b>                  Pending board approval</p>	
<p><b>Fiscal Impact: Matching Grant</b>                  Match comes from Perkins, classroom budgets, FFA, Friends of Hamilton City FFA, and Floral Club – total Estimated Award is \$31,908.00</p>	
<p><b>Educational Impact:</b>                  Strengthens CTE Classes and FFA</p>	
<p><b>Recommendation:</b>                  Recommend Board approve Agricultural Career Technical Education Incentive Grant 2022-23 Application for Funding</p>	

# AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2022–23 APPLICATION FOR FUNDING

California Department of Education

(Due Date: To be received in Regional Supervisor's Office by June 30, 2022)

Hamilton High School

School Site

Hamilton Unified

District

Please include the following items with your application:

- Eligibility Determination Sheet
- Variance Request Form (if applicable)
- Quality Criterion 12 Form (if applicable)
- Award Estimator and Budget Sheet
- List of Agriculture Teachers

Certification: I hereby certify that all applicable state and federal rules and regulations will be observed; that to the best of my knowledge, the information contained in this application is correct and complete; and that the attached assurances are accepted as the basic conditions of the operations in this project/program for local participation and assistance.

Signature of Authorized Agent



Signature of Agriculture Teacher  
Responsible for the Program

Superintendent

Authorized Agent Title



Signature of Principal

Contact Phone Number: (530) 570-3778

Date of Local Agency Board Approval: 06/27/22

# AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2022–23 APPLICATION FOR FUNDING

California Department of Education  
(Due Date: To be received in Regional Supervisor's Office by June 30, 2022)

## Eligibility Determination Sheet

IN ORDER TO APPLY FOR FUNDING, YOU MUST MEET **ALL** THE QUALITY CRITERIA LISTED BELOW.

Please check each Quality Criteria you meet:

- 1. Curriculum and Instruction
- 2. Leadership and Citizenship Development
- 3. Practical Application of Occupational Skills
- 4. Qualified and Competent Personnel
- 5. Facilities, Equipment, and Materials
- 6. Community, Business, and Industry Involvement
- 7. Career Guidance
- 8. Program Promotion
- 9. Program Accountability and Planning

IF YOU CHECKED **ALL** THE REQUIRED QUALITY CRITERIA, PLEASE  
CONTINUE TO THE NEXT PAGE OF YOUR APPLICATION.

---

If you **do not** meet one or more of the criteria listed above, you may submit a Variance Request Form for each unmet criterion.

A variance is a proposed plan to bring your program into compliance with all the quality criteria listed above, prior to the following year's application.

All variances must be approved with this application in order to be eligible for funding. Non-compliance with the terms of the approved variance will result in a loss of funds.

Will you be including a formal Variance Request Form for each unmet criterion?

Yes     No

IF YOU ARE REQUESTING ONE OR MORE VARIANCES, PLEASE COMPLETE A  
**VARIANCE REQUEST FORM** FOR EACH AND CONTINUE TO THE NEXT PAGE OF  
YOUR APPLICATION.

---

IF YOU DO NOT MEET **ALL** REQUIRED QUALITY CRITERIA LISTED ABOVE,  
**AND** YOU ARE **NOT** SUBMITTING A VARIANCE REQUEST FORM

**STOP**

YOU ARE NOT ELIGIBLE TO APPLY FOR FUNDING THROUGH THE AGRICULTURAL  
CAREER TECHNICAL EDUCATION INCENTIVE GRANT.

# AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2022–23 APPLICATION FOR FUNDING

California Department of Education

(Due Date: To be received in Regional Supervisor's Office by June 30, 2022)

## AWARD ESTIMATOR

**DATES OF PROJECT DURATION: JULY 1, 2022 TO JUNE 30, 2023**

### Applicant Information (please fill in the underlined fields)

Number of different agriculture teachers at site (Please attach a separate list of agriculture teachers' names):	<u>3</u>
Total number of students from the prior fiscal year R-2 Report:	<u>176</u>
Number of teachers meeting Criterion 10 (Class size - See instructions):	<u>3</u>
Number of teachers meeting Criterion 11a (Year round employment - See instructions):	<u>3</u>
Number of teachers meeting Criterion 11b (Project supervision period - See instructions):	<u>3</u>
Do you meet all criteria on the attached Quality Criterion 12 Form (Y/N)?	<u>Y</u>

### Award Calculations

Part 1: Based on your number of agriculture teachers at the site: (Please attach a separate list of agriculture teachers' names):	<u>\$ 5,000.00</u>
Part 2: Based on \$8.00 per member listed on the R-2 Report:	<u>\$ 1,408.00</u>
Part 3a: Based on number of teachers meeting Criterion 10:	<u>\$ 6,000.00</u>
Part 3b: Based on number of teachers meeting Criterion 11a:	<u>\$ 6,000.00</u>
Part 3c: Based on number of teachers meeting Criterion 11b:	<u>\$ 6,000.00</u>
Part 4: Based on meeting all criteria on the Quality Criterion 12 Form:	<u>\$ 7,500.00</u>
<b>Total Estimated Award:</b>	<u>\$ 31,908.00</u>

# AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2022–23 APPLICATION FOR FUNDING

California Department of Education

(Due Date: To be received in Regional Supervisor's Office by June 30, 2022)

## Budget Sheet

Incentive grant awards must be matched for each Account Number below (4000, 5000, and 6000). Account Number 4000 requires only the subtotal be matched, but Account Numbers 5000 and 6000 must be matched by line item. A waiver of matching must be approved for any instances where matching funds do not meet or exceed Incentive Grant funds.

**Amount left to Allocate:**

\$ 0.00

### 4000: Books & Supplies

Items	Description of Items of Funds Being Used	Incentive Grant Funds	Matching Funds
1.	Books and Supplies	\$ 15,000.00	\$ 15,000.00
Subtotal	<b>N/A</b>	\$ 15,000.00	\$ 15,000.00

5000 Services and Operating Expenses, including services of consultants, staff travel, conferences, rentals, leases, repairs, and bus transportation

Items	Description of Items of Funds Being Used	Incentive Grant Funds	Matching Funds
1.	Fuel	\$ 3,000.00	\$ 3,000.00
2.	Travel / Fuel	\$ 8,000.00	\$ 8,000.00
3.	Conferences	\$ 3,908.00	\$ 3,908.00
4.	Repairs	\$ 500.00	\$ 500.00
5.			
6.			
7.			
8.			
9.			
10.			
Subtotal	<b>N/A</b>	\$ 15,408.00	\$ 15,408.00

6000 Capital Outlay, including sites, buildings, improvement of buildings, and equipment

Items	Description of Items of Funds Being Used	Incentive Grant Funds	Matching Funds
1.	Equipment	\$ 1,500.00	\$ 1,500.00
2.			
3.			
4.			
5.			
Subtotal	<b>N/A</b>	\$ 1,500.00	\$ 1,500.00

**Total Allocated Funds:**

\$ 31,908.00

\$ 31,908.00



# AGRICULTURAL CAREER TECHNICAL EDUCATION INCENTIVE GRANT 2022–23 APPLICATION FOR FUNDING

California Department of Education

(Due Date: To be received in Regional Supervisor's Office by June 30, 2022)

## QUALITY CRITERION 12 FORM

Agricultural programs meeting all of the required Quality Criteria (Criteria 1 – 9) may qualify for an additional \$7,500 by also meeting Criterion 12.

Please check each qualifying condition you meet below.

This form, along with the appropriate verification, must be submitted with the Agricultural Career Technical Education Incentive Grant Application by the application deadline.

Number of Students on Previous Year's R-2 Report: 176

### 12A: Leadership and Citizenship Development

22 Number of activities on the approved FFA Activity list in which the local chapter participated (Must participate in at least 80 percent of the activities)

### 12B: Practical Application of Occupational Skills

11 Number of students who received the State FFA Degree (Must be at least 5 percent of the R2 number)

### 12C: Qualified and Professional Activities

3 Number of teachers who attended a minimum of five professional in-service activities (Must attach approved In-service Activities Verification Page)

### 12D: Community, Business, and Industry Involvement

3 Number of meetings held by the local Agriculture Advisory Committee (Must be at least three, with minutes attached)

Name of Agriculture Advisory Committee Chair: Shannon Douglass

Phone Number of Agriculture Advisory Committee Chair: (530) 680-4545

### 12E: Retention

38 Number of students from the 2018-19 freshman cohort who completed 3 or 4 years of Agriculture Education courses. Must be at least 30% of the 2018-19 freshman cohort

### 12F: Graduate Follow-Up

19 Number of program completers graduating last year

19 Number of those who graduated who are employed in agriculture, in the military, or continuing their education (must be at least 75 percent of the program completers). Attach graduate follow-up report.

## ANNUAL FFA CHAPTER ACTIVITIES CHECK SHEET

Year 2022

School Hamilton High School

Must meet at least 12 areas

ACTIVITY	NUMBER OF PARTICIPANTS
----------	------------------------

**Attended the following:**

Greenhand Conference	18
Made For Excellence Conference	7
Advanced Leadership Academy	10
Chapter Officer Leadership Conference	7
Spring Region Meeting	15
State Leadership Conference	15
National Convention	17

**Submitted the following:**

State Degree Application	11
American Degree Application	2
Proficiency Award Application - Section	2
Chapter Award Application - State	
Scholarship Application - State	1

**Participated in the following:**

Opening and Closing Contest - Section	24
Best Informed Greenhand Contest - Section	6
Co-Op Marketing Quiz - Section	14
Creed Recitation - Section	1
Extemporaneous Speaking - Section	
Job Interview - Section	2
Impromptu Speaking - Section	2
Prepared Speaking - Section	
Parliamentary Procedure - Section	
County/District Fair/Show	95
Career Development Teams (other than those identified above)	
1 Fruit Tree Judging	3
2 Farm Power	4
3	
Other Activity Above the Chapter Level (Leadership Events/Additional CDE Teams)	
1 State Level Job Interview - 3rd Place	1
2 State Level Proficiency Interviews	2
3	
4	
5	

**TOTAL AREAS MET** 22

# INCENTIVE GRANT IN-SERVICE ACTIVITIES DOCUMENTATION

**CRITERIA 4.B**

**School Year**

**2022**

**School**

**Hamilton High School**

Based on the previous year's record, every agriculture teacher, teaching at least ½ time agriculture, attends a minimum of six of the following professional development activities:

Qualified and Competent Personnel

ACTIVITIES	TEACHERS NAMES							
	Lohse	Martin	Hautala					
Fall Region Meeting	X	X						
Region In-service Day (Road Show)	X	X						
Spring Region Meeting	X	X	X					
Section In-service	X	X	X					
Section In-service								
Section In-service								
Section In-service								
New Teacher Conference		X	X					
Master Teacher Conference								
Summer CATA Conference	X	X	X					
University AgEd Skills Week	X	X	X					
Professional Development **	X	X	X					

\*\* Can utilize a *maximum* of two other "*Agriculturally Related*" Professional Development activities than those listed above. These must be approved by the Regional Supervisor. Explain the Professional Development:

1 Healthy Soils Seminar - Lohse, Martin, Hautala

2 Spray Permit Continuing Education - Martin

3

4

5

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13c</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Adopt 2022-23 District Original Budget.	
<b>Background:</b> The 2022-23 Original Budget includes the 2022-23 Estimated Actuals Budget which estimates the ending fund balance as of June 30, 2022. The ending fund balance becomes the estimated beginning fund balance for the 2022-23 fiscal year. The 2022-23 Original Budget is presented for public hearing and approval and appropriates dollars for the activities identified in the Local Control Accountability Plan (LCAP).	
<b>Status:</b> Pending Board Approval.	
<b>Fiscal Impact:</b>  The 2021-22 Estimated Actuals Budget estimates a negative change in fund balance of \$86,649. HUSD's General Fund ending balance as of June 30, 2022 is projected to be \$1,670,423.  The 2022-23 Original Budget estimates a negative change in fund balance of 362,164. The Original Budget is based on the Governor's May Revise Budget Proposal. HUSD's General Fund ending balance as of June 30, 2023 is projected to be \$1,308,259.	
<b>Educational Impact:</b> The 2022-23 Original Budget is the financial planning document for HUSD. It supports the educational programs by allocating resources to meet the district's goals.	
<b>Recommendation:</b> Recommend the board adopt the 2022-23 District Original Budget.	

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13d</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Adopt 2022-23 Local Control Accountability Plan (LCAP) and all related documents	
<b>Background:</b>  The Local Control Funding Formula (LCFF) represents the most significant change in California's funding system in the past 40 years. One part of the new law is to improve academic outcomes by providing more money to school districts that serve high-needs students. Another part is to give local school districts and stakeholders more authority to decide how to spend education dollars, and also hold districts accountable for obtaining results.  As part of the LCFF, school districts, charter schools and county offices of education are required to develop, adopt, and annually update a three-year Local Control and Accountability Plan (LCAP), beginning on July 1, 2014. The LCAP is required to identify goals and measure progress for student subgroups across multiple performance indicators. The LCAP must focus on eight areas identified as California's educational priorities. The eight areas of specified State priorities are intended to encompass the key ingredients of high-quality educational programs. The plan must include the overall vision for students, annual goals, and strategic actions needed to achieve the goals. The district must engage parents, employees, students and the community to assist in developing this plan.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> This is the basis for Educational Spending for the District	
<b>Educational Impact:</b> This is the guide to support all students including our Unduplicated students.	
<b>Recommendation:</b>  Recommend the board adopt 2022-23 Local Control Accountability Plan (LCAP) and all related documents.	

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13e</b>	<b>Date: 6/27/22</b>
<b>Agenda Item Description:</b> Approve Tentative Agreement between CSEA and HUSD 2021-22 and 2022-23.	
<b>Background:</b> The Certificated Unit (HTA) has negotiated a Tentative Agreement for 2021-24. Negotiated Articles include: <ul style="list-style-type: none"><li>• Article 4: Organizational Rights</li><li>• Article 10: Pay and Allowances</li><li>• Article 11: Health and Welfare Benefits</li><li>• Article 20: Layoffs</li><li>• Article 21: Classification and Salary Assessments</li></ul>	
<b>Status:</b> Pending board approval.	
<b>Fiscal Impact:</b> Changes to Article 10: Pay and Allowances, Article 11: Health and Welfare Benefits and Article 21: Classification and Salary Assessments of the current CSEA 3-year agreement are accounted/outlined for in Agenda Item Number: ACTION ITEMS: "f"	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Approve Tentative Agreement between CSEA and HUSD 2021-22 and 2022-23.	

**TENTATIVE AGREEMENT  
BETWEEN THE  
HAMILTON UNIFIED SCHOOL DISTRICT (“DISTRICT”)  
AND THE  
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION AND ITS  
HAMILTON CHAPTER NO. 623 (“CSEA”)  
REGARDING THE 2021/2022 SCHOOL YEAR AND THE 2022/2023 SECOND YEAR  
REOPENER**

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The Parties have reached agreement on the following terms of the collective bargaining agreement with provisions of the 2020-2023 negotiated Agreement remaining in full force and effect except as follows:

**For the 2021-2022 school year:**

- o The Parties agree that for the 2021-22 school year there shall be no further modifications to the collective bargaining agreement, with the exception of what was agreed upon in the Tentative Agreement between the CSEA and the District signed October 20, 2021.

**For the 2022-2023 school year:**

**Article 1 Agreement:**

- o 1.2: This agreement shall remain in full force and effect from July 1, 2020 through June 30, 2023.
- o 1.5: Reopeners: either Party may reopen negotiations related to salary, health, and welfare benefits and up to two (2) Articles of each Party’s choosing.

**Article 4 Organizational Rights:** CSEA hereby proposes modifying the language contained herein as follows:

**4.3 Membership and Dues Deduction:**

**4.3.1 The District shall distribute CSEA-supplied membership applications to new hires but not make any statement suggesting employees must join. The District shall refer all employee questions about CSEA or dues over to the CSEA Labor Relations Representative. CSEA shall defend and indemnify District for any claims arising from its compliance with this clause.**

**4.3.2 The District shall not interfere with the terms of any agreement between CSEA and the District’s employee with regard to that employee’s membership in CSEA, including but not limited to automatic renewal yearly unless the employee drops out during a specified window period. The District need not need keep track of this period which shall be tracked by CSEA within its membership database.**

#### 4.4 Dues Deduction:

4.4.1 The District shall deduct, in accordance with the CSEA dues schedule, dues from the wages of all employees who are members of CSEA.

4.4.2 The District shall not be obligated to put into effect any new or changed deductions until the pay period commencing thirty (30) days or more after such submission.

4.4.3 There shall be no charge by the District to CSEA for regular membership dues deductions.

4.4.4 CSEA has the sole and exclusive right to have employee organization membership dues deducted by the District for bargaining unit members.

4.4.5 The District shall, without charge, pay to CSEA within fifteen (15) days of the deduction all sums so deducted.

4.4.6 Along with each monthly payment to CSEA, the District shall furnish without charge an alphabetical list of all bargaining unit members identifying them by name, hourly rate of pay, and days per year in paid status and indicating the amount deducted, if any.

#### 4.5 Membership Information:

4.5.1 The District shall take all reasonable steps to safeguard the privacy of CSEA members' personal information, including but not limited to members Social Security Numbers, personal addresses, personal phone number, personal cellular phone number, and status as a union member.

#### 4.6 Hold Harmless Provision

4.6.1 CSEA shall defend and indemnify District for any claims arising from its compliance with this Article and for any claims made by the employee for deductions made in reliance on information provided by the employee organization to the District to cancel or change membership dues authorization. The District shall be required to promptly notify CSEA of any claims made by employees relating to dues authorization.

4.6.2 CSEA shall have the exclusive right to decide and determine whether any such action shall be compromised, resisted, defended, tried or appealed.



#### 4.3 Dues

~~4.3.1 It is the mutual intention of the parties that the provisions of this Article protect the rights of individual bargaining unit members without restricting CSEA's right to require every bargaining unit member, except those exempt from these provisions, to pay a fair share of the cost of collective bargaining activities.~~

~~4.3.2 Except as expressly exempted herein, all bargaining unit members who do not maintain membership in good standing in CSEA are required to pay service fees to CSEA in amounts that do not exceed the periodic dues of CSEA for the duration of this Agreement.~~

~~4.3.3 Bargaining unit members shall maintain membership in good standing in CSEA, pay service fees or, if a religious exemption is granted by CSEA, make equivalent payment to charity in lieu of service fees.~~

~~4.3.4 No bargaining unit member shall be obligated to pay dues or service fees to CSEA until the first of the month following thirty (30) calendar days after the bargaining unit member first comes into the bargaining unit.~~

~~4.3.5 Any bargaining unit member who is a member of a religious body whose traditional tenets or teachings include objections to joining or paying service fees to employee organizations shall not be required to join, maintain membership in, or pay service fees to CSEA as a condition of employment. However, such bargaining unit member shall be required, in lieu of a service fee required by this Agreement, to pay sums equal to such service fee to one of the following non-religious, non-labor organizations, charitable funds exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code:~~

~~4.3.5.1 A charity, as defined above, acceptable to the District and the Association.~~

~~4.3.5.2 A scholarship for the benefit of Hamilton Unified School District students.~~

~~4.3.6 Any bargaining unit member claiming this religious exemption must file a written request for exemption with CSEA Legal Department. If the request is granted, the bargaining unit member shall, as a condition of continued exemption from the requirement of paying service fees to CSEA, furnish CSEA Headquarters with copies of receipts from the charity selected, as proof that such payments have been made, or shall authorize payroll deduction of such payments.~~

~~4.3.7 CSEA has the sole and exclusive right to have employee organization membership dues and service fees deducted by the District for bargaining unit members.~~

~~4.3.8 The District shall deduct dues and service fees or payments to charity in accordance with the CSEA dues and service fee schedule from the wages of all bargaining unit members who have submitted payroll deduction authorization forms to the District unless CSEA notifies the District that the bargaining unit member is paying such fees directly to CSEA. Such authorization shall remain in effect until expressly revoked in writing by the bargaining unit member. A payroll deduction authorization form shall not be required for deduction of service fees or payments to charity.~~

~~4.3.9 The District shall, without charge, pay to CSEA within fifteen (15) days of the deduction all sums so deducted, except that the District shall pay to the designated charity sums deducted in lieu of service fees from the wages of bargaining unit members whose requests for religious exemption have been approved by CSEA Headquarters pursuant to this Agreement.~~

~~4.3.10 Along with each monthly payment to CSEA, the District shall furnish without charge an alphabetical list of all bargaining unit members identifying them by name, hourly rate of pay, and days per year in paid status and indicating the amount deducted, if any, and whether such deduction is for dues, service fees or charitable contributions.~~

~~4.3.11 Nothing contained herein shall prohibit a bargaining unit member from paying service fees directly to CSEA accounting department.~~

~~4.3.12 The District shall immediately notify the CSEA Chapter Treasurer if any member of the bargaining unit revokes a dues, service fee or payment in lieu of service fee deduction authorization.~~

~~4.3.13 CSEA agrees to reimburse the District, its officers and agents for reasonable attorney fees and legal costs incurred after notice to CSEA in defending against any court or administrative action challenging the legality of the organization security provisions of this Agreement or the implementation thereof providing the District has complied with the terms of this Article and has promptly notified CSEA of its awareness of such an action. The Association agrees that payments under this provision shall be made on a semiannual basis.~~

~~4.3.14 The Chapter agrees to indemnify and hold the District harmless from any award or judgment, which may result from a court action or administrative action referenced in 4.3.12 above.~~

~~4.3.15 CSEA shall have the exclusive right to decide and determine whether any such action shall be compromised, resisted, defended, tried or appealed.~~

~~4.3.16 Bargaining unit members on voluntary leave without pay, on laid off status, terminated from employment or not on the District's payroll for any reason for more than thirty (30) days shall be exempt from the above provisions.~~

**Article 10 Pay and Allowances:**

- o Increase each step of the Classified Salary Schedule for the 2022-2023 school year by 5% effective July 1, 2022.
- o Increase Masters' Degree Stipend from \$800 to \$1,200.
- o Add 1% Longevity Steps to the Classified Salary Schedule at Step "11-14", "16-19", "21-24"
  - Move 3% Step increase to Step 10, 15, 20 and 25.
  - See below for structure:

STEP	1	2	3	4	5	6-9	10	11-14	15	16-19	20	21-24	25	26-29	30
		4%	4%	4%	4%	4%	3%	1%	3%	1%	3%	1%	3%	4%	5%

**Article 11 Health and Welfare Benefits:**

- o 11.1.2 The District contribution to health benefits for medical, dental, and vision coverage for full time employees shall be capped at the annualized rate of \$11,370 **\$12,370 as of October 1, 2022.**

**Article 20 Layoffs:**

~~20.1 Bargaining unit members shall be subject to layoff for lack of work or lack of funds.~~ **Bargaining unit members shall be subject to layoff for the reasons set forth in Education Code Section 45117, due to lack of work or lack of funds, and are entitled to the layoff procedures including layoff notice and right to hearing, per this Section.** Affected employees shall be given notice of layoff ~~not less than sixty (60) days prior to the effective date of layoff~~ and informed of their displacement rights, if any, and reemployment rights. When employees in the bargaining unit are laid off for lack of work or lack of funds, layoffs shall be made in reverse order of seniority in the classification in which the layoff occurs. The employee who has been employed the shortest time in a classification, plus higher classifications, shall be considered to have the least seniority and, therefore, shall be laid off first.

~~20.2 When, as a result of the expiration of a specially funded program, classified positions must be eliminated at the end of any school year, and classification employees will be subject to layoff for lack of funds, the employees to be laid off at the end of such school year shall be given written notice on or before April 29 informing them of their layoff effective at the end of such school year and of their displacement rights, if any, and reemployment rights. However, if the~~

Date: 6/22/22

~~termination date of any specially funded program is other than June 30, such notice shall be given not less than sixty (60) days prior to the effective date of their layoff.~~

**20.2** No permanent nor probationary classified employee shall be laid off from any position while employees serving under emergency, substitute, or limited-term employment are retained in positions of the same classification or similar classifications.

**20.3** A written notice of layoff shall be personally delivered to the bargaining unit member(s) or mailed by certified or registered mail to the employee's last address on file at the District office ~~not less than sixty (60) days (except in emergency situation as stipulated in Ed Code Section 45117) prior to the effective date of the layoff.~~

**20.4** The names of permanent and probationary employees laid off shall be placed on a reemployment list for the classification for which they were laid off. Names on the reemployment list shall be in the order of seniority and shall continue for thirty-nine (39) months from the date of layoff.

**20.5** Employees on reemployment lists shall be hired over outside applicants for vacant positions for which he/she meets the qualifications for the position. (Tucker v. Grossmont decision).

**20.6** Any employee on a reemployment list shall be notified in writing by the District a vacancy exists along with a notice of the job posting. The written notice will be mailed to the last address given to the District office by the employee.

**20.7** Refusal of an offer of employment shall not affect the standing of any employee on a reemployment list.

**20.8** If the employee is reemployed in a permanent position, the employee will receive the accumulated sick leave and seniority that he/she accrued prior to the layoff.

**20.9** After job site transfers have been considered, if a vacant position exists, an employee who has been laid off and is on a reemployment list may, based on seniority, elect to be placed into a vacant position within the classification from which he/she was laid off.

a. If the employee accepts reemployment into the same classification from which the employee was laid off, the employee shall be restored to his/her former step on the salary schedule.

**20.10** In lieu of being laid off, an employee may bump to any classification in which he/she had previously served under permanent or probationary status providing the employee has seniority over an employee already in the classification. Seniority in the current classification plus higher classifications in which the employee served shall be counted.

**20.11** In order to bump into a previous classification, the employee must notify the District office in writing not later than ten (10) calendar days after receiving a layoff notice.

Date: 6/22/22

**20.12** An employee electing to bump into a lower classification shall be placed on a reemployment list for thirty-nine (39) months, plus an additional twenty-four (24) months.

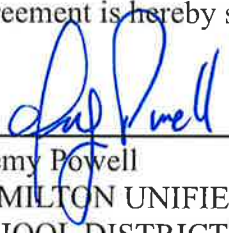
**20.13** If eligible, an employee who is scheduled for layoff may elect service retirement from the Public Employee's Retirement System. The employee's name will be placed on a reemployment list. Upon receipt of notification from the employee that he/she has elected service retirement, the District office will notify PERS that the employee's retirement was due to a layoff.

**20.14** Should an employee who elects service retirement subsequently accept, in writing, reemployment, the District shall maintain the vacancy until PERS has properly processed the request for reinstatement from retirement.


**Article 21: Classification and Salary Assessments:**

- o Accept all Salary Study findings for 2021-2022 effective July 1, 2022 for the 2022-2023 school year including:
  - District Bus Driver: Move from Range 8 to Range 11
  - Child Nutrition Assistant: Move from Range 6 to Range 7
  - Office Assistant I: Move from Range 7 to Range 9
  - District Universal-Maintenance and Transportation: Move from Range 12.25 to Range 13
    - Remove Range 12.25 from Classified Salary Schedule
- o The following Salary Study findings for the 2022-2023 school year effective July 1, 2022 for the 2022-2023 school year including:
  - Child Nutrition Lead: Move from Range 8 to Range 9
  - Administrative Technician: Move from Range 10 to Range 12
  - Information Systems Technician: Maintain at Range 14
  - Business Services Technician: Move from Range 14 to Range 16


This Agreement shall close negotiations between the Parties for the 2021-22 and the 2022-2023 school years, and neither Party shall be entitled to request reopeners for this term. This Agreement is hereby signed by the Parties on this 22 day of June, 2022.

  
\_\_\_\_\_  
Jeremy Powell  
HAMILTON UNIFIED  
SCHOOL DISTRICT

DATED: 6-22-22

  
\_\_\_\_\_  
Chris DeVries  
CALIFORNIA SCHOOL EMPLOYEES  
ASSOCIATION CHAPTER #623

DATED: 6/22/22

  
\_\_\_\_\_  
Will Pope, Labor Relations Rep.  
CALIFORNIA SCHOOL EMPLOYEES  
ASSOCIATION  
DATED: 6/22/2022

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13f</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve Classified 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase, additional 1% column steps on the salary schedule and movement of positions and ranges on the salary schedule.	
<b>Background:</b> A 5% COLA on the 2022-23 Classified salary schedule, \$1,000 health and welfare cap increase from \$11,370 to \$12,370, \$400 master stipend increase from \$800 to \$1,200, additional 1% column steps on the salary schedule and movement of positions and ranges on the salary schedule.	
<b>Status:</b> Pending board approval	
<b>Fiscal Impact:</b> Approve Classified 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase, additional 1% column steps on the salary schedule and movement of positions and ranges on the salary schedule is \$87,377 (salary cost) and \$15,149.47 (benefit cost) respectively.	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Recommend board approve the Classified 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase, additional 1% column steps on the salary schedule and movement of positions and ranges on the salary schedule.	

HAMILTON UNIFIED SCHOOL DISTRICT  
 CLASSIFIED SALARY SCHEDULE  
 2022-2023  
 CAP \$12,370

STEP	1	2	3	4	5	6-9	10 3%	11-14 1%	15 3%	16-19 1%	20 3%	21-24 1%	25 3%	26-29 4%	30 5%
RANGE							Longevity	Longevity			Longevity	Longevity			
1.00	13.46	14.03	14.59	15.13	15.74	16.38	16.54	17.04	17.21	17.73	17.90	18.44	18.62	19.37	20.34
2.00	14.02	14.59	15.13	15.74	16.39	17.04	17.21	17.73	17.90	18.44	18.63	19.18	19.38	20.15	21.16
3.00	14.59	15.13	15.74	16.39	17.04	17.70	17.88	18.42	18.60	19.16	19.35	19.93	20.13	20.93	21.98
4.00	15.13	15.74	16.39	17.04	17.70	18.45	18.64	19.20	19.39	19.97	20.17	20.77	20.98	21.82	22.91
5.00	15.74	16.39	17.04	17.70	18.45	19.15	19.34	19.92	20.12	20.72	20.93	21.56	21.77	22.64	23.77
6.00	16.39	17.04	17.70	18.45	19.15	19.91	20.11	20.71	20.92	21.54	21.76	22.41	22.64	23.54	24.72
7.00	17.10	17.70	18.45	19.15	19.91	20.70	21.32	21.54	22.18	22.41	23.08	23.31	24.01	24.97	26.22
8.00	17.70	18.45	19.15	19.91	20.70	21.54	22.19	22.41	23.08	23.32	24.02	24.26	24.99	25.98	27.28
9.00	18.45	19.15	19.91	20.70	21.54	22.37	23.04	23.27	23.97	24.21	24.94	25.19	25.95	26.98	28.33
10.00	19.10	19.91	20.70	21.54	22.37	23.29	23.99	24.23	24.96	25.21	25.97	26.23	27.02	28.10	29.51
11.00	19.91	20.70	21.54	22.37	23.29	24.18	24.90	25.15	25.91	26.17	26.95	27.23	28.04	29.16	30.62
12.00	20.70	21.54	22.37	23.29	24.18	25.12	25.88	26.14	26.92	27.20	28.01	28.29	29.14	30.31	31.82
13.00	21.53	22.40	23.26	24.22	25.15	26.13	26.91	27.18	28.00	28.28	29.13	29.42	30.31	31.52	33.10
14.00	22.39	23.29	24.19	25.19	26.15	27.18	27.99	28.27	29.12	29.42	30.30	30.60	31.52	32.78	34.42
15.00	23.29	24.22	25.16	26.20	27.20	28.27	28.55	29.40	29.69	30.59	30.89	31.82	32.14	33.43	35.09
16.00	24.22	25.19	26.17	27.25	28.29	29.40	29.69	30.58	30.88	31.81	32.13	33.09	33.43	34.77	36.49

RANGE

- 7.00 Library Media Technician
- 7.00 Campus Supervisor/Crossing Guard
- 7.00 Child Nutrition Assistant
- 7.00 Paraeducator/Library Media Technician
- 8.00 District Custodian
- 8.00 Preschool Assistant
- 9.00 Child Nutrition Lead
- 9.00 Office Assistant I
- 9.00 Special Education Paraprofessional
- 10.00 District Data Analyst
- 10.00 Student Services and Library Coordinator
- 11.00 District Bus Driver
- 11.00 Preschool Teacher
- 12.00 Administrative Technician
- 13.00 District Universal - Maintenance & Transportation
- 14.00 Information Systems Technician
- 14.00 Licensed Vocational Nurse (LVN)
- 15.00 None, N/A
- 16.00 Business Services Technician

Effective July 1, 2022

COLA 5% increase to board for approval June 27, 2022

CAP \$12,370 effective 10/1/2022

Master's stipend \$1200, BS/BA stipend \$600, AS/AA stipend \$400

Employees on the Classified Salary Schedule in the job classification "District Universal – Maintenance & Transportation" will receive an annual cell phone stipend amount of \$600 (BP/AR 3513.1).

**Classified 2021-22 Salary Schedule**

STEP	1	2	3	4	5	6-9 3%	10-14 3%	15-19 3%	20-24 3%	25-29 4%	30 5%
RANGE											
1	12.81	13.36	13.90	14.41	14.99	15.60	16.12	16.58	17.07	17.75	18.60
2	13.35	13.90	14.41	14.99	15.61	16.23	16.73	17.20	17.73	18.41	19.35
3	13.90	14.41	14.99	15.61	16.23	16.86	17.38	17.92	18.49	19.21	20.18
4	14.41	14.99	15.61	16.23	16.86	17.57	18.09	18.61	19.21	20.00	21.00
5	14.99	15.61	16.23	16.86	17.57	18.23	18.79	19.36	19.93	20.72	21.74
6	15.61	16.23	16.86	17.57	18.23	18.96	19.54	20.10	20.68	21.50	22.65
7	16.28	16.86	17.57	18.23	18.96	19.72	20.34	20.96	21.58	22.43	23.59
8	16.86	17.57	18.23	18.96	19.72	20.51	21.13	21.77	22.39	23.37	24.52
9	17.57	18.23	18.96	19.72	20.51	21.30	22.00	22.65	23.32	24.32	25.48
10	18.19	18.96	19.72	20.51	21.30	22.18	22.86	23.54	24.29	25.27	26.51
11	18.96	19.72	20.51	21.30	22.18	23.02	23.75	24.43	25.21	26.28	27.59
12	19.72	20.51	21.30	22.18	23.02	23.93	24.66	25.37	26.21	27.34	28.67
12.25	19.93	20.68	21.58	22.39	23.32	24.16	24.94	25.67	26.44	27.60	28.96
13	20.50	21.33	22.15	23.07	23.95	24.88	25.65	26.39	27.26	28.43	29.81
14	21.32	22.18	23.04	23.99	24.90	25.88	26.68	27.44	28.35	29.57	31.01

RANGE	6	7	7	7	8	8	8	9	10	10	10	11	12.25	14	14	14		
	Child Nutrition Assistant	Office Assistant I	Library Media Technician	Campus Supervisor/Crossing Guard	Paraeducator/Library Media Technician	Child Nutrition Lead	District Bus Driver	District Custodian	Preschool Assistant	Special Education Paraprofessional	Administrative Technician	District Data Analyst	Student Services and Library Coordinator	Preschool Teacher	District Universal - Maintenance & Transportation	Business Services Technician (formerly at Range 10.00 and known as District Account Clerk)	Information Systems Technician (formerly at Range 10.00)	Licensed Vocational Nurse (LVN)

4% increase to board for approval at the November 3, 2021 special board meeting - retro from July 1, 2021  
 Effective July 1, 2021  
 COLA N/A 7/1/21  
 CAP \$11,370  
 Master's stipend \$800, BS/BA stipend \$600, AS/AA stipend \$400

**For Approval Classified 2022-23 Salary Schedule**

STEP	1	2	3	4	5	6-9 3%	10 3%	11-14 1%	15 3%	16-19 1%	20 3%	21-24 1%	25 3%	26-29 4%	30 5%
RANGE							Longevity	Longevity	Longevity	Longevity	Longevity	Longevity	Longevity	Longevity	Longevity
1	13.46	14.03	14.59	15.13	15.74	16.38	16.54	17.04	17.21	17.73	17.90	18.44	18.62	19.37	20.34
2	14.02	14.59	15.13	15.74	16.39	17.04	17.21	17.73	17.90	18.44	18.63	19.18	19.38	20.15	21.16
3	14.59	15.13	15.74	16.39	17.04	17.70	17.88	18.42	18.60	19.16	19.35	19.93	20.13	20.93	21.98
4	15.13	15.74	16.39	17.04	17.70	18.45	18.64	19.20	19.39	19.97	20.17	20.77	20.98	21.82	22.91
5	15.74	16.39	17.04	17.70	18.45	19.15	19.34	19.92	20.12	20.72	20.93	21.56	21.77	22.64	23.77
6	16.39	17.04	17.70	18.45	19.15	19.91	20.11	20.71	20.92	21.54	21.76	22.41	22.64	23.54	24.72
7	17.10	17.70	18.45	19.15	19.91	20.70	21.32	21.54	22.18	22.41	23.08	23.31	24.01	24.97	26.22
8	17.70	18.45	19.15	19.91	20.70	21.54	22.19	22.41	23.08	23.32	24.02	24.26	24.99	25.98	27.28
9	18.45	19.15	19.91	20.70	21.54	22.37	23.04	23.27	23.97	24.21	24.94	25.19	25.95	26.98	28.33
10	19.10	19.91	20.70	21.54	22.37	23.29	23.99	24.23	24.96	25.21	25.97	26.23	27.02	28.10	29.51
11	19.91	20.70	21.54	22.37	23.29	24.18	24.90	25.15	25.91	26.17	26.95	27.23	28.04	29.16	30.62
12	20.70	21.54	22.37	23.29	24.18	25.12	25.88	26.14	26.92	27.20	28.01	28.29	29.14	30.31	31.82
13	21.53	22.40	23.26	24.22	25.15	26.13	26.91	27.18	28.00	28.28	29.13	29.42	30.31	31.52	33.10
14	22.39	23.29	24.19	25.19	26.15	27.18	27.99	28.27	29.12	29.42	30.30	30.60	31.52	32.78	34.42
15	23.29	24.22	25.16	26.2	27.2	28.27	28.55	29.4	29.69	30.59	30.89	31.82	32.14	33.43	35.09
16	24.22	25.19	26.17	27.25	28.29	29.4	29.69	30.58	30.88	31.81	32.13	33.09	33.43	34.77	36.49

RANGE	7	7	7	8	8	9	10	10	11	12	13	14	14	15	16				
	Library Media Technician	Campus Supervisor/Crossing Guard	Child Nutrition Assistant	Paraeducator/Library Media Technician	District Custodian	Preschool Assistant	Child Nutrition Lead	Office Assistant I	Special Education Paraprofessional	District Data Analyst	Student Services and Library Coordinator	District Bus Driver	Preschool Teacher	Administrative Technician	District Universal - Maintenance & Transportation	Information Systems Technician	Licensed Vocational Nurse (LVN)	None, N/A	Business Services Technician

Effective July 1, 2022  
 5% increase for board approval 6/27/22  
 CAP \$12,370 effective 10/1/2022  
 Master's stipend \$1200, BS/BA stipend \$600, AS/AA stipend \$400



## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13g</b>	<b>Date: 06/27/2022</b>
<b>Agenda Item Description:</b> Approve contract for Parks Hardwood Floors to clean and re-coat the HHS Gym floor.	
<b>Background:</b>  The High School Gym Floor needs to be refinished.  We have been topping it with a Maintenance Coat only the last couple of years.  With approval of this contract, the work will be performed from June 29 <sup>th</sup> to July 1 <sup>st</sup> .  The gym will remain closed for the finish to cure until July 8 <sup>th</sup> .	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> The cost will be \$6500 from Deferred Maintenance.	
<b>Educational Impact:</b> This will provide a safe, clean and playable surface for all students this year.	
<b>Recommendation:</b> Recommend Board approve contract for Parks Hardwood Floors to clean and re-coat the HHS Gym floor.	



# *Parks Hardwood Floors ~ Bryan F. Parks, Jr.*

Residential, Commercial, Sports Floors ~ Installation, Sanding & Repairs  
CA License #78699 www.parkshardwoodfloors.com email - park8693@snowcrest.net  
Shasta Builder's Exchange ~ National Wood Flooring Association ~ Aacer Flooring, LLC



19680 Gas Point Road • Cottonwood, CA 96022-9131 • Office: (530) 347-1158 • Fax: (530) 347-1282

## **\*\*\*PROPERTY IMPROVEMENT CONTRACT\*\*\***

### **Clean and Re-coat**

**June 4, 2022**

Hamilton City USD  
PO BOX 488  
Hamilton City, Ca 95951  
(530) 826-2003

**Attention: Alan Joksch – Director of Maintenance and Transportation**  
**Cell: (530) 228-5550      E-mail: ajoksch@husdschools.org**

**RE: PROJECT LOCATION – Hamilton City High School**  
**620 Canal St, Hamilton City, Ca 95951**

*Parks Hardwood Floors* hereby proposes to furnish materials and perform labor necessary for the completion of :  
Labor and materials to clean and finish approximately 7,000 sq ft of existing maple hardwood flooring in the high school gymnasium.

Labor to consist of: Auto scrub the floor removing oils, grime, scuffmarks, etc. Lightly abrade the floor removing surface scratches, any remaining scuff marks, etc. Thoroughly clean the floor removing any dust. Apply 2 coats of Hillyard Trophy H2O Gymnasium Finish.

**NOTE: THIS IS A PUBLIC WORKS FACILITY PREVAILING WAGE PROJECT –**  
Determination NC-23-31-1-2021-1 Shasta County - \$79.55/hour per employee is currently in effect and expires on June 30, 2021. Effective July 1, 2022, there will be an increase of \$2.98 for a total of \$82.53/hour per employee.

Normal dust control will be done.

Project Cleanup to include: removal of all equipment and materials belonging to *Parks Hardwood Floors*, an area vacuum and/or broom cleaning of any construction debris at no additional charge to the owner. Normal dust control will be done to consist of hanging plastic sheeting over dust sensitive areas to contain dust in those sanding areas to eliminate dust from other areas to be sanded.

**NOTE: ALLOW A MINIMUM OF 7 FULL DAYS FOR THE FINISH TO CURE BEFORE USE**

Labor for this project is scheduled to commence in the first week of July, 2022. This project is expected to span approximately 3 - 4 working days not including the finish cure time of 7 days after completion.

This time frame includes product acclimation prior to or after installation and does not include cure time on final finish coat. Project commencement can be delayed by the availability of materials beyond the contractor's control, weather conditions which may affect the quality of the project, or labor problems beyond the contractor's control. Failure of the contractor without lawful excuse to substantially commence work within 20 days from the approximate date specified in this contract when will begin is a violation of the Contractors License Law - Business and Professions Code Section 7159. No work shall commence until the signed contract is received.

**Schedule of Progress Payments and Contract Price:** All material is guaranteed to be as specified herein and the above work to be performed in accordance with the drawings and specifications submitted for the above project and completed in a substantial workman manner according to standard practices for the sum of **\$6,500 (Six Thousand, Five Hundred Dollars even)** and made as follows:

**Upon Completion of Project** **\$6,500**

**Parks Hardwood Floors** is covered by commercial General Liability Insurance and Workman's Compensation Insurance - California Business Profession's Code 7159.3 (SB 2029)

**Alterations/Change Orders:** Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed only upon written order, and will become an extra charge over the sum mentioned in this contract. Payments for additional work or change orders to the original contract shall be made under the same terms and conditions as are embodied in the original contract. All agreements must be made in writing, signed by an authorized person and are contingent upon strikes, accidents, or delays beyond our control. The order must describe the scope of the extra work or change, the cost to be added or subtracted from the contract, and the effect the order will have on the schedule of progress payments. The contractor's failure to comply with the requirements of this paragraph does not preclude the recovery of compensation for work performed based upon legal or equitable remedies designed to prevent unjust enrichment.

**Permits & Fees:** **Parks Hardwood Floors** will not be responsible for fees or permits unless otherwise stated in this contract.

It is mutually agreed that **Parks Hardwood Floors** shall not be held responsible or liable for any loss, damage or delay caused by fire, strikes, civil or military authority or any other cause beyond the contractor's control.

**RESPECTFULLY SUBMITTED BY:** *Parks Hardwood Floors*

**DIR #1000007811**

**CA LICENSE #786999**

**SIGNATURE:** *Bryan F. Parks, Jr.*

**DATE: June 4, 2022**

-----  
**Bryan F. Parks, Jr. – Sole Proprietor**

**Owner Contract Acceptance:** The herein pricing, specifications and conditions are satisfactory and are hereby accepted. You are hereby authorized to furnish materials and labor to complete the work mentioned in the above proposal, for which I/We (**Authorized Representative(s) For: Hamilton City High School**) agree to pay the amount stated herein, and according to the terms thereof:

**Accepted:** \_\_\_\_\_

**Accepted:** \_\_\_\_\_

**Date:** \_\_\_\_\_, 2022

**Project Location:** 620 Canal St, Hamilton City, Ca 95951

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 14h</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve 2022-23 MOU for the CA Agriculture Teachers' Induction Program between Davis Joint Union School District and Hamilton Unified School District.	
<b>Background:</b> California has a two-tiered credentialing system for teachers. Preliminary programs prepare candidates to obtain an initial teaching credential through successful completion of required coursework, fieldwork, and a performance demonstration of their knowledge, skills, and abilities. The second tier of preparation is an individualized induction program that is focused on extensive support and mentoring to new teachers. Induction programs are essential for new teachers to obtain a Clear credential.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> The cost will be \$2,250 from Title II Teacher Quality and Effectiveness Fund	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend board approve 2022-23 MOU for the CA Agriculture Teachers' Induction Program between Davis Joint Union School District and Hamilton Unified School District.	

# 2022-2023 MEMORANDUM OF UNDERSTANDING



for the  
**California Agricultural Teachers'  
Induction Program**  
between  
**Davis Joint Unified School District**  
and

**CATIP**

Hamilton Unified School District

(Participating District or LEA)

School District/LEA Name Here

## General

This Memorandum of Understanding (MOU) is entered into between the Davis Joint Unified School District (DJUSD) – Local Educational Agency (LEA) for the California Agricultural Teachers' Induction Program (CATIP) – and the participating district or LEA listed above (referred to as "District" in this MOU) to participate in the California Agricultural Teachers' Induction Program.

The effective date of this MOU is September 1, 2022 – June 30, 2023. The terms of this agreement shall remain in force unless mutually amended.

## Purpose

The purpose of this Memorandum of Understanding is to establish a formal working relationship between the parties of agreement and to set forth the operative conditions that govern this partnership. The assumption of continued partnership for the **2022-2023** school year is made unless the District notifies the CATIP in writing on or **prior to January 31, 2023.**

## Responsibilities – General

A) CATIP agrees to:

- 1) Provide support for direct program administration to conduct the accredited induction program per guidelines set forth by the Commission on Teacher Credentialing (CTC) and California Department of Education (CDE);
- 2) Provide office space, equipment, and meeting space for program activities;
- 3) Facilitate a process for equitable distribution of services to Teacher Candidates and Mentors in all participating districts and schools;
- 4) Convene a Teacher Induction Program Advisory Committee, establish regular meetings, and provide data on program requirements and clear credentialing;
- 5) Establish and maintain accurate program records and reports;
- 6) Maintain State of California approval and accreditation as an Induction Program and Credentialing Agency;
- 7) Advise Teacher Candidates about their involvement in the Induction Program and provide formative feedback about candidates' progress toward completion of the program;
- 8) Recommend for the California Clear Credential and process all credential applications for eligible Teacher Candidates;
- 9) Arrange for and monitor University of California, Davis Extension continuing education units for Teacher Candidates and 1<sup>st</sup> and 2<sup>nd</sup> year Mentors;
- 10) Provide the California Agricultural Teachers' Induction Program Assessment System materials to Teacher Candidates and Mentors (e.g. individualized learning plans, weekly conversation logs, curriculum, etc.);
- 11) Provide training in the California Agricultural Teachers' Induction Program coursework, including the Teaching Performance Expectations (TPE), California Standards for the Teaching Profession (CSTP), student academic and CTE content standards, Agriculture and Natural Resources Model Pathway Standards, and Induction Standards to Teacher Candidates and Mentors;
- 12) Provide relevant and research-based mentoring skills training to Mentors;
- 13) Provide induction program information to site administrators/district coordinator;
- 14) Select, monitor, and supervise professional development facilitators in accordance with Induction Program Standards;
- 15) Provide materials, facilitation, and presentation support for professional development facilitators;
- 16) Develop and establish contracts with outside vendors for professional services as needed Teacher Candidates/Mentors professional development and support;
- 17) Provide the Advisory Board, district superintendents and site administrators with information, clarify roles and responsibilities, and provide verification and accountability specific to the teacher credential process;

# California Agricultural Teachers' Induction Program (CATIP)

## 2022-2023 MEMORANDUM OF UNDERSTANDING

- 18) Communicate with and advise District Human Resources departments, credential analysts, and school personnel regarding Induction, hiring implications, and procedures for compliance;
  - 19) Establish and maintain an accountability system for all participants;
  - 20) Collaborate with the Capital Region Induction Network Team, the Induction Consortium (Bay Area), and state-wide agricultural education stakeholders regarding the Induction Program;
  - 21) Collaborate with Cluster Region One and California Commission on Teacher Credentialing for appropriate support and training and ensure participation at Cluster and Statewide program meetings; and
  - 22) Supply reports and other information to the California Commission on Teacher Credentialing (CTC) and the California State Department of Education (CDE) as requested on all matters related to program requirements and activities.
- B) The District agrees to:
- 1) Appoint a liaison who serves as the programmatic contact in the district, who normally oversees all activities within the district related to induction services and assumes the responsibilities of communicating with the California Agricultural Teachers' Induction Program (including notifying CATIP when a candidate leaves before the end of the school year, providing follow-up on Mentors and Candidates not meeting requirements, etc):

Jolene Towne	jtowne@hudschools.org
Name of District Coordinator	Coordinator's Email Address
(530) 826-3261 Ext. 6004	P.O. Box 488, Hamilton City, CA 95951
Phone	Mailing Address

- 2) Establish a point of contact in District Accounts Payable for invoicing communication:

Chris DeVries	cdevries@hudschools.org
Name	Email Address
(530) 826-3261 Ext. 6013	P.O. Box 488, Hamilton City, CA 95951
Phone	Mailing Address

- 3) Establish a Purchase Order for invoicing coordination:

	\$2,250
PO #	PO Amount (\$2,250/Candidate/Year)

*(If candidate will be paying for the program themselves indicate that here)*

- 4) Confirm candidate availability for program participation according to criteria established by the Commission on Teacher Credentialing and the California Agricultural Teachers' Induction Program.
- 5) Separate CATIP formative assessment information from district employment evaluations.
- 6) Provide an update about participation with CATIP to the district's governing board during the tenure of this MOU.
- 7) Participate in CATIP evaluation.
- 8) Superintendent or designee coordinator/administrator maintains an informal position on the Teacher Induction Advisory Board for program networking, implementation, compliance, and program evaluation;
- 9) The Administrative member of the Advisory Board or District coordinator/ administrator may bring concerns or suggestions for change to the Advisory Board for discussion by submitting proposals no later than two weeks prior to the next Advisory Board meeting for inclusion on the agenda;
- 10) Advisory Board Representative and/or District Coordinator disseminate program information to site and district administrators, clarify roles and responsibilities of all program participants, and communicates program information to participants;
- 11) Upon hire, advise eligible Teachers about their responsibilities for Induction, enroll eligible candidates, and gather candidate credentialing information as needed by the Induction office. All teacher candidates who are teaching on a preliminary credential should be evaluated for eligibility. CTE Teachers are eligible to complete credential requirements, including

# California Agricultural Teachers' Induction Program (CATIP)

## 2021-2022 MEMORANDUM OF UNDERSTANDING

application for preliminary credential with prerequisites met. Teachers who have intern credentials may also be eligible if they have recently completed the intern program and have been granted a preliminary credential;

- 12) Ensure that Human Resources personnel and credential analysts are appropriately trained in protocols of advice and assistance to Induction Candidates;
- 13) Provide appropriate credential and advisement information to the CATIP office;
- 14) Select Mentors according to CATIP Standards Qualifications<sup>1</sup>;
- 15) Approve a Mentor to each Teacher Candidate according to CATIP Policies and in a timely way, within 30 days of program enrollment, that allows the pair to begin working together when teaching begins and not less than an average of 1 hour per week;
- 16) Conduct early site and/or district-based program information orientations that include information designated on the California Agricultural Teachers' Induction Program "Administrator Meeting" form;
- 17) Ensure that all staff administrators with Mentor(s) and/or Teacher Candidate(s) on staff complete the Program's annual survey regarding the Induction Program;
- 18) Establish working conditions for Teacher Candidates aligned with CATIP Standards;
- 19) Ensure that Teacher Candidates have core curriculum materials and appropriate content frameworks;
- 20) Encourage that all Teacher Candidates have course assignments with English Language Learners sufficient to allow completion of the English Language requirements of the Clear Credential and accordance with CATIP policies and accreditation;
- 21) Provide Teacher retention data to Induction Program upon request;
- 22) Provide Mentor release time for observation of the Teacher Candidates as required by the Induction activities (2 observations required each year);
- 23) Provide Teacher Candidates release time for observation of colleagues, reflection, and professional development activities tied to their Individual Learning Plan (ILP) as required by the Induction activities (2 observations required each year);
- 24) In the event of need, provide Mentor release time for Mentor training as required by the Induction program (for the Mentor's first and second years);
- 25) Develop and maintain a budget that allocates amounts sufficient to meet the costs of implementing its program responsibilities;
- 26) Process payment for authorized contracted services; and
- 27) Provide projection estimates of participating Teachers for the 2022-2023 school year to California Agricultural Teachers' Induction Program by **May 15, 2022** for continuing participants and in a timely manner, **June 30, 2022** forward, for new participants.

### **Responsibilities – Fiscal**

- A) CATIP, in its association with YSCTC and DJUSD (accrediting agency with certification capacity as LEA), agrees to the overall fiscal responsibility for the funding of the administration of the program, including:
  - 1) Invoice the District through the Accounts Payable contact (named in 'Responsibilities-General B.2') for each credential candidate per billing method selected below:
    - Billing will occur in September for \$2,250 per academic year with a **Net 30-day**.
    - Billing will occur in September for the amount of \$1,125 and January in the amount of \$1,125 to total \$2,250 per academic year with a **Net 30-day** return on each billing.
    - Candidate Self-Pay: Billing will occur monthly, beginning September through February with a **Net 30-day** return. 6-installments in the amount of \$375, to total \$2,250 per academic year.
  - 2) Assume overall fiscal responsibility for the administration of Induction funds and documentation required by the CDE and CCTC;
  - 3) Develop and maintain a balanced budget that reflects program priorities and implementation of the approved induction plan;
  - 4) Abide by the Teacher Expenditure Guidelines;
  - 5) Provide a stipend payment for each program Facilitator in accordance with CATIP Consortium and Facilitator memorandum of understanding.



# California Agricultural Teachers' Induction Program (CATIP)

## 2022-2023 MEMORANDUM OF UNDERSTANDING

B) The District agrees to:

- 1) Approve the designation of a Mentor<sup>1</sup>, by CATIP, to each credential candidate (novice teacher) within the first 30 days of the participant's enrollment in the program;
- 2) Coordinate any potential compensation of the identified Mentor<sup>1</sup> at the District's rates and policies. Any remuneration to the mentor will be outside of CATIP's purview, and above the annual program cost named herein;
  - i) Compensation to the mentor is suggested to be \$1,500/candidate/year, but is at the absolute discretion of the District's policies, hiring practices, and collective bargaining obligations.
- 3) Compensate the identified Mentor for each Teacher Candidate according to rates, policies and procedures at the District-level.
- 4) The California Agricultural Teachers' Induction Program must be informed of any changes to this language at least two weeks prior to the start of the Mentor's obligation to their candidate(s);
- 5) Payment for services from the California Agricultural Teachers' Induction Program to be **\$2,250** per Teacher Candidate per year, non-refundable, no proration;
- 6) Process Mentor and other payments in a timely way based upon approved MOUs and other budget documents; and
- 7) Provide Mentors and Teacher Candidates release time for training and observation in accordance with CTC regulations and program (CATIP) guidance.

### **Program Participation**

Insofar as permitted by law, Davis Joint Unified School District (LEA for YSCTC and CATIP) shall assume the defense and hold harmless District and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of the sole fault or negligence of Davis Joint Unified School District, its officers, agents or employees, arising out of its performance under the terms of this agreement.

Insofar as permitted by law, the District shall assume the defense and hold harmless the Davis Joint Unified School District and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of any harm to person(s) or property received or suffered by reason of the sole fault or negligence of the District, its officers, agents or employees, arising out of their performance under the terms of this agreement.

### **Compliance with Applicable Laws**

This Memorandum of Understanding shall comply with all federal, state and local laws, rules, regulations and ordinances that are now or may in the future become applicable.

### **Other Conditions**

Any and all products developed by California Agricultural Teachers' Induction Program are the exclusive property of the California Agricultural Teachers' Induction Program. Schools, districts, their employees, staff and subcontractors shall not have the right to disseminate, market, or otherwise use the products without the written permission of the California Agricultural Teachers' Induction Program.

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<sup>1</sup> The District approves Mentors who:

- Possess a valid Professional Clear Teaching Credential and a minimum of 5 years of verified effective teaching experience in the context and content area of the candidate's teaching assignment (i.e. similar teaching assignment, grade level, type of school, etc.);
- Have been identified by CATIP, attend professional development organized by CATIP, and are agricultural educators in good standing with CATIP;
- Have a demonstrated commitment to professional learning and collaboration;
- Have the time, ability, willingness, and flexibility to meet candidates' needs for support; and
- Will act as an ambassador of the California Agricultural Teachers' Induction Program.

# California Agricultural Teachers' Induction Program (CATIP)

## 2022-2023 MEMORANDUM OF UNDERSTANDING

Signing Process:

1. The School District gains approval and completes appropriate signatures through district processes and policies;
2. The School District Returns signed MOU to CATIP office via email (Taryn Tyrell - [ttyrell@yscenter](mailto:ttyrell@yscenter)) OR regular postal service (DJUSD, c/o Taryn Tyrell- YSCTC, 526 B Street, Davis, CA 95616); OR uploaded to this Google Folder
  - a. This shall be completed by September 1st for candidates enrolling in the program by September 1st, and by February 1st for those candidates enrolling mid-year.
3. CATIP will place MOU on DJUSD Board of Education Agenda for consent and signature;
4. CATIP will return a fully executed copy of this document to the School District for its records.

The parties signed below, as the signatory representatives for their associated organizations, affirm their commitment to the stipulations outlined in pages 1 through 4 above.

Signature
Jeremy Powell
Printed Name
Superintendent
Title
jpowell@husdschools.org
Email
Hamilton Unified School District
Organization

Signature
<b>Amari Watkins</b>
Printed Name
<b>Associate Superintendent of Business Services</b>
Title
Date
<b>Davis Joint Unified School District</b>
Organization

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13i</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve HUSD EFPM Agreement for Services 2022-23	
<b>Background:</b> This contract will continue to services of Mike Cannon in support of ongoing and future construction projects the District is working towards. HUSD has a long-standing partnership with Mr. Cannon and he has provided valuable information on multiple construction projects.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> Cost is <b>NOT TO EXCEED</b> \$39,200	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend the board approve HUSD EFPM Agreement for Services 2022-23	

# **AGREEMENT**

**Between**

**Hamilton Unified School District**

**And**

**Educational Facilities Program Management, LLC**

**For**

**Program & Project Management Services**

## **DOCUMENTS BOUND HEREWITH**

**Agreement Form**

**Exhibit A: Program Manager's Basic Services**

**HAMILTON UNIFIED SCHOOL DISTRICT**  
**Agreement for Program & Project Management Services**

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# HAMILTON UNIFIED SCHOOL DISTRICT

## Agreement for Program Management Services

THIS AGREEMENT, made in three originals on the 8th day of June, 2022 by and between the **HAMILTON UNIFIED SCHOOL DISTRICT**, hereinafter called **DISTRICT**, and **EDUCATIONAL FACILITIES PROGRAM MANAGEMENT, LLC**, hereinafter called **EFPM** - which is used to include Program Management, as defined in the Scope of Work.

DISTRICT desires to retain EFPM to provide program and project management services in connection with planning and project management oversight for various project in the Facilities Program of the DISTRICT.

### ARTICLE 1: DEFINITIONS

**DESIGN PROFESSIONAL:** Those licensed Architects, Professional Engineers and/or Landscape Architects retained by DISTRICT to provide design and construction oversight services for this Project.

**DISTRICT:** Hamilton Unified School District

**ARCHITECT-ENGINEER (A/E):** The organization or individual providing those professional design services associated with construction, alteration, or repair of real property.

**DISTRICT'S PROGRAM MANAGER (EFPM):** The agent as DISTRICT's representative to provide program and project management services.

**PROJECT BUDGET:** The total available funding as set forth by DISTRICT and approved to be used for the acquisition of the Project. It is the intent of DISTRICT that the Project Budget include all costs for acquisition, permitting, design, project contingencies, and such administrative costs as DISTRICT shall deem appropriate.

### ARTICLE 2: RELATIONSHIP OF THE PARTIES

- A. DISTRICT and Program Manager: The Program Manager, hereinafter referred to as EFPM, shall be DISTRICT's agent in providing the Program Manager's Services described in Article 3 and Exhibit "A" of this Agreement. The EFPM and DISTRICT shall perform as stated in this Agreement and EFPM and DISTRICT accept the relationship of trust and confidence between them, which is established herein.
- B. DISTRICT and Design Professional: DISTRICT may enter into a separate agreement with one or more Design Professionals to provide architectural and engineering design for the Project.

- C. Relationship of the EFPM to Other Project Participants: In providing the Program Manager's Services described in this Agreement, EFPM shall endeavor to maintain a working relationship with all other parties on behalf of DISTRICT. However, nothing in this Agreement shall be construed to mean that EFPM assumes any of the responsibilities or duties of any of the other parties. There are no third-party beneficiaries of this DISTRICT-EFPM agreement and no one except the parties to the EFPM agreement may seek to enforce its terms.
- D. EFPM affirms that, to the best of its knowledge, there exists no actual or potential conflict between family, business, or financial interests of EFPM and performance of its services under this Agreement. In the event of change in either interests or services under this Agreement, EFPM affirms that it will immediately notify DISTRICT any question regarding possible conflict of interest that may arise as a result of such change.
- E. At its sole cost and expense, EFPM shall give all notices and comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority directly bearing on the performance of EFPM's work, including those relating to safety, hazardous materials, and equal employment opportunities; obtain all permits and licenses necessary for performance of EFPM's work; pay all local, state, and federal taxes associated with its work; and pay all benefits, workers' compensation insurance, taxes, and contributions for Social Security and Unemployment which are measured by wages, salaries, or other remuneration paid to EFPM's employees. Upon DISTRICT'S request, EFPM shall furnish evidence satisfactory to Foundation that any or all of the foregoing obligations have been fulfilled.
- F. EFPM accepts the relationship of trust and confidence established between Foundation and EFPM by this agreement. EFPM covenants with DISTRICT to furnish its skill and judgment with due care and in accordance with applicable federal, state and local laws and regulations in carrying out its responsibilities defined in Article 3 of this contract.

### **ARTICLE 3: PROGRAM MANAGER'S BASIC SERVICES**

Program Manager's Basic Services are included as Exhibit "A".

### **ARTICLE 4: DURATION OF THE PROGRAM MANAGER'S SERVICES**

- A. The duration of the EFPM's Basic Services under this Agreement shall be from July 1, 2022 through June 30, 2023.
- B. Extensions to duration of the EFPM's basic services shall be dealt with as outlined in Article 5.

### **ARTICLE 5: CHANGES IN THE PROGRAM MANAGER'S BASIC SERVICES AND ADDITIONAL COMPENSATION**

- A. DISTRICT, without invalidating this Agreement, may make changes in EFPM's Basic Services specified in Article 3 of this Agreement. EFPM shall promptly notify DISTRICT of changes that increase or decrease EFPM's compensation or the duration of EFPM's Basic Services or both.
- B. Additional Compensation and Changes in Duration: EFPM shall be entitled to receive additional compensation when the scope of Basic Services is significantly increased or extended through no fault of EFPM. A written request for additional compensation shall be given by EFPM to DISTRICT describing the circumstances or event precipitating the additional work. In no event will EFPM begin additional work without prior written approval by DISTRICT.
- C. Changes in EFPM's Basic Services: Upon mutual agreement between DISTRICT and EFPM, changes in the EFPM's Basic Services or duration of the Agreement, and entitlement to additional compensation, shall be made by a written Amendment to this Agreement. The Amendment shall be executed by DISTRICT and EFPM prior to EFPM performing the Services required by the Amendment. EFPM shall proceed to perform the Services required by the Amendment only after receiving written notice directing EFPM to proceed.
- D. Payment of Additional Compensation: EFPM shall submit invoices for additional compensation with its invoice for Basic Services and payment shall be made pursuant to the provisions of Article 7 of this Agreement.

## **ARTICLE 6: DISTRICT'S RESPONSIBILITIES**

- A. DISTRICT shall provide to EFPM all necessary information regarding DISTRICT's requirements for the Program.
- B. DISTRICT shall examine information submitted by EFPM and shall render decisions pertaining thereto promptly.
- C. DISTRICT shall furnish legal, accounting, contract review and insurance counseling services as may be necessary for the Program.
- D. DISTRICT shall furnish insurance for the Program as specified in Article 8.
- E. If DISTRICT observes or otherwise becomes aware of any fault or defect in the Program or EFPM's services, or any nonconformity with the Contract Documents, DISTRICT shall give prompt written notice thereof to EFPM.
- F. DISTRICT shall furnish required information and approvals and perform its responsibilities and activities in a timely manner to facilitate orderly progress of the work in cooperation with EFPM, consistent with this Agreement and in accordance with the planning and scheduling requirements and budgetary constraints of the Project.



- G. DISTRICT may retain other parties to assist in this Program, whose services, duties and responsibilities will be described in written agreements between DISTRICT and these other parties. The services, duties and responsibilities set out in the agreement between DISTRICT and other parties shall be compatible and consistent with this Agreement.
- H. DISTRICT shall, in a timely manner secure, submit and pay for necessary approvals, easements, assessments, permits and charges required for the construction, use or occupancy of permanent structures or for permanent changes in existing facilities.
- I. DISTRICT shall designate an officer, employee or other authorized representatives to act in DISTRICT's behalf with respect to the Program. The DISTRICT'S representative shall be Dr. Jeremy Powell, Superintendent. This representative shall be available as often as may be reasonably required to render decisions and to furnish information in a timely manner.

## ARTICLE 7: COMPENSATION AND PAYMENT

### A. Compensation for Basic Services

DISTRICT shall compensate EFPM's for performing the Basic Services described in Article 3, within timeframes established in Exhibit C as follows:

The fee shall be based upon EFPM' estimate of Two Hundred and Eighty Hours (280) Hours to complete the Basic Services noted in Exhibit C, compensated at a rate of One Hundred and Forty Dollars (\$140.00) per hour. EFPM's fee shall not exceed **Thirty Nine Thousand Two Hundred Dollars (\$39,200.00)** for work associated with the basic Scope of Work of the Program, without the prior written consent of the DISTRICT.

EFPM will not accept any additional fees for this Project without amendment to this Agreement. DISTRICT will not reimburse EFPM for any expenses unless mutually agreed to in writing prior to incursion of the expense.

EFPM will invoice monthly indicating the project worked, time spent on the job and the phase of planning.

### B. Payment:

Payment shall be made monthly by DISTRICT to EFPM for basic services covered in Exhibit C as submitted by EFPM and approved by DISTRICT. Invoices submitted by EFPM shall be based upon actual hours completed as outlined in Exhibit C. Additional services shall be paid for as invoiced by EFPM and approved by DISTRICT.

EFPM will submit an invoice monthly to DISTRICT. DISTRICT shall make payment to the EFPM of one hundred percent (100%) of DISTRICT-approved invoiced amount within forty-five (45) days of DISTRICT's receipt of the invoice.

**C. Accounting Records**

Record of EFPM's personnel expense, consultant fees and direct expenses pertaining to the Program shall be maintained on the basis of generally accepted accounting practices and shall be available for inspection by DISTRICT or DISTRICT's representative at mutually convenient times for a period from the date of this Agreement through two years after completion of the contracted Services.

**D. Compensation for Additional Services**

If DISTRICT and EFPM agree to additional services in writing, EFPM shall be compensated and payments shall be made for performing Additional Services in the same manner as provided in Article 7 for Basic Services. There shall be an increase in the fee set out in Paragraph 7A in an amount which is mutually agreed upon in writing between DISTRICT and EFPM. EFPM shall receive all such written agreements in advance of performing extra duties.

**ARTICLE 8: INSURANCE AND MUTUAL INDEMNITY**

- A. EFPM shall as necessary procure and maintain insurance on all of its operations during the progress of its work on the Project, with reliable insurance companies, on forms acceptable to Foundation, for the following minimum insurance coverage:
1. Workers' Compensation insurance and occupational disease insurance, as required by law, and employer's liability insurance, with minimum limits of \$500,000, covering all workplaces involved in this Agreement.
  2. Commercial general liability insurance, with limits of not less than as indicated in either (1) or (2) as follows: (1) Bodily Injury Liability - \$500,000 each person, \$500,000 each occurrence; Property Damage Liability - \$500,000 each occurrence, \$500,000 aggregate; (2) A single limit for Bodily Injury Liability and Property Damage Liability Combined of \$500,000 each occurrence and \$500,000 aggregate. Insurance is to be placed with insurers admitted by the State of California Department of Insurance and with a Bests' rating of no less than (A) Level VII.
  3. EFPM shall provide Certificates of Insurance, or other evidence of insurance, to DISTRICT within thirty (30) days after receipt by EFPM of a signed version of this Agreement. The certificates shall provide that there will be no cancellation, reduction, or modification of coverage without ten (10) days' prior written notice to Foundation.

**B. Indemnity**

1. EFPM shall indemnify and hold harmless DISTRICT and its employees, agents and representative from and against any and all claims, demands, suits and damages for bodily injury and property damage for which the EFPM is liable that arise out of the solely negligent acts or omissions of EFPM in performing the Project Manager's Services under this Agreement.
2. DISTRICT shall indemnify and hold harmless EFPM and its employees, agents and representative from and against any and all claims, demands, suits and damages for bodily injury and property damage for which DISTRICT is liable that arise out of the solely negligent acts or omissions of DISTRICT in connection with the performance of the Project Manager's Services under this Agreement.

**ARTICLE 9: TERMINATION AND SUSPENSION**

**A. Termination**

1. This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party; providing that no such termination may be effected unless the other party is given:
  - a) Written notification (delivered by certified mail) that the other party is in material breach of the contract and the notification specify the circumstances of the breach.
  - b) Ten (10) calendar days to cure the breach.
  - c) An opportunity for consultation with the terminating party prior to the termination.
  - d) Termination notification (delivered by certified mail) that the breach has not been cured and providing an additional seven (7) calendar days prior to termination.
2. This Agreement may be terminated in whole or in part in writing by DISTRICT for its convenience without cause; provided EFPM is given (i) not less than thirty (30) days written notice (delivered by certified mail) of intent to terminate and (ii) an opportunity for consultation with DISTRICT prior to termination. In the event of notice of termination, EFPM shall take reasonable measures to mitigate termination expenses.

3. If termination pursuant to Subparagraph 9.A.1 is effected by DISTRICT, EFPM will be paid for work actually performed to the date of last service as specified in the termination notice.
4. Upon receipt of a termination notice pursuant to Paragraph 9.A.1 or 9.A.2, EFPM shall (i) promptly discontinue all services affected (unless the notice directs otherwise), and (ii) within 10 days deliver or otherwise make available to DISTRICT all data, documents, procedures, reports, estimates, summaries, and such other information and materials as may have been accumulated by EFPM in performing this Agreement, whether completed or in process.

**B. Suspension**

DISTRICT may in writing order EFPM to suspend all or any part of the Program Manager's Services for the Project for the convenience of DISTRICT. If the performance of all or any part of the Services for the project is so suspended, an adjustment in EFPM's compensation shall be made for the increase, if any, in the cost of EFPM's performance of this Agreement caused by such suspension. Upon mutual agreement the compensation shall be modified in writing accordingly.

**ARTICLE 10: ADDITIONAL PROVISIONS**

**A. Confidentiality**

EFPM shall not disclose or permit the disclosure of any confidential information, except to its agents, employees and other consultants who need such confidential information in order to properly perform their duties relative to this Agreement.

**B. Limitations and Assignment**

1. DISTRICT and EFPM each bind themselves, their successors, assigns and legal representatives to the terms of this Agreement.
2. Neither DISTRICT nor EFPM shall assign or transfer its interest in this Agreement without the written consent of the other.

**C. Governing Law**

Unless otherwise provided, the laws of the State of California shall govern this Agreement.

**D. Extent of Agreement**

This Agreement represents the entire and integrated agreement between DISTRICT and EFPM and supersedes all prior negotiations, representations or agreements,

either written or oral. This Agreement may be amended only by written instrument signed by both DISTRICT and EFPM. Nothing contained in this Agreement is intended to benefit any third party. The Contractors and Design Professionals are not intended third party beneficiaries of this Agreement.

**E. Severability**

If any portion of this Agreement is held as a matter of law to be unenforceable, the remainder of this Agreement shall be enforceable without such provisions.

**F. Meaning of Terms**

References made in the singular shall include the plural and the masculine shall include the feminine or the neuter.

**G. Notices**

All Notices required by this Agreement or other communications to either party by the other shall be deemed given when made in writing and deposited in the United States Mail, first class, postage prepaid, addressed as follows:

To DISTRICT:

Dr. Jeremy Powell, Superintendent  
Hamilton Unified School District  
P.O. Box 488  
Hamilton City, CA 95951

To EFPM:

Michael S. Cannon, Principal  
Educational Facilities Program Management, LLC  
129 Rideout Way  
Marysville, CA 95901

This Agreement is executed as of the day and year first written above.

\_\_\_\_\_  
By: Dr. Jeremy Powell Superintendent  
Hamilton Unified School District

\_\_\_\_\_  
By: Michael S. Cannon, Principal  
Educational Facilities Program Management, LLC

## **EXHIBIT “A”: PROGRAM MANAGER’S BASIC SERVICES:**

EFPM shall perform the Basic Services described in this Article. It is not required that the Basic Services be performed in the sequence in which they are described.

### **PROGRAM MANAGEMENT SERVICES**

Program Manager may assist the District in Facilities Planning at Hamilton Elementary School, Hamilton High School, and the new Hamilton High School site as requested by the District.

### **PROJECT MANAGEMENT SERVICES**

Program/Project Manager may assist District staff in completing specified projects, including but not limited to drafting construction and bid documents for at least two Division of State Architect (DSA) approved projects; assisting District staff during the bidding and contract award processes; helping select appropriate testing agencies and inspectors; overseeing the contractor submittal process; assisting in construction oversight; assisting District staff during project punch-list and closeout processes; and other such project assistance as may be required and requested.

### **OTHER SERVICES**

EFPM may assist the DISTRICT, at the request of the DISTRICT, with such other matters pertaining to the Program as both Parties may agree to, including but not limited to planning for existing and new campus modernizations,

HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13j</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve contract for Complete Asphalt Service Co., Inc. (CASCO) to pave Adult Ed parking lot at 535 Sacramento Ave.	
<b>Background:</b> Adult Education currently has only one paved parking place and one handicapped parking space. The curb parking is dangerous and limited to two spaces. The curb area often floods during rain storms. No parking across the street due to red curbs. We have created a gravel lot inside of the fenced area, this does help but quickly becomes overgrown with weeds and covered in debris. Adult Education is requesting more on-site parking. CASCO Paving has provided a quote to install a 1,250, 3" asphalt pad, seal-coated and stripped for parking spaces.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> \$13,500.00 from the Adult Education Budget.	
<b>Educational Impact:</b> Safe, on-site parking for any persons attending the Adult Education class.	
<b>Recommendation:</b> Recommend Board approve contract for Complete Asphalt Service Co., Inc. (CASCO) to pave Adult Ed parking lot at 535 Sacramento Ave.	

COMPLETE ASPHALT SERVICE CO., INC.  
P.O. BOX 3667  
CHICO, CA 95927

(530) 891-1983 PHONE  
(530) 891-1460 FAX

\*\*NOW ACCEPTING VISA / MASTERCARD FOR YOUR CONVENIENCE\*\*



HAMILTON UNIFIED SCHOOL DISTRICT

ATTN  
ALAN JOKSCH  
P.O. BOX 488  
HAMILTON CITY CA 95951

PHONE  
530 826-2003

CELL PHONE  
530 228-5550

FAX  
530 826-3061

CA CONTRACTORS LIC. #: 597565  
CERTIFIED SMALL BUSINESS WITH  
THE STATE OF CA O.S.M.B.  
D.I.R. #: 1000010229

EMAIL  
AJOKSCH@HUSD SCHOOLS.ORG

JOB NAME / ADDRESS  
LEARNING CENTER

535 SACRAMENTO AVE.  
HAMILTON CITY, CA

**PROPOSAL**

DATE  
5/11/2022

BID#  
**BC0049**

CUSTOMER I.D.  
HAMHIG

SPECIFICATIONS

- PAVING OF GRAVEL AREA:  
TO REMOVE EXISTING MATERIAL.  
TO REGRADE AND COMPACT SUBGRADE, APPROX. 1,250 SQ. FT.  
TO INSTALL / GRADE / COMPACT 3" AGGREGATE BASE.  
TO PAVE 1,250 SQ. FT. AT 3" THICK USING 1/2" MIX ASPHALT OVER PAVING FABRIC.  
TO SEALCOAT EXISTING ASPHALT WITH TOPSEAL ASPHALT-BASED SEALCOAT (1 COAT), APPROX. 1,000 SQ. FT..  
TO STRIPE NEW PARKING AREA WITH 1 VAN ACCESSIBLE PARKING STALL.

PRICE BASED UPON PREVAILING WAGE NON-WEEKEND RATES.

**WE PROPOSE TO FURNISH MATERIALS AND LABOR  
COMPLETE IN ACCORDANCE WITH THE ABOVE SPECIFICATIONS FOR: \$13,500.00**

THE UNDERSIGNED, ON BEHALF OF THE AFOREMENTIONED CUSTOMER, AGREES THAT THE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. CASCO IS AUTHORIZED TO DO THE WORK.

AUTHORIZED SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

PROPOSAL PRICES ARE SUBJECT TO CHANGE RELATIVE TO CHANGES IN EFFECTIVE RATES FOR LABOR, MATERIALS, AND TRUCKING. THIS OFFER IS NULL AND VOID AND HEREBY REVOKED AFTER 30 DAYS FROM PROPOSAL DATE IF NOT SIGNED AND ACCEPTED. PROGRESSIONAL PAYMENTS MAY BE REQUIRED ON ALL CONTRACTS LARGER THAN \$10,000.

**PLEASE KEEP THE YELLOW COPY FOR YOUR RECORDS**

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## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13k</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Adopt Resolution 21-22-109: Order of Election	
<b>Background:</b>  <b>July 8, 2022 - Specifications of Election Order</b> - This is the deadline for school districts and college districts to deliver to the county superintendent of schools and the county elections official a resolution entitled "Specifications for the Election Order." The order shall state the date and purpose of the election, the authority for ordering it, the authority for the specifications, and the signature of the authorizing officer. (Education Code §§ 5322, 15100. <b>(Order of Elections)</b> )  <b>July 11, 2022 - Notice of Election and Orders of Election</b> - Deadline for the county superintendent of schools to deliver a formal <b>Notice of Election</b> and copies of district election orders to the elections official. (Ed. Code §§5324, 5325-5361, 15120)	
<b>Status:</b> Pending Board Adoption	
<b>Fiscal Impact:</b> None	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend Board adopt Resolution 21-22-109: Order of Election	

# Order of Election

(Education Code Sections 5000, 5018, 5304, and 5322)

## RESOLUTION # 21-22-109

### ORDERING GOVERNING BOARD MEMBER ELECTION

**WHEREAS**, the regular biennial election of governing board members is ordered by law pursuant to Section 5000 of the Education Code to fill offices of members of the governing board of Hamilton Unified School District, of Glenn County (Counties), now be it

**RESOLVED** that the County Superintendent of Schools for this county call the election as ORDERED and in accordance with the designations contained in the following Specifications of the Election Order made under the authority of Education Code Sections 5304 and 5322.

### SPECIFICATIONS OF THE ELECTION ORDER

The election shall be held on Tuesday, November 8, 2022.

The purpose of the election is to elect two members of the governing board of Hamilton Unified School District.<sup>(1)</sup>

**IT IS FURTHER ORDERED** that the clerk or secretary of the district shall deliver not less than 123 days prior to the date set for the election, two (2) copies of this Resolution and Order to the county superintendent of schools and one (1) copy to the officer conducting the election.

**THE FOREGOING RESOLUTION AND ORDER WAS ADOPTED** by a formal vote of the governing board of Hamilton Unified School District of Glenn County, being the board authorized by law to make the designations therein contained on June 27, 2022 at a regular board meeting.

Signed \_\_\_\_\_  
(CLERK/SECRETARY OF THE GOVERNING BOARD)

<sup>(1)</sup> In the case of an election on a measure, including a bond measure, insert this or equivalent wording: **“Another purpose of the election is to submit to the voters the following measure(s):”** followed by the exact wording of each measure as it is to appear on the ballot (in 75 words or less, as per Elections Code Sec. 13247).

If the measure is a BOARD MEMBER INCREASE proposal sought under the provisions of Education Code Sec. 5018, the Specifications of the Election Order should also be made to state the following **“Another purpose of the election is to elect two additional members of the governing board to serve if the board member increase measure is approved by the voters.”** Please note, also, that Education Code Sec. 5018 allows a governing board to request the superintendent to **resubmit** a board member increase measure to voters, and that the request can be transmitted to the superintendent up to 100 days (rather than 123 days) prior to a governing board member election.

**INSTRUCTIONS:** After the board has adopted this (or other form of a) Resolution calling the election and setting forth the Specifications of the Election Order, the board clerk or secretary shall sign and distribute the “Order of Election” as follows:

- (1) For a governing board member election, generate three copies of the Resolution and Specifications; and, not less than 123 days prior to the date set for the election, send one copy to the officer conducting the election, and two copies to the county superintendent of schools. The superintendent, then, shall send one copy together with a copy of the Notice of Election to the officer conducting the election (county clerk or registrar of voters), not less than 120 days before the election (Education Code Sec. 5324).
- (2) For an election on a measure, including a bond measure, send (only one copy of) the Resolution and Specifications directly to the officer conducting the election (county clerk or registrar of voters), not less than 88 days prior to the date of the election.

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13I</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve Eagle Architects contract for Hamilton Elementary Trash Enclosure	
<b>Background:</b> At Hamilton Elementary we are upgrading the trash enclosure area to provide safer pedestrian and employee traffic along the public sidewalk including a ramp to the new garbage bins.  As the work will require Department of State Architect approval, Eagle Architects will assist with DSA plans, checks, review and submittals.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> Total cost \$13,980 from Bond Fund 21	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend Board approve Eagle Architects contract for Hamilton Elementary Trash Enclosure	

Eagle Architects  
169 Picholine Way  
Chico, CA 95928  
(530)898-0123

June 21, 2022

Jeremy Powell  
Superintendent  
Hamilton Unified School District  
620 Canal Street  
Hamilton City, CA. 95951

Subject: Agreement for Consulting Services  
Trash Enclosure: DSA Submittal  
Hamilton City Elementary School  
277 Capay Ave  
Hamilton City, CA. 95951

Dear Mr. Powell,

I am glad to have the opportunity to continue a working relationship with Hamilton Unified School District. Please review, sign and return one (1) original of the attached Agreement for Consulting Services with Eagle Architects for the trash enclosure Project at Hamilton Elementary School in Hamilton City.

The scope of work shall upgrade the trash enclosure area to provide better pedestrian & employee traffic along the public sidewalk including a ramp to the new garbage bins at Hamilton City Elementary school. The work shall include construction documents through Department of the State Architect approval. The duration of this contract shall be from June 28, 2022 through an approximate completion of October 31, 2022. The compensation for this project shall be on a fixed fee basis. See attached fixed fee schedule below:

Task	Fee
Phase 2 – Construction Documents Include the following documents 1. Cover sht./ plot plan/general notes 2. Campus Site plan/ADA access entire campus 3. Provide CAD details as requested for wrought iron fencing 4. Civil Site Survey & Demo Plan (NIC by civil engineer) 5. Site Improvement Plan & Grading - Drainage Plan (NIC by civil engineer) 6. Erosion Control Plan (NIC by civil engineer) 7. Civil Details (NIC by civil engineer) 8. Review civil drawings 9. Provide manual book specification 10. Review front end specification sections provided by school district as requested by civil engineer	\$8820

<ul style="list-style-type: none"> <li>11. One virtual zoom meeting with architect &amp; civil engineer</li> <li>12. Coordination review &amp; approval with district staff</li> <li>13. Prepare DSA-1 &amp; DSA-1 REG Application</li> <li>14. Submit construction documents to DSA for plan check electronic review - access compliance only</li> <li>15. Redline comments from DSA plan check review</li> <li>16. DSA Backcheck review &amp; approval</li> </ul>	
<p>Phase 2 Total Fee</p> <p>This fee proposal is good for 30 days. After 30 days fee subject to change</p>	\$8820
<p>Reimburseables- Printing costs to be billed at cost plus 10%- Budget</p>	\$1000
<p>Phase 3: Bidding, Construction Administration &amp; Project Closeout</p> <ul style="list-style-type: none"> <li>1. Moving forward with Phase 3 subject to approval of DSA &amp; funding from Hamilton City Unified School</li> </ul>	
<p>Bidding</p> <ul style="list-style-type: none"> <li>1. Prepare &amp; issue documents for Bidding as requested by civil engineer</li> <li>2. Prepare Addendums with DSA review &amp; approval</li> <li>3. Attend Bid Walk Through with district, civil engineer &amp; bidders- Architect only</li> <li>4. Answer questions &amp; RFIs via email &amp; phone by civil engineer</li> </ul>	\$1800
<p>Construction Administration</p> <ul style="list-style-type: none"> <li>1. Attend Pre-construction meeting with contractor, civil engineer &amp; DSA inspector- architect only</li> <li>2. Review submittals from contractor by civil engineer</li> <li>1. Review and answer RFIs by civil engineer</li> <li>2. CCDs not required for access only</li> <li>3. Prepare DSA 1021C Construction Start Notice</li> <li>4. DSA-6AE not required for access only</li> <li>5. Prepare DSA 999 for DSA Inspector</li> <li>6. Upload &amp; interact with DSA through Bluebeam Studio &amp; <b>"The Box"</b></li> <li>7. Final Observation/Punch list walk through- Architect &amp; civil Engineer</li> </ul>	\$2360
<p>Project Closeout with DSA</p> <ul style="list-style-type: none"> <li>1. Closeout documentation not required for access only</li> </ul>	NIC
<p>Phase 3: Total Fee</p> <p>This fee proposal is good for 30 days. After 30 days fee subject to change</p>	\$4160

All additional Services shall be billed at an hourly rate as shown on attached hourly rate schedule. Department of the State Architect (DSA) Fees to be paid by school district.

All invoices will be billed based upon the percentage complete for each item in each task. All invoices are due and payable no more than 14 days after the invoice date. Interest of 12% annually will accrue on invoices 60 days past due. All documents produced by Eagle Architects are copyrighted under US copyright laws. Eagle Architects holds copyrights to all instruments of service until transferred or grants licenses for those rights.

I hope this meets with your approval and I look forward to develop my relationship with Hamilton Unified School District.

Sincerely,  
Eagle Architects

Alan Chambers  
Principal

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ACCEPTED  
IN WITNESS WHEREOF, Hamilton Unified School District and Eagle Architects  
have executed this Agreement.

CLIENT  
Hamilton Unified School District

CONSULTANT  
Eagle Architects



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By: Jeremy Powell, Superintendent  
Date:

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By: Alan Chambers, President  
Date: 6/21/22

**ATTACHMENT "A"**

**PROFESSIONAL SERVICES EXPENSE SCHEDULE\***

January 1, 2022 through December 31, 2022

<b>A.</b>	<b>PROFESSIONAL SERVICES COMPENSATION RATES</b>	<b>RATE PER HOUR</b>
	ARCHITECT-IN-CHARGE	\$200.00
	PROJECT DIRECTOR	\$175.00
	PROJECT ARCHITECT	\$150.00
	PROJECT MANAGER	\$150.00
	DRAFTER	\$105.00
	CLERICAL	\$ 70.00
	GRAPHICS PRESENTATIONS	\$100.00

\*Note: Professional Services Expense Schedule to be revised annually

## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13m</b>	<b>Date: 6/24/2022</b>
<b>Agenda Item Description:</b> Approve annual district designees for Glenn County Office of Education 2022-23.	
<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 2022-23.	





# HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street  
P.O. Box 488, Hamilton City, CA 95951  
TEL 530-826-3261 | FAX 530-826-0440

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Jeremy Powell, Ed. D.  
Superintendent

TO: Glenn County Office of Education Business Department

FROM: Hamilton Unified School District

SUBJECT: Annual District Designees

DATE: June 27, 2022

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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 2022-2023.

1. Kristen Hamman \_\_\_\_\_

2. Dr. Jeremy Powell \_\_\_\_\_

3. Cris Oseguera \_\_\_\_\_

4. Ulises Tellechea \_\_\_\_\_

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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: 13n</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve annual district designees district authority 2022-23.	
<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 2022-23.	



# HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street  
P.O. Box 488, Hamilton City, CA 95951  
TEL 530-826-3261 | FAX 530-826-0440

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Jeremy Powell, Ed. D.  
Superintendent

TO: Governing Board and District Staff

FROM: Dr. Jeremy Powell

SUBJECT: Annual District Designees

DATE: June 27, 2022

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Annually, the Superintendent appoints the succession of District Authority in the absence of the Superintendent.

For the 2022-23 school year, the designees are as follows:

*Primary:* Mrs. Kristen Hamman, Chief Business Official

*Secondary:* Mr. Cris Oseguera, Hamilton High School Principal

*Tertiary:* Mr. Ulises Tellechea, Hamilton Elementary School Principal

This annual notification of designees will be adopted at the June 27, 2022 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: 13o</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve Robertson Erickson contract for Hamilton Elementary Trash Enclosure	
<b>Background:</b> At Hamilton Elementary we are upgrading the trash enclosure area to provide safer pedestrian and employee traffic along the public sidewalk including a ramp to the new garbage bins.  As the work will require Department of State Architect approval, Robertson Erickson will need to provide additional services as specified in the attached contract.	
<b>Status:</b> Pending Board Approval	
<b>Fiscal Impact:</b> Total cost \$4,250 from Bond Fund 21	
<b>Educational Impact:</b> None	
<b>Recommendation:</b> Recommend Board approve Robertson Erickson contract for Hamilton Elementary Trash Enclosure	



June 21, 2022

Dr. Jeremy Powell, Superintendent  
Hamilton Unified School District  
620 Canal Street  
P.O. Box 488  
Hamilton City, CA 95951

Regarding: Hamilton Elementary School Improvements, Trash Enclosure Area

Dear Dr. Powell,

At the request of Tiffany Wilhelm, we have prepared this proposal civil engineering services related to the future design of a new trash enclosure area next to the Cafeteria at Hamilton Elementary School. We appreciate the opportunity you have given us to propose our services. We are proposing this work to continue the preliminary work started on this project. That included a topographic survey and preliminary design and planning, plus a few onsite meetings. I believe you will need the following scope of work:

## **A. CONSTRUCTION DOCUMENTS**

1. Demolition Plan
  - a. Show pavement areas to be removed to accommodate new project
2. Site Pavement Plan
  - a) Plan to show new pavement areas for walkway and trash enclosure.
3. Grading Plan
  - a) Plan to show existing and proposed topographic information for trash enclosure area and walkway.
4. Erosion and Sediment Control Plan
  - a) Provide basic erosion and sediment control plan with associated BMP's
  - b) Provide details of BMP's.
7. Details, Notes, and Specifications
  - a) Prepare details and general notes for civil work including site clearing and concrete pavement.
  - b) Construction specifications for those elements of the project that we design will be provided in CSI format to be included in the project manual compiled by architect..
8. Submittals and Permit Processing
  - a) Submittal of plans for design team coordination and district review at 90% completion.
  - b) Revision of plans following project team review.
  - c) Submit 95% completion set to DSA (in coordination with project architect) and a set to County of Glenn for review of offsite curb/gutter/sidewalk improvements.

d) Revise plans after DSA and County review, submit 100% documents for permits.

9. Project Coordination

a) Coordination with owner, Architect, project team and agencies during the preparation of plans.

**B. CONSTRUCTION ADMINISTRATION**

1. Prepare addenda and supplemental instruction documents, interpret civil drawings and specifications where required to clarify the intent of the construction documents.
2. Attend pre-construction conference.
3. Review shop drawings and submittal data for general compliance with specifications.
4. Review Contractor submittals (RFI's) and respond as necessary.
5. Provide 2 site visits during construction

**ASSUMPTIONS AND EXCLUSIONS**

1. Design of loading docks, slabs, retaining walls, or service facilities appurtenant to the buildings is not included.
2. It is assumed that on or off-site utilities have adequate capacity to accommodate the proposed development. Upgrading and/or analysis of existing on or off-site facilities and design of extensions of off-site utilities is not included but can be performed as an additional service. Application services for extension or new utility connections is not included.
3. This contract does not include any Qualified SWPPP Practitioner (QSP) or Qualified SWPPP Developer (QSD) work since it is assumed that total disturbed dirt area will be less than 1-acre.
4. Preparation of Parcel Maps, easement plats and/or legal descriptions, American Land Title Association (ALTA) Surveys and maps, and flood studies is not included.
5. Plan check fees, permit fees, and other processing fees will not be paid by Robertson Erickson.
6. Coordination, preparation and processing of drawings, documents, and applications, attendance at public hearings, etc. during the planning/use permit/rezoning phase of the project is not included but can be provided as additional service.
7. The preparation and processing of drawings and documents for environmental impact reports, assessment districts, maintenance districts, and annexations is not included.
8. The design of custom manholes, junction structures or piping facilities for storm water or sanitary sewer is not included. It is assumed all required structures and piping facilities will be commonly available from manufacturers.
9. It is assumed that sanitary sewer drains and storm drains will be designed as gravity systems and that pumping will not be required. The design of storm water or sanitary sewer pumping facilities is not included.
10. Groundwater monitoring well planning, installation, or monitoring is not included.
11. This proposal does not include the preparation of Public Utility joint trench plans and details.

- 12. Property Boundaries shown on the topographic map and plans will be based on field evidence and recorded information and should be considered approximate. The procedure for determining exact property boundaries involves performing a Record of Survey. Performing a Record of Survey is beyond our scope of work for this project and is not included in this proposal.
- 13. Construction Document Grading Plans do not include a rough grading plan or offsite grading (extraction or borrow sites).
- 14. This proposal does not include landscape or irrigation design.
- 15. Reimbursable items such as mileage and reproduction shall be charged as extra charges.
- 16. It is assumed that others are preparing a project manual and/or bid package (including, but not limited to provisions, and special provisions) and that we are only providing specifications in a CSI format for items that are shown on our civil plans.

**B. Client agrees to compensate consultant for such services as follows:**

Fees as follows:

Construction Documents	\$ 2,500
Construction Administration	<u>\$ 1,750</u>
Total	\$ 4,250

If you have any questions or would like to discuss this further, please do not hesitate to call me at (530) 894-3500. If you decide to hire us for this project, please sign and date this proposal/contract letter below. Work can be stopped on this project with a 10-day written notice by either party with fees paid to date. We have the right to stop work on this project for invoices not paid beyond 30-days past due date.

Thank you for the opportunity to present this proposal and we look forward to working with you.

Sincerely,



Russ Erickson, P.E.  
Civil Engineer/Principal

Accepted by: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Attachment B  
Robertson Erickson Schedule of Rates 2022

FIELD CREWS

2 Man Survey Crew \_\_\_\_\_ \$220.00/Hour.  
3 Man Survey Crew \_\_\_\_\_ \$260.00/Hour  
One Man and Truck \_\_\_\_\_ \$150.00/Hour

Note: Minimum Field Crew Charge of two (2) Hours

OFFICE

Principal Engineer \_\_\_\_\_ \$185.00/Hour  
Principal Surveyor \_\_\_\_\_ \$185.00/Hour  
Professional Engineers/Surveyor \_\_\_\_\_ \$140.00/Hour  
Civil Engineering/Surveying Technician IV \_\_\_\_\_ \$125.00/Hour  
Civil Engineering/Surveying Technician III \_\_\_\_\_ \$115.00/Hour  
Civil Engineering/Surveying Technician II \_\_\_\_\_ \$105.00/Hour  
Civil Engineering/Surveying Technician I \_\_\_\_\_ \$95.00/Hour  
Clerical \_\_\_\_\_ \$55.00/Hour

OUTSIDE SERVICES

Actual costs plus 15%

BLACK-LINE PRINTS

30" X 42" \_\_\_\_\_ \$3.00 EA  
24" X 36" \_\_\_\_\_ \$2.50 EA.  
18" X 24" \_\_\_\_\_ \$2.00 EA.  
Photo Copies \_\_\_\_\_ \$0.15 EA.  
Mylars \_\_\_\_\_ \$15.00 EA

Travel/Per Diem

\$ 0.62 per mile



## HAMILTON UNIFIED SCHOOL DISTRICT

<b>Agenda Item Number: 13p</b>	<b>Date: 6/27/2022</b>
<b>Agenda Item Description:</b> Approve Superintendent 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase.	
<b>Background:</b> A 5% COLA on the 2022-23 Superintendent salary schedule, \$1,000 health and welfare cap increase from \$11,370 to \$12,370, \$400 master stipend increase from \$800 to \$1,200.	
<b>Status:</b> Pending board approval	
<b>Fiscal Impact:</b> A 5% COLA will be paid from the 2022-23 school year budget. Salary cost and benefit cost of a 5% increase, \$1,000 health and welfare cap increase, \$400 master stipend increase is \$8,500 (salary cost) and \$6,524 (benefit cost) respectively.	
<b>Educational Impact:</b> None.	
<b>Recommendation:</b> Recommend board approve the Superintendent 2022-23 salary schedule containing a 5% COLA, \$1,000 health and welfare cap increase, \$400 master stipend increase.	

Superintendent/Principal Salary Schedule

2022-2023

\$170,097

225 Days  
Effective July 1, 2022  
COLA of 5% board approved 3/23/22  
CAP of \$12,370 effective 10/1/22  
Master's stipend \$1200  
Doctorate stipend \$2,000

**HAMILTON UNIFIED SCHOOL DISTRICT  
REGULAR BOARD MEETING MINUTES  
Hamilton High School Library/Zoom/Facebook Live  
620 Canal Street, Hamilton City, CA 95951  
Wednesday, May 25, 2022**

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5:30 p.m.	Public session for purposes of opening the meeting only
5:30 p.m.	Closed session to discuss closed session items listed below (For Board Only)
6:00 p.m.	Reconvene to open session no <b>later</b> than 6:30 p.m.

---

*Hamilton Unified School District Board Meetings are open to the public. Please join the meeting by attending in person or via the livestream on Facebook Live on the District's Facebook Group page or through the below Zoom link or dial by phone as listed below:*

Join Zoom Meeting

<https://us02web.zoom.us/j/84688330892?pwd=aGdCb1VRZFgyTURmeW5POUU5WHIVZz09>

Meeting ID: 846 8833 0892

Passcode: board



Dial in by phone:

+1 669 900 6833 US

Meeting ID: 846 8833 0892

Passcode: 826421

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**1.0 OPENING BUSINESS:**

- a. Call to order and roll call [at 5:31 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.

[No public comment](#)

**4.0 ADJOURN TO CLOSED SESSION:** To consider qualified matters.

- a. Government Code Section 54957, Personnel Issue. To consider public employee, evaluation, reassignment, resignation, release, dismissal, or discipline of a classified and/or certificated employee.
- i. 3 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 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: [No action to report out](#)*

**5.0 PUBLIC SESSION/FLAG SALUTE: [6:15 p.m.](#)**

**6.0 ADOPT THE AGENDA: (M)**

Mr. Lower noted changes to the agenda:

Information item 10 c was added to the agenda and noted in amended version

Consent item 14.0 g I should read as follows:

Gelsey Quiroz-Garcia Temporary Middle School Science Teacher, HES  
starting 2022-23 School Year

Motion to adopt the agenda with the noted changes by Mr. Leal 2<sup>nd</sup> by Mr. Boone. Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

**7.0 COMMUNICATIONS/REPORTS:**

- a. Board Member Comments/Reports
  - i. Mr. Lower commented on Senior Projects
- b. ASB President Report for Hamilton High School by Lexi Villegas
  - i. Report was read by Mr. Lower
- c. District Reports (written)
  - i. Technology Report by Frank James (p. 4)
  - ii. Nutrition Services Report by Sean Montgomery (p. 5)
  - iii. Operations Report by Alan Joksch (p. 6)
- d. 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 (handout)
  - iv. Silvia Robles, Adult School (p. 9)
- e. Chief Business Official Report by Kristen Hamman (no report due to GCOE outage)
- f. Superintendent Report by Jeremy Powell (handout)

**8.0 PRESENTATIONS:**

- a. Capturing Kids Hearts (CKH) by Betty Mercado, Maria Reyes and Cristina Rios
  - i. Presented by Ms. Reyes & Ms. Rios
  - ii. Questions answered
- b. District Staff Service Awards – Presented by Dr. Powell
  - i. Dave Elkin – 5 years
  - ii. Kathy Thomas – 5 years
  - iii. Cris Oseguera – 15 years & ACSA Secondary Education Principal of the Year
  - iv. Erendida Moreno – 20 years
  - v. Sylvia Robles – 20 years
  - vi. Austin Crosby – 25 years
  - vii. Maggie Sawyer – 25 years
  - viii. Lupe Mercado – 25 years
  - ix. Martha Jaeger – 20 years

**9.0 CORRESPONDENCE:**

- a. None

**10.0 INFORMATION ITEMS:**

- a. HUSD Enrollment History for 5 years (p. 10)
  - i. Dr. Powell reviewed
- b. Bond Status (Fund 21) (No update due to GCOE outage)
- c. June Board Meeting Dates
  - i. LCAP/Budget Public Hearing moved from June 8<sup>th</sup> to Thursday, June 23<sup>rd</sup>
  - ii. Meeting for Approval of Budget and LCAP moved from June 22<sup>nd</sup> to Monday, June 27<sup>th</sup>
    - 1. Dr. Powell reviewed present situation regarding access to data for budget and suggested possible other dates for Public Hearing and Approval meetings

- a. Possibility 1: Public Hearing 6/24 at 3:00 p.m. & Approval meeting 6/27 at regular time
- b. Possibility 2: Public hearing 6/27 at 9:00 a.m. & Approval meeting 6/28 at 9:00 a.m.
- c. A brief discussion about meeting dates was held by those present
- d. Dr. Powell suggested that Possibility 1 looked most likely and will reach out to Mr. Reyes
- e. Announcement of official date changes will be sent out later

**11.0 DISCUSSION ITEMS:**

- a. Hamilton Elementary School principal job search update
  - i. Dr. Powell reviewed and answered questions
  - ii. A survey will be going out to staff and community soon

**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.  
 Aerial Ellis and several community members made public comment

**13.0 ACTION ITEMS:**

- a. Approve Declaration of Need for Fully Qualified Educators 2022-23 School Year (p. 15)
  - i. Dr. Powell reviewed

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Odom. Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- b. Approve HUSD 2022-23 District Calendar Option B Revised 4/28/2022 (originally approved 01/26/2022) (p. 20)
  - i. Dr. Powell reviewed changes
  - ii. First Day of School moved to June 9, 2022 to address need for 180 student days

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Boone. Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- c. Approve contract between HUSD and Boys & Girls Club of North Valley for 2021-22 Summer Service (p. 22)
  - i. Dr. Powell reviewed

Motion to approve by Mr. Boone 2<sup>nd</sup> by Mr. Leal. Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- d. Authorize Superintendent to Execute DWK HUSD Agreement for Professional Services 2022-23 and 2023-24 School Years (p. 25)
  - i. Dr. Powell reviewed

Motion to approve by Mr. Boone 2<sup>nd</sup> by Mr. Leal. Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- e. Approve MOU between HUSD and Rainbow Walker, Educational Consultant for PBIS Training and Consulting Services 2022-23 (p. 31)
  - i. Dr. Powell & Ms Thomas reviewed

Motion to approve by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- f. Approve increase to Summer School Teacher/Saturday School Teacher hourly rate effective 6/6/2022 (p. 34)
  - i. Dr. Powell reviewed
  - ii. Mr. Odom questioned that some salaries are per hour and some are not
  - iii. Ms. Hamman reviewed and answered questions
  - iv. Mr. Odom requested that the salary schedule be updated clarifying which salaries are hourly

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Odom.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: ABESENT	Reyes: ABSENT
Odom: AYE	

- g. Approve Tentative Agreement between CSEA and HUSD 2022-23 (handout)
  - i. Dr. Powell requested that this item be tabled

Motion to table by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 3-0

Leal: AYE	Lower: AYE
Boone: ABSENT	Reyes: ABSENT
Odom: AYE	

- h. CSBA Policies review for 2nd readings and adoption (p. 36)
  - i. Board Policy 4030: Nondiscrimination in Employment
  - ii. Exhibit 4112.9: Employee Notifications
  - iii. Exhibit 4212.9: Employee Notifications
  - iv. Exhibit 4312.9: Employee Notifications
  - v. Board Policy 4141.6: Concerted Action/Work Stoppage
  - vi. Board Policy 4241.6: Concerted Action/Work Stoppage
  - vii. Administrative Regulation: 4141.6: Concerted Action/Work Stoppage
  - viii. Administrative Regulation: 4241.6: Concerted Action/Work Stoppage
  - ix. Board Policy 5111: Admission
  - x. Administrative Regulation 5111: Admission
  - xi. Administrative Regulation 5113: Absences and Excuses
  - xii. Administrative Regulation 5142: Safety
  - xiii. Exhibit 5145.6: Parental Notifications
  - xiv. Board Policy 6173: Education for Homeless Children
  - xv. Administrative Regulation 6173: Education for Homeless Children
  - xvi. Exhibit (1) 6173: Education for Homeless Children
  - xvii. Exhibit (2) 6173: Education for Homeless Children
  - xviii. Board Bylaw 9322: Agenda/Meeting Materials

Motion to approve by Mr. Leal 2<sup>nd</sup> by Mr. Boone.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	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 & Public Hearing on April 27, 2022 (p. 41)
- b. Minutes from Special Board Meeting on April 27, 2022 (p. 46)
- c. Minutes from Special Board Meeting on May 11, 2022 (p. 48)
- d. Williams Quarterly April 2022 (p. 49)
- e. Warrants and Expenditures (p. 20)
- f. Interdistrict Transfers (new only; elementary students reapply annually).
  - i. Out
    - 1. Hamilton Elementary School
      - a. None
    - 2. Hamilton High School
      - a. None
  - ii. In
    - 1. Hamilton Elementary School
      - a. None
    - 2. Hamilton High School
      - a. 9<sup>th</sup> x 3

g. Personnel Actions as Presented:

i. New hires:

Bryan Cruz	Temporary Multiple Subject Teacher, starting 2022-23 School Year	HES
Trevor Heyl	Temporary Multiple Subject Teacher, starting 2022-23 School Year	HES
Gelsey Quiroz-Garcia	Temporary Multiple Subject Teacher, starting 2022-23 School Year	HES

ii. Resignations/Retirement:

Derek Nall                      7<sup>th</sup>/8<sup>th</sup> Grade Football Coach                      HES

Change noted to consent:

Gelsey Quiroz-Garcia      Temporary Science Teacher, starting 2022-23 School Year      HES

Motion to approve Consent agenda with change by Mr. Boone 2<sup>nd</sup> by Mr. Leal.                      Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

**15.0 ADJOURNMENT:** at 7:27 p.m.

X  
 \_\_\_\_\_  
 Rod Boone  
 HUSD Board Clerk

X  
 \_\_\_\_\_  
 Jeremy Powell  
 HUSD Superintendent

**HAMILTON UNIFIED SCHOOL DISTRICT  
SPECIAL BOARD MEETING MINUTES  
Hamilton High School Library/Zoom/Facebook Live  
620 Canal Street, Hamilton City, CA 95951  
Wednesday, May 25, 2022**

Special board meeting commences immediately following the adjournment of regular board meeting.

*Hamilton Unified School District Board Meetings are open to the public. Please join the meeting by attending in person or via the livestream on Facebook Live on the District's Facebook Group page or through the below Zoom link or dial by phone as listed below:*

Join Zoom Meeting

<https://us02web.zoom.us/j/84688330892?pwd=aGdCb1VRZFgyTURmeW5POUU5WHIVZz09>

Meeting ID: 846 8833 0892

Passcode: board



Dial in by phone:

+1 669 900 6833 US

Meeting ID: 846 8833 0892

Passcode: 826421

**1.0 OPENING BUSINESS:**

- a. Call to order and roll call at 7:28 p.m.

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

✓ Rod Boone, Clerk  
✓ Ray Odom

✓ Gabriel Leal

**2.0 ADOPT THE AGENDA: (M)**

Motion to adopt the agenda by Mr. Boone 2<sup>nd</sup> by Mr. Leal.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

**3.0 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

**4.0 ACTION ITEMS:**

- a. Approve Amendment No. 1 to the HCCSD Park Donation Agreement (p. 2)

Following a brief discussion, a motion was made.

Motion to approve the amendment by Mr. Boone 2<sup>nd</sup> by Mr. Odom.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

- b. Authorize four 10-hour work day work weeks for administrative assistants June through August 2022 (p. 10)

Motion to authorize by Mr. Boone 2<sup>nd</sup> by Mr. Leal.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	



- c. Approve contract with Eagle Architects to rehabilitate Hamilton Elementary School Bathrooms (p. 12)  
Following a brief discussion, a motion was made.

Motion to approve contract by Mr. Odom 2<sup>nd</sup> by Mr. Leal.

Motion Carried 4-0

Leal: AYE	Lower: AYE
Boone: AYE	Reyes: ABSENT
Odom: AYE	

**5.0 ADJOURNMENT:** at 7:42 p.m.

X  
\_\_\_\_\_  
Rod Boone  
HUSD Board Clerk

X  
\_\_\_\_\_  
Jeremy Powell  
HUSD Superintendent

Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor ACTUARIAL RETIREMENT CONSULTING LLC (001143/1) 8155 SW CANYON ROAD PORTLAND, OR 97225										
2021/22	04/13/22		22-488:GASB 75 VAL 2022	INV1196	05/19/22	Open		2,500.00		2,500.00
								2022 (000118) 01-0000-0-0000-2700-5890-000-000-00000		
								<b>Total Invoice Amount</b>	<b>2,500.00</b>	<b>Check</b>
Direct Vendor ALEJANDRO GONZALEZ (002105/1) PO BOX 962 HAMILTON CITY, CA 95951										
2021/22	05/20/22		2021 G TIPPING SCHOLARSHIP AWARD	2021 G TIPPING SCH	05/26/22	Open		1,000.00		1,000.00
								2022 (000433) 01-0002-0-1110-1000-5890-000-000-00000		
								<b>Total Invoice Amount</b>	<b>1,000.00</b>	<b>Check</b>
Direct Vendor ALHAMBRA & SIERRA SPRINGS (000010/1) BOX 660579 DALLAS, TX 75266-0579										
2021/22	04/27/22		406 APRIL WATER	APRIL 9858589 042722	05/19/22	Open		16.40		16.40
								2022 (000099) 01-0000-0-0000-2700-4300-000-000-00000		
2021/22	04/27/22		406 ADULT ED WATER	APRIL AD ED 9858589	05/20/22	Open		14.50		14.50
								2022 (001279) 11-6391-0-4110-1000-4300-000-000-00000		
2021/22	04/27/22		406 APRIL ELEM	APRIL ELEM 9858589	05/20/22	Open		49.50		49.50
								2022 (000257) 01-0000-0-1110-1000-4300-800-000-00000		
2021/22	04/27/22		406 ELLA B WATER	APRIL ELLAB 9858589	05/20/22	Open				
								2022 (000327) 01-0000-0-3200-1000-4300-300-000-00000		
2021/22	04/27/22		406 HS DRINKING WATER	APRIL HS 9858589	05/20/22	Open		24.60		24.60
								2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000		
2021/22	04/27/22		406 APRIL MAINT DEPT	APRIL MAINT 9858589	05/20/22	Open		15.50		15.50
								2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000		
								<b>Total Invoice Amount</b>	<b>120.50</b>	<b>Check</b>

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ESCAPE ONLINE

Scheduled 05/19/2022 - 05/26/2022							Bank Account COUNTY - County Bank Account			
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor AT&T (001075/1) P.O. BOX 9011 ACCT#C602224524777 CAROL STREAM, IL 60197-9011										
2021/22	04/12/22		403 ELEM APRIL	ELEM APRIL18031316	05/20/22	Open		109.57		109.57
	2022 (000124)	01-0000-0-0000-2700-5990-800-000-00000								
2021/22	05/12/22		403 ELEM MAY	ELEM MAY 18176066	05/20/22	Open		108.37		108.37
	2022 (000124)	01-0000-0-0000-2700-5990-800-000-00000								
2021/22	05/12/22		403 HS/DIST MAY	HS MAY 18174622	05/20/22	Open		182.34		182.34
	2022 (000122)	01-0000-0-0000-2700-5990-000-000-00000								
	2022 (000123)	01-0000-0-0000-2700-5990-100-000-00000								
							<b>Total Invoice Amount</b>	<b>400.28</b>	<b>Check</b>	
Direct Vendor BOB'S PLUMBING CO (000446/1) 1116 ORCHARD WAY CHICO, CA 95928										
2021/22	04/18/22		PO 22-486	TEST 6 BACKFLOW DEV	05/19/22	Open		265.00		265.00
	2022 (001147)	01-8150-0-0000-8100-5630-000-000-00000								
							<b>Total Invoice Amount</b>	<b>265.00</b>	<b>Check</b>	
Direct Vendor BRENDEN STEVENS (002070/1) 574 MANZANITA AVE SUITE 5 CHICO, CA 95926										
2021/22	05/09/22		PO 22-448 BAND	270	05/19/22	Open		834.00		834.00
	2022 (000283)	01-0000-0-1110-1000-5630-000-013-00000								
							<b>Total Invoice Amount</b>	<b>834.00</b>	<b>Check</b>	
Direct Vendor BROWN INDUSTRIES INC (001390/1) 344 WEST FRONT STREET MEDIA, PA 19063-2640										
2021/22	03/02/22		PO 22-417 STAFF	122-04427	05/19/22	Open		239.65		239.65
	2022 (000240)	01-0000-0-1110-1000-4300-000-000-00000								
							<b>Total Invoice Amount</b>	<b>239.65</b>	<b>Check</b>	
Selection See last page for selection criteria								<input type="button" value="ESCAPE"/> <input type="button" value="ONLINE"/>		Page 2 of 18

**Scheduled 05/19/2022 - 05/26/2022** **Bank Account COUNTY - County Bank Account**

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor CALIFORNIA WATER SERVICE CO (000053/1) 2222 DR MARTIN LUTHER KING JR PARKWAY CHICO, CA 95928										
2021/22	04/28/22		422 APRIL ADULT ED	APR ADED 3624177777	05/20/22	Open		20.73		20.73
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	04/27/22		422 APRIL DIST	APR DIST 7314177777	05/20/22	Open		424.77		424.77
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	04/28/22		422 APRIL ELEM WATER	APR ELEM 0669843652	05/20/22	Open		2,277.90		2,277.90
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	04/28/22		422 APR ELEM WATER	APR ELEM 4328876467	05/20/22	Open		450.06		450.06
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	04/27/22		422 APR HS 32 & 45	APR HS 7314177777	05/20/22	Open		637.14		637.14
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000							
2021/22	04/29/22		422 APRIL HWY 32 & 45	APRIL 3141117777	05/20/22	Open		57.55		57.55
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	04/29/22		422 APRIL HWY 32 & 45 PFS	APRIL 4141117777	05/20/22	Open		57.55		57.55
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	04/27/22		422 APRIL ELLAB WATER	APRIL 6314177777	05/24/22	Open		285.51		285.51
		2022 (000188)	01-0000-0-0000-8100-5590-300-000-00000							
<b>Total Invoice Amount</b>								<b>4,211.21</b>	<b>Check</b>	

Direct Vendor CLIMATE ENERGY SOLUTIONS (002104/1) 3268 ESPLANADE SUITE A CHICO, CA 95973										
2021/22	04/05/22		22-489:COOLER REPAIRS	11631	05/19/22	Open		89.00		89.00
		2022 (001147)	01-8150-0-0000-8100-5630-000-000-00000							
<b>Total Invoice Amount</b>								<b>89.00</b>	<b>Check</b>	

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Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor CORNELL DISTRIBUTING (000028/1) CRYSTAL DAIRY DISTRIBUTOR 1233 GLENN HAVEN DRIVE CHICO, CA 95926										
2021/22	04/25/22		420 MILK	432976	05/20/22	Open		425.88		425.88
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					283.92		
	2022	(001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					141.96		
2021/22	04/04/22		420 APRIL MILK	434242	05/20/22	Open		423.36		423.36
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					282.24		
	2022	(001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					141.12		
2021/22	04/12/22		420 MILK	434270	05/20/22	Open		317.88		317.88
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					211.92		
	2022	(001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					105.96		
2021/22	04/11/22		420 MILK	434282	05/20/22	Open		320.52		320.52
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					213.68		
	2022	(001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					106.84		
2021/22	04/28/22		420 MILK	434624	05/20/22	Open		425.88		425.88
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					283.92		
	2022	(001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					141.96		
<b>Total Invoice Amount</b>								<b>1,913.52</b>	<b>Check</b>	

Direct Vendor CVS PHARMACY INC (000506/1) P.O. BOX 740652 ACCT#6005432059000825 CINCINNATI, OH 45274-0652										
2021/22	04/25/22		22-225 PRESCH	APR 6005432059000825	05/20/22	Open		26.16		26.16
	2022	(001349)	12- 6105- 0- 1110- 1000- 4300- 000- 000- 00000							
<b>Total Invoice Amount</b>								<b>26.16</b>	<b>Check</b>	

Direct Vendor DANIELSON CO (000764/1) 435 SOUTHGATE CT CHICO, CA 95928										
2021/22	04/07/22		425 CREDIT MEMO	275574	05/24/22	Open		927.01-		927.01-
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000							
2021/22	05/02/22		425 CAFE	277305	05/24/22	Open		1,814.86		1,814.86
	2022	(001385)	13- 5310- 0- 0000- 3700- 4300- 000- 000- 00000					171.84		
	2022	(001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					1,635.02		
	2022	(001390)	13- 5310- 0- 0000- 3700- 5890- 000- 000- 00000					8.00		

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Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		DANIELSON CO (000764/1)			(continued)					(continued)
2021/22	05/02/22		425:CAFE SUPPLIES	277312	05/19/22	Open		2,780.96		2,780.96
	2022	(001385)	13-5310-0-0000-3700-4300-000-000-00000							181.18
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000							2,143.96
	2022	(001390)	13-5310-0-0000-3700-5890-000-000-00000							8.00
	2022	(001413)	13-5320-0-0000-3700-4300-000-049-00000							57.63
	2022	(001414)	13-5320-0-0000-3700-4700-000-049-00000							390.19
2021/22	05/09/22		425 CAFE	277862	05/24/22	Open		2,645.95		2,645.95
	2022	(001385)	13-5310-0-0000-3700-4300-000-000-00000							164.80
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000							2,111.29
	2022	(001390)	13-5310-0-0000-3700-5890-000-000-00000							8.00
	2022	(001413)	13-5320-0-0000-3700-4300-000-049-00000							32.96
	2022	(001414)	13-5320-0-0000-3700-4700-000-049-00000							328.90
2021/22	05/09/22		425 CAFE	277872	05/24/22	Open		1,857.42		1,857.42
	2022	(001385)	13-5310-0-0000-3700-4300-000-000-00000							98.88
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000							1,758.54
<b>Total Invoice Amount</b>								<b>8,172.18</b>	<b>Check</b>	

Direct Vendor		DMV RENEWAL (002103/1) PO BOX 942897 SACRAMENTO, CA 94297-0897								
2021/22	05/19/22		REG HONDA 1995	AB2C77	05/19/22	Open		54.00		54.00
	2022	(000292)	01-0000-0-1110-1000-5890-000-000-00000							
<b>Total Invoice Amount</b>								<b>54.00</b>	<b>Check</b>	

Direct Vendor		EAGLE ARCHITECTS (000615/1) 349 SILVER LAKE DRIVE CHICO, CA 95973								
2021/22	05/17/22		PO 22-400 HES	1013	05/19/22	Open		3,350.00		3,350.00
			RESTR							
	2022	(001874)	01-3213-0-0000-8500-6200-800-000-00000							
<b>Total Invoice Amount</b>								<b>3,350.00</b>	<b>Check</b>	

Direct Vendor		EDUCATIONAL FACILITIES PROGRAM (001042/1) MANAGEMENT LLC 129 RIDEOUT WAY MARYSVILLE, CA 95901								
2021/22	05/02/22		PO 22-105 PROF	MARCH APRIL 2022	05/19/22	Open		3,500.00		3,500.00
			FEES BOND PRJ							
	2022	(001452)	21-0000-0-0000-8500-5890-000-000-00000							

Selection See last page for selection criteria

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Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
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Direct Vendor EDUCATIONAL FACILITIES PROGRAM (001042/1) (continued)

Total Invoice Amount 3,500.00 Check

Direct Vendor FASTRAK (001267/1)  
INVOICE PROCESSING DEPT  
BOX 26879  
SAN FRANCISCO, CA 94126

2021/22 05/06/22 CTEIG 22-384 T712299931369 05/19/22 Open 12.00 12.00  
2022 (001879) 01-6387-0-3800-1000-5200-100-000-00000

2021/22 05/06/22 22-384 CTEIG TOLL T712299964299 05/24/22 Open 12.00 12.00  
CHGS  
2022 (001879) 01-6387-0-3800-1000-5200-100-000-00000

Total Invoice Amount 24.00 Check

Direct Vendor GERLINGER STEEL & SUPPLY CO (000320/1)  
1527 SACRAMENTO ST  
REDDING, CA 96001

2021/22 04/27/22 22-180 AG 4235779 05/19/22 Open 293.16 293.16  
SUPPLIES  
2022 (000489) 01-0350-0-6000-1000-4300-100-053-00000

Total Invoice Amount 293.16 Check

Direct Vendor GLENN CO ENVIRONMENTAL HEALTH (000176/1)  
225 N. TEHAMA STREET  
WILLOWS, CA 95988

2021/22 04/25/22 ELEM CAFE INV0007237 21-22 05/19/22 Open 230.16 230.16  
LICENSE 21-22  
2022 (001390) 13-5310-0-0000-3700-5890-000-000-00000

2021/22 04/25/22 HS CAFE LICENSE INV0007239 21-22 05/24/22 Open 230.16 230.16  
2022 (001390) 13-5310-0-0000-3700-5890-000-000-00000

Total Invoice Amount 460.32 Check

Direct Vendor GLENN COUNTY OFFICE OF ED (000338/1)  
SUCCESS PRINTING  
451 S. VILLA AVE  
WILLOWS, CA 95988

2021/22 02/11/22 22-269:FEB 6856 FEB 05/19/22 Open 107.25 107.25  
NEWSLETTER  
2022 (000641) 01-3010-0-1110-1000-5890-800-000-00000

Selection See last page for selection criteria

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Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor			GLENN COUNTY OFFICE OF ED (000338/1)		(continued)		(continued)			
2021/22	04/28/22		22-269 ELEM NEWSLETTER	6969 APRIL	05/24/22	Open		111.54		111.54
			2022 (000641) 01-3010-0-1110-1000-5890-800-000-00000							
<b>Total Invoice Amount</b>								<b>218.79</b>	<b>Check</b>	
Direct Vendor			GRAINGER (000162/1)							
			DEPT 828289678 ACCT #828289678 PALATINE, IL 60038-0001							
2021/22	04/20/22		409:MAINT SUPPLIES	9285087996	05/19/22	Open		51.28		51.28
			2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000							
2021/22	04/28/22		409 MAINT TRASH CAN TOP	9295648555	05/24/22	Open		165.35		165.35
			2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000							
<b>Total Invoice Amount</b>								<b>216.63</b>	<b>Check</b>	
Direct Vendor			HAMILTON CITY COMMUNITY SVC (000113/1)							
			P O BOX 116 HAMILTON CITY, CA 95951							
2021/22	05/01/22		PO 414 MAY-JUNE ELEM	277 CAPAY AVE	05/24/22	Open		2,384.70		2,384.70
			2022 (000189) 01-0000-0-0000-8100-5590-800-000-00000							
2021/22	05/01/22		PO 414 MAY-JUNE PRESCHOOL	290 6TH STREET	05/19/22	Open		79.49		79.49
			2022 (001354) 12-6105-0-1110-8100-5590-000-000-00000							
2021/22	05/01/22		PO 414 MAY-JUNE ELLA	300 6TH STREET	05/24/22	Open		79.49		79.49
			2022 (000188) 01-0000-0-0000-8100-5590-300-000-00000							
2021/22	05/01/22		PO 414 MAY-JUNE ADULT ED	535 SAC AVE	05/24/22	Open		79.49		79.49
			2022 (001310) 11-6391-0-4110-8100-5590-000-000-00000							
2021/22	05/01/22		PO 414 MAY-JUNE DIST/HHS	620 CO RD 203	05/24/22	Open		1,669.29		1,669.29
			2022 (000186) 01-0000-0-0000-8100-5590-000-000-00000						667.72	
			2022 (000187) 01-0000-0-0000-8100-5590-100-000-00000						1,001.57	
<b>Total Invoice Amount</b>								<b>4,292.46</b>	<b>Check</b>	

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Direct Vendor HILLYARD INC (000072/1) BOX 801400 KANSAS CITY, MO 64180-1400										
2021/22	02/03/22		PO 412 DUP PYMT CR MEMO	604625202	05/19/22	Open		566.49-		566.49-
2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000										
2021/22	05/04/22		412:MAINT SUPPLIES	604728928	05/19/22	Open		1,008.58		1,008.58
2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000										
2021/22	03/09/22		412 MAINT SUPPLIES	700497234	05/19/22	Open		1,428.53		1,428.53
2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000										
<b>Total Invoice Amount</b>								<b>1,870.62</b>	<b>Check</b>	

Direct Vendor ISOM ADVISORS DIV OF URBAN FUTURES INC (000548/1) PO BOX 627 ATTN: VALERIE L ELLIOTT TUSTIN, CA 92781										
2021/22	04/27/22		20-21 ANNUAL DISCLOSURE REPT	DISC 2021-87	05/20/22	Open		3,150.00		3,150.00
2022 (000165) 01-0000-0-0000-7200-5890-000-000-00000										
<b>Total Invoice Amount</b>								<b>3,150.00</b>	<b>Check</b>	

Direct Vendor JIMMY'S CUSTOM TROPHIES (000723/1) 2050 LINCOLN STREET OROVILLE, CA 95966										
2021/22	04/27/22		HALL OF FAME PLAQUES	31459	05/19/22	Open		86.49		86.49
2022 (000240) 01-0000-0-1110-1000-4300-000-000-00000										
<b>Total Invoice Amount</b>								<b>86.49</b>	<b>Check</b>	

Direct Vendor JOHNNY ON THE SPOT (001138/1) DBA: CHICO SEPTIC 5050 COHASSET ROAD SUITE 70 CHICO, CA 95973										
2021/22	05/10/22		22-285 ELEM WASH STATIONS	MAY ELEM I36130	05/20/22	Open		379.35		379.35
2022 (001961) 01-7422-0-1110-1000-5620-800-000-00000										

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Direct Vendor			JOHNNY ON THE SPOT (001138/1)		(continued)		(continued)			
2021/22	05/10/22		22-285 HS/DIST WASH STATIONS	MAY HS I36128	05/24/22	Open		192.90		192.90
		2022 (001960)	01-7422-0-1110-1000-5620-100-000-00000							
<b>Total Invoice Amount</b>								<b>572.25</b>	<b>Check</b>	
Direct Vendor			LARRY'S PEST & WEED CONTROL (001388/1)							
			7519 CUTTING AVE. ORLAND, CA 95963							
2021/22	04/08/22		440 APRIL PEST CONTROL DIST WIDE	APRIL W15377	05/20/22	Open		560.00		560.00
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	05/08/22		PO 440 MAY PEST CONTROL	MAY W15621	05/24/22	Open		560.00		560.00
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
<b>Total Invoice Amount</b>								<b>1,120.00</b>	<b>Check</b>	
Direct Vendor			MILLER GLASS INC (000096/1)							
			745 CHERRY ST CHICO, CA 95928							
2021/22	04/29/22		434 AG TRUCK WINDSHIELD REPAIR	3-357840	05/20/22	Open		70.00		70.00
		2022 (001147)	01-8150-0-0000-8100-5630-000-000-00000							
<b>Total Invoice Amount</b>								<b>70.00</b>	<b>Check</b>	
Direct Vendor			MISSION UNIFORM & LINEN (000592/1)							
			1340 WEST 7TH STREET CHICO, CA 95928-4907							
2021/22	04/28/22		405 CAFE LINEN SERVICE	516931388	05/20/22	Open		82.60		82.60
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000							
2021/22	04/28/22		405 CAFE CLEAN LINEN	516931389	05/24/22	Open		113.77		113.77
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000							
2021/22	05/12/22		405 CAFE LINEN SERVICE	517018252	05/24/22	Open		82.60		82.60
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000							

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Direct Vendor			MISSION UNIFORM & LINEN (000592/1)							
2021/22	05/12/22		405 CAFE LINEN SERVICE	517018253	05/24/22	Open		110.97	(continued)	110.97
		2022 (001385)	13- 5310- 0- 0000- 3700- 4300- 000- 000- 00000							
<b>Total Invoice Amount</b>								<b>389.94</b>	<b>Check</b>	
Direct Vendor			MJB WELDING SUPPLY (000524/1)							
			P O BOX 2166 CHICO, CA 95927							
2021/22	04/26/22		22-135 ROP AG SUPPLIES	01383897	05/24/22	Open		48.50		48.50
		2022 (000493)	01- 0350- 0- 6000- 1000- 5890- 100- 053- 00000							
2021/22	04/30/22		22-135 AG/WELDING SUPPLIES	1384711	05/20/22	Open		12.00		12.00
		2022 (000493)	01- 0350- 0- 6000- 1000- 5890- 100- 053- 00000							
<b>Total Invoice Amount</b>								<b>60.50</b>	<b>Check</b>	
Direct Vendor			NAPA AUTO PARTS (000012/1)							
			402 WALKER ST ORLAND, CA 95963							
2021/22	05/05/22		418 MAINT SUPPLIES	799730	05/20/22	Open		114.03		114.03
		2022 (001142)	01- 8150- 0- 0000- 8100- 4300- 000- 000- 00000							
<b>Total Invoice Amount</b>								<b>114.03</b>	<b>Check</b>	
Direct Vendor			NUSCO LLC (001035/1)							
			PO BOX 954049 ST LOUIS, MO 63195							
2021/22	05/22/22		MAY 2022 PHONE SERVICES	MAY 130642644	05/20/22	Open		377.39		377.39
		2022 (000122)	01- 0000- 0- 0000- 2700- 5990- 000- 000- 00000					75.49		
		2022 (000123)	01- 0000- 0- 0000- 2700- 5990- 100- 000- 00000					113.23		
		2022 (000124)	01- 0000- 0- 0000- 2700- 5990- 800- 000- 00000					188.67		
<b>Total Invoice Amount</b>								<b>377.39</b>	<b>Check</b>	
Direct Vendor			OFFICE DEPOT INC (000309/1)							
			PO BOX 29248 PHOENIX, AZ 85038-9248							
2021/22	04/20/22		22-471 MSTEELE FLASHDRIVES	234638355002	05/20/22	Open		56.30		56.30
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Direct Vendor			OFFICE DEPOT INC (000309/1) (continued)							
2021/22	04/20/22		22-471 MSTEELE	234638355002	05/20/22	Open		(continued)		
			FLASHDRIVES	(continued)						
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
<b>Total Invoice Amount</b>								<b>56.30</b>	<b>Check</b>	
Direct Vendor			ORLAND HARDWARE (000027/1) 820 FIFTH STREET ORLAND, CA 95963							
2021/22	04/27/22		22-155 APRIL	495752	05/20/22	Open		58.15		58.15
		2022 (000919)	01-6387-0-3800-1000-4300-100-000-00000							
2021/22	04/20/22		417 MAINT OPEN	497177	05/24/22	Open		41.69		41.69
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
2021/22	04/21/22		22-390 AG OPEN	497280	05/24/22	Open		77.46		77.46
		2022 (000919)	01-6387-0-3800-1000-4300-100-000-00000							
2021/22	04/25/22		22-155 AIG/ROP	497631	05/24/22	Open		39.49		39.49
		2022 (000489)	01-0350-0-6000-1000-4300-100-053-00000							
<b>Total Invoice Amount</b>								<b>216.79</b>	<b>Check</b>	
Direct Vendor			PARAMEX SCREENING SERVICE (001407/1) 1450 SHERMAN AVE CHICO, CA 95926							
2021/22	05/17/22		EMPLOYEE TESTS	CORE0017150	05/19/22	Open		110.00		110.00
		2022 (000135)	01-0000-0-0000-3600-5890-000-000-00000							
<b>Total Invoice Amount</b>								<b>110.00</b>	<b>Check</b>	
Direct Vendor			PG&E (000084/1) BOX 997300 SACRAMENTO, CA 95899-7300							
2021/22	05/16/22		416:MAY HS/DIST UTILITIES	HS MAY 9921774729-6	05/20/22	Open		8,925.71		8,925.71
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							3,570.29
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000							5,355.42
<b>Total Invoice Amount</b>								<b>8,925.71</b>	<b>Check</b>	
Direct Vendor			PROPACIFIC FRESH (000763/1) CHICO DIVISION PO BOX 1069 DURHAM, CA 95938							

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Direct Vendor PROPACIFIC FRESH (000763/1) (continued)										
2021/22	05/02/22		407 CAFE SUPPLIES	6931431	05/24/22	Open		1,520.07		1,520.07
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000					77.63		
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					1,169.97		
		2022 (001413)	13-5320-0-0000-3700-4300-000-049-00000					72.33		
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000					200.14		
2021/22 05/02/22 407 CAFE FOOD/SUPPLIES 6931438 05/24/22 Open 789.58 789.58										
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000					77.63		
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					711.95		
2021/22 05/09/22 407-CAFE SUPPLIES 6932932 05/20/22 Open 1,383.40 1,383.40										
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					1,196.32		
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000					187.08		
2021/22 05/09/22 407 CAFE FOOD 6932936 05/24/22 Open 737.26 737.26										
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000					36.47		
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					700.79		
								<b>Total Invoice Amount</b>	<b>4,430.31</b>	<b>Check</b>

Direct Vendor QUILL CORPORATION (000134/1) PO BOX 37600 PHILADELPHIA, PA 19101-0600										
2021/22	04/22/22		22-150 CD OFFICE SUPPLIES	24657701	05/24/22	Open		68.25		68.25
		2022 (000520)	01-0801-0-1110-1000-4300-000-532-00000							
2021/22 04/22/22 22-150 DEVRIES KEYB/MOUSE 24660743 05/24/22 Open 21.22 21.22										
		2022 (000520)	01-0801-0-1110-1000-4300-000-532-00000							
2021/22 04/22/22 22-150 CD SUPPLIES MAA FUNDS 24679788 05/20/22 Open 24.35 24.35										
		2022 (000520)	01-0801-0-1110-1000-4300-000-532-00000							
								<b>Total Invoice Amount</b>	<b>113.82</b>	<b>Check</b>

Direct Employee REYES, MARIA G (000298) 3151 MARIPOSA AVE. CHICO, CA 95973										
2021/22	04/14/22		REIMB TRAVEL	CAP KIDS HEARTS	05/19/22	Open		389.00		389.00
		2022 (002111)	01-3213-0-1110-1000-5200-000-000-00000							

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Direct Employee	REYES, MARIA G (000298)		(continued)							
<b>Total Invoice Amount</b>								<b>389.00</b>		<b>Check</b>
Direct Vendor	ROBERTSON ERICKSON INC (000144/1) 888 MANZANITA CT SUITE 101 CHICO, CA 95926									
2021/22	05/11/22		22-287 HES TRASH PROJ PLANNING	7947 22-287	05/20/22	Open		447.50		447.50
		2022 (001455)	21-0000-0-0000-8500-6170-000-000-00000							
<b>Total Invoice Amount</b>								<b>447.50</b>		<b>Check</b>
Direct Vendor	SACRAMENTO VALLEY MIRROR (000087/1) 138 W SYCAMORE ST WILLOWS, CA 95988									
2021/22	04/27/22		22-415 LEGAL AD 4/13-16	706	05/20/22	Open		164.00		164.00
		2022 (000146)	01-0000-0-0000-7110-5890-000-000-00000							
<b>Total Invoice Amount</b>								<b>164.00</b>		<b>Check</b>
Direct Employee	SAWYER, MARGARITA (000427) PO BOX 7613 CHICO, CA 95927									
2021/22	04/26/22		REIMB TRAVEL	ACSA REG 123 CONF	05/19/22	Open		80.00		80.00
		2022 (001858)	01-3010-0-0000-2700-5200-800-000-00000							
<b>Total Invoice Amount</b>								<b>80.00</b>		<b>Check</b>
Direct Vendor	SCHOOL SERVICES OF CALIF INC (000137/1) PO BOX 516613 LOS ANGELES, CA 90051-0599									
2021/22	05/01/22		MAY 2022 SERVICES:426	MAY 0133379-IN	05/20/22	Open		340.00		340.00
		2022 (000292)	01-0000-0-1110-1000-5890-000-000-00000							
2021/22	04/30/22		KHAMMAN REGIST;SACS WEBINAR 22-441	W1220001-INKH REGIST	05/20/22	Open		275.00		275.00
		2022 (000177)	01-0000-0-0000-7300-5200-000-000-00000							
<b>Total Invoice Amount</b>								<b>615.00</b>		<b>Check</b>

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Direct Vendor	SCHOOLWORKS INC (002102/1) 8700 AUBURN FOLSOM RD SUITE 200 GRANITE BAY, CA 95746									
2021/22	05/10/22		LVL 1 DEV FEE	3938 DEV FEE STUDY	05/20/22	Open		2,500.00		2,500.00
		2022 (000118)	01-0000-0-0000-2700-5890-000-000-00000							

Total Invoice Amount 2,500.00 Check

Direct Vendor	SUTHERLAND LANDSCAPE CENTER (001383/1) 2720 HWY 32 CHICO, CA 95973									
2021/22	04/25/22		22-418 BARK FOR PRESCHOOL PLAY AREA	2022-503 22-418	05/20/22	Open		755.31		755.31
		2022 (001349)	12-6105-0-1110-1000-4300-000-000-00000							

Total Invoice Amount 755.31 Check

AP Vendor	T-MOBILE (002107/1) PO BOX 742596 CINCINNATI, OH 45274-2596									
2021/22	05/10/22	REQ22-00001	INTERNET SERVICE FOR 75 HOTSPOTS FOR STUDENT	JUN-APR 2022	05/26/22	Open		27,450.75		27,450.75
		2022 (002116)	01-3213-0-1110-1000-5890-000-000-00000							
			Hold: Final Payment?	BatchId		Check Date	PO# PO22-00491		Register #	
2021/22	05/25/22		PO22-00491 JUNE-APR CREDIT	JUNE-APR CREDIT	05/26/22	Open		5,643.00-		5,643.00-
		2022 (002116)	01-3213-0-1110-1000-5890-000-000-00000							

Total Invoice Amount 21,807.75 Check

Direct Employee	THOMAS, KATHRYN (000795) 6323 STEIFFER RD. MAGALIA, CA 95954									
2021/22	04/26/22		REIMB TRAVEL	ACSA REG 1234 CONF	05/19/22	Open		333.78		333.78
		2022 (001858)	01-3010-0-0000-2700-5200-800-000-00000							

Total Invoice Amount 333.78 Check

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Direct Vendor			U.S. BANK CORPORATE PAYMENT SYSTEM (001382/1) P.O. BOX 790428 ST. LOUIS, MO 63179-0428							
2021/22	04/22/22		7150-4300	22-165 (28755)	05/25/22	Open		138.84		138.84
	2022	(000160)	01-0000-0-0000-7150-4300-000-000-00000							
2021/22	04/22/22		7110-4300	22-165A (28755)	05/25/22	Open		8.50		8.50
	2022	(000141)	01-0000-0-0000-7110-4300-000-000-00000							
2021/22	04/22/22		DIST SUPPLIES	22-165B (28755)	05/25/22	Open		397.19		397.19
	2022	(000240)	01-0000-0-1110-1000-4300-000-000-00000							
2021/22	04/22/22		MAINT OPEN	22-195 (28755)	05/25/22	Open		466.33		466.33
	2022	(001142)	01-8150-0-0000-8100-4300-000-000-00000							
2021/22	04/22/22		AMARTIN PERKINS	22-205 (28755)	05/25/22	Open		85.79		85.79
	2022	(000790)	01-3550-0-3800-1000-4300-100-000-00000							
2021/22	04/22/22		ELEM PARENT INV TITLE I	22-270 (28755)	05/25/22	Open		101.76		101.76
	2022	(000640)	01-3010-0-1110-1000-4300-800-000-00000							
2021/22	04/22/22		OPEN HOUSE HS	22-298 (28755)	05/25/22	Open		589.95		589.95
	2022	(000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		CAF? SUPPLIES	22-377 (28755)	05/25/22	Open		8.10		8.10
	2022	(001385)	13-5310-0-0000-3700-4300-000-000-00000							
2021/22	04/22/22		CAF? FOOD	22-377A (28755)	05/25/22	Open		661.55		661.55
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000							
2021/22	04/22/22		CACFP FOOD	22-377B (28755)	05/25/22	Open		11.75		11.75
	2022	(001414)	13-5320-0-0000-3700-4700-000-049-00000							
2021/22	04/22/22		CTEIG	22-382 (28755)	05/25/22	Open		1,270.17		1,270.17
	2022	(001879)	01-6387-0-3800-1000-5200-100-000-00000							
2021/22	04/22/22		ELEM HEFFLEY	22-382A (28755)	05/25/22	Open		307.29		307.29
	2022	(000257)	01-0000-0-1110-1000-4300-800-000-00000							
2021/22	04/22/22		HOTEL KIDSHEARTS ELD	22-416 (28755)	05/25/22	Open		1,173.36		1,173.36
	2022	(002111)	01-3213-0-1110-1000-5200-000-000-00000							
2021/22	04/22/22		CTEIG 5200	22-419 (28755)	05/25/22	Open		11.00		11.00
	2022	(001879)	01-6387-0-3800-1000-5200-100-000-00000							
2021/22	04/22/22		HS FUNDERBURK	22-451 (28755)	05/25/22	Open		41.68		41.68

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Selection See last page for selection criteria

ESCAPE ONLINE



Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		U.S. BANK CORPORATE PAYMENT SYSTEM (001382/1)			(continued)					(continued)
2021/22	04/22/22		HS FUNDERBURK	22-451 (28755)	05/25/22	Open		(continued)		
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		MSAWYER TITLE III	22-459 (28755)	05/25/22	Open		282.72		282.72
		2022 (000872)	01-4203-0-1110-1000-4300-800-000-00000							
2021/22	04/22/22		MJARVIS PE HS SITE	22-460 (28755)	05/25/22	Open		124.38		124.38
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		MHANSEN HS SITE	22-463 (28755)	05/25/22	Open		328.83		328.83
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		HBROWN HS SITE	22-469 (28755)	05/25/22	Open		304.69		304.69
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		HBROWN HS SITE	22-473 (28755)	05/25/22	Open		390.17		390.17
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	04/22/22		MSAWYER TITLE III	22-477 (28755)	05/25/22	Open		155.74		155.74
		2022 (000872)	01-4203-0-1110-1000-4300-800-000-00000							
2021/22	04/22/22		MAR-APR CARD CHARGES	APR 4246044555628555	05/20/22	Open		863.29		863.29
		2022 (000131)	01-0000-0-0000-3600-4300-000-000-00000					64.32		
		2022 (000183)	01-0000-0-0000-8100-4392-000-000-00000					773.36		
		2022 (001286)	11-6391-0-4110-1000-4392-000-021-00000					25.61		
<b>Total Invoice Amount</b>								<b>7,723.08</b>	<b>Check</b>	
Direct Vendor		WASTE MANAGEMENT (000377/1) BOX 541065 LOS ANGELES, CA 90054-1065								
2021/22	05/01/22		402 MAY ELEM CAFE	MAY ELEC 40238285009	05/24/22	Open		482.19		482.19
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	05/02/22		402 MAY ELEM SITE	MAY ELEM 40238215004	05/20/22	Open		627.86		627.86
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	05/01/22		402 HS/DIST MAY	MAY HS 40236285003	05/24/22	Open		1,608.28		1,608.28
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000					643.32		
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000					964.96		

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ESCAPE ONLINE

Scheduled 05/19/2022 - 05/26/2022							Bank Account COUNTY - County Bank Account			
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	WASTE MANAGEMENT (000377/1)		(continued)		(continued)					
2021/22	05/01/22		402 MAY HS CAFE	MAY HSC 40238905009	05/24/22	Open		294.94		294.94
			05009							
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
<b>Total Invoice Amount</b>								<b>3,013.27</b>	<b>Check</b>	
Direct Vendor	WEST COAST PAPER (000743/1)									
	4041 EASTSIDE ROAD									
	REDDING, CA 96001									
2021/22	05/18/22		429:MAINT	12777411	05/20/22	Open		494.10		494.10
			SUPPLIES							
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
<b>Total Invoice Amount</b>								<b>494.10</b>	<b>Check</b>	
Direct Vendor	WEST ED									
	OPERATING ACCOUNT (002106/1)									
	PO BOX 889001									
	LOS ANGELES, CA 90088-0001									
!	2022/23	05/16/22	REG FOR 7 TO	22-1550 QTEL	05/26/22	Open		14,000.00		14,000.00
			ATTEND QTEL							
			CONF JULY 18-22							
		2023 (000276)	01-0000-0-1110-1000-5200-800-000-00000							
<b>Total Invoice Amount</b>								<b>14,000.00</b>	<b>Check</b>	

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	85,192.07	1,397,532.30-	1,482,724.37-
11	119.60	95,798.00	95,678.40
12	860.96	80,007.50-	80,868.46-
13	16,047.67	169,393.47-	185,441.14-
21	3,947.50	235,230.34	231,282.84
<b>Total</b>	<b>106,167.80</b>		

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Selection See last page for selection criteria

ESCAPE ONLINE

Scheduled 05/19/2022 - 05/26/2022

Bank Account COUNTY - County Bank Account

Number of Payments	122	
Number of Checks	50	\$106,167.80
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$106,167.80	
Total Unpaid Sales Tax	\$ .00	
Total Expense Amount	\$106,167.80	

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**CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS**

\$0 - \$99	9
\$100 - \$499	19
\$500 - \$999	4
\$1,000 - \$4,999	13
\$5,000 - \$9,999	3
\$10,000 - \$14,999	1
\$15,000 - \$99,999	1
\$100,000 - \$199,999	
\$200,000 - \$499,999	
\$500,000 - \$999,999	
\$1,000,000 -	

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\*\*\*\*\* ITEMS OF INTEREST \*\*\*\*\*

* Number of payments to a different vendor	
! Number of Prepaid payments	1
@ Number of Liability payments	
& Number of Employee Also Vendors	

? denotes check name different than payment name  
 F denotes Final Payment

*Chris Devries* 5/27/22

Prepared by \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_

Report Totals - Payment Count **122** Check Count **50** ACH Count **0** vCard Count **0** Total Check/Advice Amount **\$106,167.80**  
**\$157,613.53**

Report Selection Criteria Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, Payment Status(s) IN ('-1'), On Hold? = Y, Starting Schedule Date = 7/1/2021, Ending Schedule Date = 5/26/2022, Page Break by Check/Advice? = N, Zero? = Y)

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Scheduled 06/01/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor CALIFORNIA WATER SERVICE CO (000053/1) 2222 DR MARTIN LUTHER KING JR PARKWAY CHICO, CA 95928										
2021/22	05/25/22		422 MAY ADULT ED	MAY ADED 3624177777	06/01/22	Open		22.46		22.46
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	05/25/22		422 MAY ELEM	MAY ELEM 0669843652	06/01/22	Open		1,446.01		1,446.01
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	05/25/22		422 MAY ELEM	MAY ELEM 4328876467	06/01/22	Open		685.83		685.83
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	05/25/22		422 MAY ELEM	MAY ELLAB 6314177777	06/01/22	Open		262.91		262.91
		2022 (000188)	01-0000-0-0000-8100-5590-300-000-00000							
<b>Total Invoice Amount</b>								<b>2,417.21</b>	<b>Check</b>	

Direct Vendor DANIELSON CO (000764/1) 435 SOUTHGATE CT CHICO, CA 95928										
2021/22	05/16/22		425 CAFE	278495	06/01/22	Open		1,187.70		1,187.70
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000			65.92				
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			1,121.78				
2021/22	05/18/22		425 CAFE	278496	06/01/22	Open		1,431.41		1,431.41
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000			177.50				
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			1,091.87				
		2022 (001413)	13-5320-0-0000-3700-4300-000-049-00000			32.96				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			129.08				
2021/22	05/23/22		425 CAFE	279013	06/01/22	Open		1,737.99		1,737.99
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000			232.33				
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			1,278.83				
		2022 (001413)	13-5320-0-0000-3700-4300-000-049-00000			55.47				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			171.36				
2021/22	05/23/22		425 CAFE	279030	06/01/22	Open		1,495.55		1,495.55
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000			65.92				
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			1,429.63				
<b>Total Invoice Amount</b>								<b>5,852.65</b>	<b>Check</b>	

Direct Employee DEVRIES, CHRISTINA A (000085) PO BOX 1256 CORNING, CA 96021										
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Selection See last page for selection criteria

ESCAPE ONLINE

Scheduled 06/01/2022							Bank Account COUNTY - County Bank Account			
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Employee		DEVRIES, CHRISTINA A (000085)		(continued)						
2021/22	05/25/22		MILEAGE	ESCAPE MILEAGE	06/01/22	Open		84.27		84.27
		2022 (000177)	01-0000-0-0000-7300-5200-000-000-00000							
<b>Total Invoice Amount</b>								<b>84.27</b>	<b>Check</b>	
Direct Employee		ELKIN, DAVE (000785) 6410 CO. RD. 23 ORLAND, CA 95963								
2021/22	05/14/22		MEAL REIMB	5-14-22 MEALS	06/01/22	Open		40.00		40.00
		2022 (000276)	01-0000-0-1110-1000-5200-800-000-00000							
<b>Total Invoice Amount</b>								<b>40.00</b>	<b>Check</b>	
Direct Vendor		FLORA FRESH (000460/1) 1127 FEE DRIVE SACRAMENTO, CA 95815								
2021/22	05/17/22		22-175 ROP FLORAL	1272748	06/01/22	Open		663.42		663.42
		2022 (000488)	01-0350-0-6000-1000-4300-100-052-00000							
2021/22	05/17/22		22-175 CETIG FLORAL	1272749	06/01/22	Open		378.72		378.72
		2022 (000919)	01-6387-0-3800-1000-4300-100-000-00000							
<b>Total Invoice Amount</b>								<b>1,042.14</b>	<b>Check</b>	
Direct Vendor		FOLLETT SCHOOL SOLUTIONS INC (000201/1) 91826 COLLECTION CENTER DRIVE CHICAGO, IL 60693-0918								
2021/22	05/20/22		22-440 ELEM LIBRARY	471089 ELEM LIBRARY	06/01/22	Open		4,795.37		4,795.37
		2022 (000640)	01-3010-0-1110-1000-4300-800-000-00000							
<b>Total Invoice Amount</b>								<b>4,795.37</b>	<b>Check</b>	
Direct Vendor		GAYNOR TELESYSTEMS INC (000024/1) 9650 TANQUERAY COURT REDDING, CA 96003								
2021/22	05/25/22		RECONFIG HS BELL SYS	INV000041054	06/01/22	Open		50.00		50.00
		2022 (000284)	01-0000-0-1110-1000-5630-100-000-00000							
<b>Total Invoice Amount</b>								<b>50.00</b>	<b>Check</b>	

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Scheduled 06/01/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
AP Vendor			GLENN COUNTY AIR POLLUTION CONTROL DISTRICT (000145/1) BOX 351 WILLOWS, CA 95988-0351							
F	2021/22	05/01/22	REQ22-00003	BURN PERMIT FOR OLIVE PRUNINGS	P1101254-IN4017156	06/01/22	Open	15.00		15.00
			2022 (000921)	01-6387-0-3800-1000-5890-100-000-00000	BatchId		Check Date	PO# PO22-00493	Register #	
								<b>Total Invoice Amount</b>	<b>15.00</b>	<b>Check</b>
Direct Vendor			GLENN COUNTY ROAD SHOP (000753/1) P.O. BOX 1070 WILLOWS, CA 95988							
	2021/22	05/23/22		436-BUS 4 REPAIRS	PW22-01026	06/01/22	Open	300.00		300.00
			2022 (000134)	01-0000-0-0000-3600-5630-000-000-00000						
								<b>Total Invoice Amount</b>	<b>300.00</b>	<b>Check</b>
Direct Vendor			GRAINGER (000162/1) DEPT 828289678 ACCT #828289678 PALATINE, IL 60038-0001							
	2021/22	05/17/22		409 BATHROOM PARTS	9314986804	06/01/22	Open	415.86		415.86
			2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000						
								<b>Total Invoice Amount</b>	<b>415.86</b>	<b>Check</b>
Direct Employee			HAMMAN, KRISTEN J (000501) 194 PICHOLINE WAY CHICO, CA 95928							
	2021/22	05/20/22		MILEAGE REIMB	ESCAPE MILEAGE	06/01/22	Open	53.82		53.82
			2022 (000177)	01-0000-0-0000-7300-5200-000-000-00000						
								<b>Total Invoice Amount</b>	<b>53.82</b>	<b>Check</b>
Direct Vendor			HILLYARD INC (000072/1) BOX 801400 KANSAS CITY, MO 64180-1400							
	2021/22	05/18/22		412 MAINT SUPPLIES	604745792	06/01/22	Open	1,255.18		1,255.18
			2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000						

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ESCAPE ONLINE

Scheduled 06/01/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		HILLYARD INC (000072/1)		(continued)				(continued)		
2021/22	05/25/22		412 MAINT SUPPLIES	604752368	06/01/22	Open		632.58		632.58
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
2021/22	05/25/22		412 MAINT SUPPLIES	700506414	06/01/22	Open		69.00		69.00
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
<b>Total Invoice Amount</b>								<b>1,956.76</b>	<b>Check</b>	
Direct Vendor		LARKIN AUTO ELECTRIC (000349/1)								
		P.O. BOX 1044								
		HAMILTON CITY, CA 95951								
2021/22	05/20/22		401 VEHICLE REPAIRS	2970-2014 FORD	06/01/22	Open		304.59		304.59
		2022 (001147)	01-8150-0-0000-8100-5630-000-000-00000							
<b>Total Invoice Amount</b>								<b>304.59</b>	<b>Check</b>	
Direct Vendor		NAPA AUTO PARTS (000012/1)								
		402 WALKER ST								
		ORLAND, CA 95963								
2021/22	05/20/22		418 MAINT SUPPLIES	801446	06/01/22	Open		57.16		57.16
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
<b>Total Invoice Amount</b>								<b>57.16</b>	<b>Check</b>	
Direct Vendor		PG&E (000084/1)								
		BOX 997300								
		SACRAMENTO, CA 95899-7300								
2021/22	05/20/22		416 MAY ELEM	MAY 3699672995-4	06/01/22	Open		5,327.96		5,327.96
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
<b>Total Invoice Amount</b>								<b>5,327.96</b>	<b>Check</b>	
Direct Vendor		PROPACIFIC FRESH (000763/1)								
		CHICO DIVISION								
		PO BOX 1069								
		DURHAM, CA 95938								
2021/22	05/16/22		407 CAFE	6934236	06/01/22	Open		895.80		895.80
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					742.76		
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000					153.04		

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ESCAPE ONLINE

Scheduled 06/01/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor	PROPACIFIC FRESH (000763/1)		(continued)							(continued)
2021/22	05/16/22		407 CAFE	6934255	06/01/22	Open		253.88		253.88
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000							
2021/22	05/23/22		407 CAFE	6935615	06/01/22	Open		908.26		908.26
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000			764.25				
	2022	(001414)	13-5320-0-0000-3700-4700-000-049-00000			144.01				
2021/22	05/23/22		407 CAFE	6935620	06/01/22	Open		888.60		888.60
	2022	(001385)	13-5310-0-0000-3700-4300-000-000-00000			29.13				
	2022	(001387)	13-5310-0-0000-3700-4700-000-000-00000			859.47				
<b>Total Invoice Amount</b>								<b>2,946.54</b>	<b>Check</b>	

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	16,860.14	2,017,802.75-	2,034,662.89-
13	8,799.19	207,838.05-	216,637.24-
<b>Total</b>	<b>25,659.33</b>		

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Selection See last page for selection criteria

ESCAPE ONLINE

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Number of Payments	28	
Number of Checks	16	\$25,659.33
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$25,659.33	
Total Unpaid Sales Tax	\$ .00	
Total Expense Amount	\$25,659.33	

CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS		
\$0 - \$99	6	
\$100 - \$499	3	
\$500 - \$999		
\$1,000 - \$4,999	5	
\$5,000 - \$9,999	2	
\$10,000 - \$14,999		
\$15,000 - \$99,999		
\$100,000 - \$199,999		
\$200,000 - \$499,999		
\$500,000 - \$999,999		
\$1,000,000 -		

\*\*\*\*\* ITEMS OF INTEREST \*\*\*\*\*

\* Number of payments to a different vendor  
 ! Number of Prepaid payments  
 @ Number of Liability payments  
 & Number of Employee Also Vendors  
 ? denotes check name different than payment name  
 F denotes Final Payment

*Chris Devries* 6/1/22  
 Date  
 Subject by

Report Totals -	Payment Count	28	Check Count	16	ACH Count	0	vCard Count	0	Total Check/Advice Amount	\$25,659.33
									\$40,543.44	

Report Selection Criteria: Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, Payment Status(s) IN ('-1'), On Hold? = Y, Starting Schedule Date = 7/1/2021, Ending Schedule Date = 6/1/2022, Page Break by Check/Advice? = N, Zero? = Y)

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Scheduled 06/08/2022 - 06/09/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor ABSOLUTE HEATING & AIR INC (001391/1) BOX 4643 ORLAND, CA 95963										
2021/22	05/19/22		435	211677-1 ELEM202	06/08/22	Open		200.00		200.00
			RS8150-5630-800							
		2022 (001149)	01-8150-0-0000-8100-5630-800-000-00000							
2021/22	05/19/22		435	211678-1 ELEM205	06/08/22	Open		120.00		120.00
			RS8150-5630-800							
		2022 (001149)	01-8150-0-0000-8100-5630-800-000-00000							
<b>Total Invoice Amount</b>								<b>320.00</b>	<b>Check</b>	

Direct Vendor ALHAMBRA & SIERRA SPRINGS (000010/1) BOX 660579 DALLAS, TX 75266-0579										
2021/22	05/27/22		406 MAY SITE	MAY 9858589 052722	06/08/22	Open		312.13		312.13
			WATER							
		2022 (000240)	01-0000-0-1110-1000-4300-000-000-00000					47.40		
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000					71.10		
		2022 (000257)	01-0000-0-1110-1000-4300-800-000-00000					83.50		
		2022 (000327)	01-0000-0-3200-1000-4300-300-000-00000					17.00		
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000					59.13		
		2022 (001279)	11-6391-0-4110-1000-4300-000-000-00000					34.00		
<b>Total Invoice Amount</b>								<b>312.13</b>	<b>Check</b>	

Direct Vendor BSN SPORTS COM (000896/1) PO BOX 841393 DALLAS, TX 75284-1393										
2021/22	05/28/22		22-372 FB	7988412 FB HELMETS	06/08/22	Open		4,149.14		4,149.14
			HELMETS;							
			4300-100-006							
		2022 (000244)	01-0000-0-1110-1000-4300-100-006-00000							
2021/22	04/28/22		22-468 FOOTBALLS	916975203 FOOTBALLS	06/08/22	Open		1,242.33		1,242.33
			4300-100-006							
		2022 (000244)	01-0000-0-1110-1000-4300-100-006-00000							
<b>Total Invoice Amount</b>								<b>5,391.47</b>	<b>Check</b>	

Direct Vendor BUCKES FEED & GRAIN (002110/1) 1308 RAILROAD AVE ORLAND, CA 95963										
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Direct Vendor	BUCKES FEED & GRAIN (002110/1) (continued)									
2021/22	02/28/22		22-481	242546	06/08/22	Open		2,441.15		2,441.15
			0350-6000-4300-100							
			-054 HOG EQUIP							
		2022 (000490)	01-0350-0-6000-1000-4300-100-054-00000							

Total Invoice Amount 2,441.15 Check

Direct Vendor	CALIFORNIA WATER SERVICE CO (000053/1) 2222 DR MARTIN LUTHER KING JR PARKWAY CHICO, CA 95928									
2021/22	06/01/22		422 MAY	MAY 3141117777	06/08/22	Open		55.69		55.69
			3141117777 HWY 32							
			& 45 8100-5590							
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	06/01/22		422 MAY	MAY 4141117777	06/08/22	Open		55.69		55.69
			4141117777 HWY 32							
			& 45 8100-5590							
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000							
2021/22	05/27/22		422 MAY HS/DIST	MAY 7314177777	06/08/22	Open		3,244.05		3,244.05
			4300-000/100							
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000			1,297.62				
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000			1,946.43				

Total Invoice Amount 3,355.43 Check

Direct Vendor	CHICO SPRINKLER INC (001161/1) #2 THREE SEVENS LANE CHICO, CA 95973									
2021/22	05/26/22		419 8100-4300	138260 8100-4300	06/08/22	Open		95.18		95.18
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							

Total Invoice Amount 95.18 Check

Direct Vendor	CORNELL DISTRIBUTING (000028/1) CRYSTAL DAIRY DISTRIBUTOR 1233 GLENN HAVEN DRIVE CHICO, CA 95926									
2021/22	05/26/22		420 MAY MILK	422758	06/08/22	Open		368.52		368.52
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			245.68				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			122.84				

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Direct Vendor			CORNELL DISTRIBUTING (000028/1)		(continued)					
2021/22	05/12/22		420 MAY MILK	423611	06/08/22	Open		331.77		331.77
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			221.18				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			110.59				
2021/22	05/16/22		420 MAY MILK	423623	06/08/22	Open		331.77		331.77
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			221.18				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			110.59				
2021/22	05/19/22		420 MAY MILK	423651	06/08/22	Open		331.77		331.77
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000							
2021/22	05/31/22		420 MAY MILK	424001	06/08/22	Open		221.52		221.52
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			147.68				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			73.84				
2021/22	05/23/22		420 MAY MILK	425663	06/08/22	Open		221.01		221.01
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			147.34				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			73.67				
2021/22	05/02/22		420 MAY MILK	432998	06/08/22	Open		258.10		258.10
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			172.06				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			86.04				
2021/22	05/05/22		420 MAY MILK	433237	06/08/22	Open		331.77		331.77
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			221.18				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			110.59				
2021/22	05/09/22		420 MAY MILK	433260	06/08/22	Open		331.77		331.77
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000							
2021/22	05/30/22		420 MAY MILK	433290	06/08/22	Open		128.88		128.88
			13-5310-3700-4700							
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000			85.92				
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000			42.96				
<b>Total Invoice Amount</b>								<b>2,856.88</b>	<b>Check</b>	

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Direct Vendor CURRICULUM ASSOCIATES LLC (002111/1) PO BOX 936600 ATLANTA, GA 31193-6600										
2021/22	04/14/22		22-476 ELLEVATION MATH 4203-4200-800	10002150 22-476	06/08/22	Open		11,100.00		11,100.00
		2022 (002209)	01-4203-0-1110-1000-4200-800-000-00000							
<b>Total Invoice Amount</b>								<b>11,100.00</b>	<b>Check</b>	
Direct Vendor CVS PHARMACY INC (000506/1) P.O. BOX 740652 ACCT#6005432059000825 CINCINNATI, OH 45274-0652										
2021/22	05/22/22		22-225 PRESCH 12-6105-4300	MAY 600543205000825	06/08/22	Open		83.42		83.42
		2022 (001349)	12-6105-0-1110-1000-4300-000-000-00000							
<b>Total Invoice Amount</b>								<b>83.42</b>	<b>Check</b>	
Direct Vendor DANIELSON CO (000764/1) 435 SOUTHGATE CT CHICO, CA 95928										
2021/22	05/31/22		425 CAFE FOOD/SUPPLIES 13-3700-4700	279478	06/08/22	Open		1,029.73		1,029.73
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000					100.92		
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					868.34		
		2022 (001413)	13-5320-0-0000-3700-4300-000-049-00000					33.64		
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000					26.83		
2021/22	05/31/22		425 CAFE FOOD 13-3700-4700	279482	06/08/22	Open		1,487.70		1,487.70
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000					67.28		
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000					1,420.42		
<b>Total Invoice Amount</b>								<b>2,517.43</b>	<b>Check</b>	
Direct Vendor DELL MARKETING (000424/1) PO BOX 910916 PASADENA, CA 91110-0916										
2021/22	05/27/22		22-485 65" MON W/ CART SETS; X4	10587241033 4 AV SET	06/08/22	Open		20,264.54		20,264.54
		2022 (002137)	01-3216-0-1110-1000-4400-000-000-00000					1,472.54		

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Direct Vendor DELL MARKETING (000424/1) (continued)										
2021/22	05/27/22		22-485 65" MON W/ CART SETS; X4	10587241033 4 AV SET (continued)	06/08/22	Open		(continued)		
		2022 (002136)	01-3217-0-1110-1000-4400-000-000-00000							18,792.00
								<b>Total Invoice Amount</b>	<b>20,264.54</b>	<b>Check</b>
AP Vendor EAGLE ARCHITECTS (000615/1) 349 SILVER LAKE DRIVE CHICO, CA 95973										
2021/22	06/06/22	REQ22-00008	ELEM BATHROOMS	1015 ELEM BR PH2	06/08/22	Open		3,155.00		3,155.00
		2022 (001874)	01-3213-0-0000-8500-6200-800-000-00000	BatchId			Check Date	PO# PO22-00498	Register #	
								<b>Total Invoice Amount</b>	<b>3,155.00</b>	<b>Check</b>
Direct Employee ELKIN, DAVE (000785) 6410 CO. RD. 23 ORLAND, CA 95963										
2021/22	05/30/22		DRIVER FOR SR TRIP-MEALS	CLASS OF 2022	06/08/22	Open		65.00		65.00
		2022 (000133)	01-0000-0-0000-3600-5200-000-000-00000							
								<b>Total Invoice Amount</b>	<b>65.00</b>	<b>Check</b>
Direct Vendor FIESTA FRESH GRILL (001160/1) C/O DONNA VIDAL 880 WEST STREET CORNING, CA 96021										
2021/22	06/06/22		22-444 STAFF MTG 5/6/22 LUNCH	22-444 STMEAL 5-6-22	06/08/22	Open		1,395.00		1,395.00
		2022 (000240)	01-0000-0-1110-1000-4300-000-000-00000							
								<b>Total Invoice Amount</b>	<b>1,395.00</b>	<b>Check</b>
Direct Vendor HILLYARD INC (000072/1) BOX 801400 KANSAS CITY, MO 64180-1400										
2021/22	06/02/22		412 8100-4300 MAINT SUPPLIES	604761460	06/08/22	Open		79.77		79.77
		2022 (001142)	01-8150-0-0000-8100-4300-000-000-00000							
								<b>Total Invoice Amount</b>	<b>79.77</b>	<b>Check</b>

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Direct Employee		JOHNSON, ERIN E (000172) 25820 MOLLER AVE ORLAND, CA 95963								
2021/22	05/31/22		MILEAGE FOR 21-22 ATH/HS	AUG21-MAY 22 MILEAGE	06/08/22	Open		854.69		854.69
		2022 (000273)	01-0000-0-1110-1000-5200-100-000-00000					30.42		
		2022 (000274)	01-0000-0-1110-1000-5200-100-006-00000					824.27		
<b>Total Invoice Amount</b>								<b>854.69</b>	<b>Check</b>	

Direct Vendor		MILLER GLASS INC (000096/1) 745 CHERRY ST CHICO, CA 95928								
2021/22	06/01/22		434 ELLAB EAST DOOR 3200-1000-5630-300	3-359284	06/08/22	Open		198.12		198.12
		2022 (000333)	01-0000-0-3200-1000-5630-300-000-00000							
<b>Total Invoice Amount</b>								<b>198.12</b>	<b>Check</b>	

Direct Vendor		MISSION UNIFORM & LINEN (000592/1) 1340 WEST 7TH STREET CHICO, CA 95928-4907								
2021/22	05/26/22		405 CAFE LINEN 13-5310-3700-5890	517103531	06/08/22	Open		81.20		81.20
		2022 (001390)	13-5310-0-0000-3700-5890-000-000-00000							
2021/22	05/26/22		405 CAFE LINEN 13-5310-3700-5890	517103532	06/08/22	Open		113.77		113.77
		2022 (001390)	13-5310-0-0000-3700-5890-000-000-00000							
2021/22	06/09/22		405 CAFE LINEN SERVICE	517188225	06/09/22	Open		110.97		110.97
		2022 (001390)	13-5310-0-0000-3700-5890-000-000-00000							
<b>Total Invoice Amount</b>								<b>305.94</b>	<b>Check</b>	

Direct Vendor		MUSIC CONNECTION (000887/1) 973 EAST AVE CHICO, CA 95926								
2021/22	03/28/22		22-449 ELEM RECORDERS 4300-800-013	114979647	06/08/22	Open		211.18		211.18
		2022 (000259)	01-0000-0-1110-1000-4300-800-013-00000							

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								<b>Total Invoice Amount</b>	<b>211.18</b>	<b>Check</b>	
Direct Vendor	NAPA AUTO PARTS (000012/1) 402 WALKER ST ORLAND, CA 95963										
2021/22	05/23/22		418 MAINT PARTS 8100-4300	801695	06/08/22	Open		417.07		417.07	
								2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000			
								<b>Total Invoice Amount</b>	<b>417.07</b>	<b>Check</b>	
Direct Vendor	NORCAL FOOD EQUIPMENT INC (001059/1) 172 COMMERCIAL AVENUE CHICO, CA 95973										
2021/22	03/09/22		ICE MACHINE REPAIRS ELEM	RA534037	06/09/22	Open		844.90		844.90	
								2022 (000288) 01-0000-0-1110-1000-5630-800-000-00000			
								<b>Total Invoice Amount</b>	<b>844.90</b>	<b>Check</b>	
Direct Vendor	NUSCO LLC (001035/1) PO BOX 954049 ST LOUIS, MO 63195										
2021/22	05/31/22		451 JUNE PHONE SERVICE 2700-5990-100/800	JUNE DP22-00004	06/08/22	Open		377.70		377.70	
								75.62			
								113.41			
								188.67			
								<b>Total Invoice Amount</b>	<b>377.70</b>	<b>Check</b>	
Direct Vendor	ORLAND HARDWARE (000027/1) 820 FIFTH STREET ORLAND, CA 95963										
2021/22	04/29/22		22-390 CETIG 6387-4300	498008	06/08/22	Open		182.61		182.61	
								2022 (000919) 01-6387-0-3800-1000-4300-100-000-00000			
2021/22	05/05/22		417 MAINT 8100-4300	498557	06/08/22	Open		105.81		105.81	
								2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000			
2021/22	05/31/22		417 MAINT 8100-4300	498638	06/08/22	Open		99.03		99.03	

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Direct Vendor	ORLAND HARDWARE (000027/1)		(continued)							(continued)	
2021/22	05/31/22		417 MAINT 8100-4300	498638 (continued)	06/08/22	Open		(continued)			
	2022	(001142)	01-8150-0-0000-8100-4300-000-0000								
2021/22	05/11/22		22-390 CETIG 6387-4300	499079	06/08/22	Open		32.95		32.95	
	2022	(000919)	01-6387-0-3800-1000-4300-100-000-00000								
2021/22	05/15/22		22-390 CETIG 6387-4300	499534	06/08/22	Open		50.19		50.19	
	2022	(000919)	01-6387-0-3800-1000-4300-100-000-00000								
2021/22	05/16/22		22-390 CETIG 6387-4300	499554	06/08/22	Open		92.01		92.01	
	2022	(000919)	01-6387-0-3800-1000-4300-100-000-00000								
2021/22	05/17/22		22-390 CETIG 6387-4300	499662	06/08/22	Open		70.49		70.49	
	2022	(000919)	01-6387-0-3800-1000-4300-100-000-00000								
2021/22	05/17/22		417 MAINT 8100-4300	499708	06/08/22	Open		33.69		33.69	
	2022	(001142)	01-8150-0-0000-8100-4300-000-000-00000								
2021/22	05/20/22		417 MAINT 8100-4300	500013	06/08/22	Open		42.51		42.51	
	2022	(001142)	01-8150-0-0000-8100-4300-000-000-00000								
2021/22	05/23/22		22-464 ELEM GARDEN PROJ 3010-4300-800	500285	06/08/22	Open		509.82		509.82	
	2022	(000640)	01-3010-0-1110-1000-4300-800-000-00000								
2021/22	05/25/22		22-390 CETIG 6387-4300	500493	06/08/22	Open		51.36		51.36	
	2022	(000919)	01-6387-0-3800-1000-4300-100-000-00000								
<b>Total Invoice Amount</b>								<b>1,270.47</b>	<b>Check</b>		

Direct Vendor	PROPACIFIC FRESH (000763/1) CHICO DIVISION PO BOX 1069 DURHAM, CA 95938									
2021/22	05/31/22		407 CAFE PRODUCE 13-5310-4700	6936823	06/08/22	Open		299.74		299.74

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Direct Vendor	PROPACIFIC FRESH (000763/1) (continued)									
2021/22	05/31/22		407 CAFE PRODUCE 13-5310-4700	6936823 (continued)	06/08/22	Open		(continued)		
		2022 (001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000							
2021/22	05/31/22		402 CAFE FOOD/PROD 13-5310-4700	6936851	06/08/22	Open		807.68		807.68
		2022 (001387)	13- 5310- 0- 0000- 3700- 4700- 000- 000- 00000					672.24		
		2022 (001414)	13- 5320- 0- 0000- 3700- 4700- 000- 049- 00000					135.44		
<b>Total Invoice Amount</b>								<b>1,107.42</b>	<b>Check</b>	

Direct Vendor	RAY MORGAN COMPANY (001510/1) 3131 ESPLANADE CHICO, CA 95973									
2021/22	05/20/22		413 JUNE LEASE/MAY USAGE 2700-5620/4300	JUNE 3731460	06/09/22	Open		2,473.43		2,473.43
		2022 (000099)	01- 0000- 0- 0000- 2700- 4300- 000- 000- 00000					118.49		
		2022 (000114)	01- 0000- 0- 0000- 2700- 5620- 000- 000- 00000					166.44		
		2022 (000243)	01- 0000- 0- 1110- 1000- 4300- 100- 000- 00000					191.65		
		2022 (000257)	01- 0000- 0- 1110- 1000- 4300- 800- 000- 00000					189.77		
		2022 (000281)	01- 0000- 0- 1110- 1000- 5620- 100- 000- 00000					370.12		
		2022 (000282)	01- 0000- 0- 1110- 1000- 5620- 800- 000- 00000					995.19		
		2022 (000327)	01- 0000- 0- 3200- 1000- 4300- 300- 000- 00000					8.32		
		2022 (000331)	01- 0000- 0- 3200- 1000- 5620- 300- 000- 00000					104.03		
		2022 (001279)	11- 6391- 0- 4110- 1000- 4300- 000- 000- 00000					14.51		
		2022 (001291)	11- 6391- 0- 4110- 1000- 5620- 000- 000- 00000					202.57		
		2022 (001349)	12- 6105- 0- 1110- 1000- 4300- 000- 000- 00000					8.31		
		2022 (001352)	12- 6105- 0- 1110- 1000- 5620- 000- 000- 00000					104.03		
<b>Total Invoice Amount</b>								<b>2,473.43</b>	<b>Check</b>	

Direct Vendor	SCHOOL SERVICES OF CALIF INC (000137/1) PO BOX 516613 LOS ANGELES, CA 90051-0599									
2021/22	06/01/22		426 JUNE SERVICES	0133694-IN	06/08/22	Open		340.00		340.00
		2022 (000118)	01- 0000- 0- 0000- 2700- 5890- 000- 000- 00000							
<b>Total Invoice Amount</b>								<b>340.00</b>	<b>Check</b>	

Selection See last page for selection criteria

ESCAPE ONLINE

Scheduled 06/08/2022 - 06/09/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor U.S. BANK CORPORATE PAYMENT SYSTEM (001382/1) P.O. BOX 790428 ST. LOUIS, MO 63179-0428										
2021/22	05/23/22		1110-1000-4300-800 ELEM MTG SUPPLIES	22-130 4300-800 (40596)	06/08/22	Open		101.61		101.61
		2022 (000257)	01-0000-0-1110-1000-4300-800-000-00000							
2021/22	05/23/22		1110-1000-4300 DIST DEPT MTG SUPPLIES	22-165 1000-4300 (40596)	06/08/22	Open		93.23		93.23
		2022 (000240)	01-0000-0-1110-1000-4300-000-000-00000							
2021/22	05/23/22		7110-5890 BOARD MTG SUPPLIES	22-165 7110-5890 (40596)	06/08/22	Open		47.43		47.43
		2022 (000146)	01-0000-0-0000-7110-5890-000-000-00000							
2021/22	05/23/22		7150-4300 SUPER SUPPLIES>ZOOM	22-165 SUPER SUP (40596)	06/08/22	Open		213.81		213.81
		2022 (000163)	01-0000-0-0000-7150-5890-000-000-00000							
2021/22	05/23/22		4300-100 CO STAFF MEAL HS	22-235 HS STAFF MEAL (40596)	06/08/22	Open		285.00		285.00
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
2021/22	05/23/22		13-5310-3700-4300 CAFE SUPPLIES	22-377 CAFE 4300 (40596)	06/08/22	Open		129.41		129.41
		2022 (001385)	13-5310-0-0000-3700-4300-000-000-00000							
2021/22	05/23/22		13-5310-3700-4700 CAFE FOOD	22-377 CAFE FOOD (40596)	06/08/22	Open		264.95		264.95
		2022 (001387)	13-5310-0-0000-3700-4700-000-000-00000							
2021/22	05/23/22		6387-3800-1000-439 2-100 CTEIG FUEL AG	22-382 AG FUEL (40596)	06/08/22	Open		1,312.33		1,312.33
		2022 (001878)	01-6387-0-3800-1000-4392-100-000-00000							
2021/22	05/23/22		4300-800 B CARTER SUPPLIES	22-393 BCARTER (40596)	06/08/22	Open		53.05		53.05
		2022 (000257)	01-0000-0-1110-1000-4300-800-000-00000							
2021/22	05/23/22		4300-100 HS OPEN HOUSE CLOTH CLEAN	22-419 HS OPEN HOUSE (40596)	06/08/22	Open		160.00		160.00
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							

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Scheduled 06/08/2022 - 06/09/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		U.S. BANK CORPORATE PAYMENT SYSTEM (001382/1)			(continued)					
2021/22	05/23/22		3010-2700-5200-800 CONF HOTEL KT & MS	22-428 KT-MS HOTEL (40596)	06/08/22	Open		455.88		455.88
		2022 (001858)	01-3010-0-0000-2700-5200-800-000-00000							
2021/22	05/23/22		1400-4300-100 SR PROJ & AWARDS NITE HS	22-433 RS1400 100 (40596)	06/08/22	Open		360.53		360.53
		2022 (001856)	01-1400-0-1110-1000-4300-100-000-00000							
2021/22	05/23/22		0350-6000-1110-430 0-100-052 AP LAZER PARTS AG	22-483 ROP 052 (40596)	06/08/22	Open		398.86		398.86
		2022 (000488)	01-0350-0-6000-1000-4300-100-052-00000							
2021/22	05/23/22		2700-5200 BROWN ACT TRAIN TW	22-487 TW BROWNACT (40596)	06/08/22	Open		250.00		250.00
		2022 (000106)	01-0000-0-0000-2700-5200-000-000-00000							
I 2022/23	05/23/22		01-3010-0-5200-800 QTEL HOTEL	22-490 QTEL HOTEL	06/08/22	Open		7,964.75		7,964.75
		2023 (000276)	01-0000-0-1110-1000-5200-800-000-00000							
2021/22	05/23/22		8150-8100-5890 DUMP LOAD FEES	8150 5890-GLENN DUMP	06/08/22	Open		39.00		39.00
		2022 (001150)	01-8150-0-0000-8100-5890-000-000-00000							
2021/22	05/23/22		9812-5200-100 STUDENT MEALS/GEAR UP TRIP	9812-5200-100 TRIP	06/08/22	Open		337.74		337.74
		2022 (002205)	01-9812-0-1110-1000-5200-100-000-00000							
2021/22	05/23/22		APRIL 2022 DIST FUEL CHGS	APR 42460445556	06/08/22	Open		817.19		817.19
		2022 (000183)	01-0000-0-0000-8100-4392-000-000-00000							
<b>Total Invoice Amount</b>								<b>13,284.77</b>	<b>Check</b>	
Direct Vendor		WASTE MANAGEMENT (000377/1) BOX 541065 LOS ANGELES, CA 90054-1065								
2021/22	06/01/22		402 JUNE HS/DIST 8100-5590	JUNE 402362-85003	06/08/22	Open		1,628.54		1,628.54

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Scheduled 06/08/2022 - 06/09/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor WASTE MANAGEMENT (000377/1) (continued)										
2021/22	06/01/22		402 JUNE HS/DIST 8100-5590	JUNE 402362-85003 (continued)	06/08/22	Open		(continued)		
		2022 (000186)	01-0000-0-0000-8100-5590-000-000-00000					651.42		
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000					977.12		
2021/22	06/01/22		402 ELEM CAFE 8100-5590-800	JUNE 402382-85009	06/08/22	Open		559.09		559.09
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	06/01/22		402 JUNE ELEM SITE	JUNE 4023821-5004	06/08/22	Open		550.96		550.96
		2022 (000189)	01-0000-0-0000-8100-5590-800-000-00000							
2021/22	06/01/22		402 JUNE HS CAFE	JUNE 402389-05009	06/08/22	Open		294.94		294.94
		2022 (000187)	01-0000-0-0000-8100-5590-100-000-00000							
<b>Total Invoice Amount</b>								<b>3,033.53</b>	<b>Check</b>	

Direct Vendor WILSON PRINTING (001040/1) 730-B MAIN STREET CHICO, CA 95928										
2021/22	06/08/22		22-242 GRAD HS PROGRAMS 4300-100	22077	06/08/22	Open		702.72		702.72
		2022 (000243)	01-0000-0-1110-1000-4300-100-000-00000							
<b>Total Invoice Amount</b>								<b>702.72</b>	<b>Check</b>	

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	71,225.47	1,615,543.03-	1,686,768.50-
11	251.08	78,189.54	77,938.46
12	195.76	94,372.65-	94,568.41-
13	7,182.03	216,637.24-	223,819.27-
<b>Total</b>	<b>78,854.34</b>		

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Number of Payments	76	
Number of Checks	29	\$78,854.34
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$78,854.34	
Total Unpaid Sales Tax	\$ .00	
Total Expense Amount	\$78,854.34	

CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS		
\$0 - \$99	4	
\$100 - \$499	8	
\$500 - \$999	3	
\$1,000 - \$4,999	10	
\$5,000 - \$9,999	1	
\$10,000 - \$14,999	2	
\$15,000 - \$99,999	1	
\$100,000 - \$199,999		
\$200,000 - \$499,999		
\$500,000 - \$999,999		
\$1,000,000 -		

\*\*\*\*\* ITEMS OF INTEREST \*\*\*\*\*

* Number of payments to a different vendor	
! Number of Prepaid payments	1
@ Number of Liability payments	
& Number of Employee Also Vendors	

? denotes check name different than payment name  
 F denotes Final Payment

<i>Chris Devries</i>	6/9/22
Prepared by	Date
Authorized by	Date

Report Totals -	Payment Count	76	Check Count	29	ACH Count	0	vCard Count	0	Total Check/Advice Amount	\$78,854.34
									\$141,947.85	

Report Selection Criteria Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, Payment Status(s) IN ('-1'), On Hold? = Y, Starting Schedule Date = 7/1/2021, Ending Schedule Date = 6/9/2022, Page Break by Check/Advice? = N, Zero? = Y)

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Scheduled 06/16/2022 - 06/17/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor AT&T (001075/1) P.O. BOX 9011 ACCT#C602224524777 CAROL STREAM, IL 60197-9011										
2021/22	06/12/22		403 JUNE HS/DIST	JUNE 18334731 HSDIST	06/16/22	Open		182.93		182.93
			2700-5990/100							
		2022 (000122)	01-0000-0-0000-2700-5990-000-000-00000					73.18		
		2022 (000123)	01-0000-0-0000-2700-5990-100-000-00000					109.75		
2021/22	06/12/22		403 JUNE ELEM	JUNE 18336175 ELEM	06/16/22	Open		108.84		108.84
			2700-5990-800							
		2022 (000124)	01-0000-0-0000-2700-5990-800-000-00000							
<b>Total Invoice Amount</b>								<b>291.77</b>	<b>Check</b>	

Direct Vendor DANIELSON CO (000764/1) 435 SOUTHGATE CT CHICO, CA 95928										
2021/22	06/14/22		425 CAFE SUPPLIES	280090	06/16/22	Open		645.05		645.05
			4700-049							
		2022 (001390)	13-5310-0-0000-3700-5890-000-000-00000					8.00		
		2022 (001414)	13-5320-0-0000-3700-4700-000-049-00000					637.05		
<b>Total Invoice Amount</b>								<b>645.05</b>	<b>Check</b>	

AP Vendor DIVISION OF THE STATE ARCHITECT GENERAL SERVICES (002114/1) SRF FISCAL SERVICES BOX 958053 WEST SACRAMENTO, CA 95798										
F	2021/22	06/17/22	REQ22-00021	RS	ELEM BR PROJ FILING	06/17/22	Open	2,425.75		2,425.75
					3213-8500-6200-800					
			2022 (001874)	01-3213-0-0000-8500-6200-800-000-00000						
						BatchId	Check Date	PO# PO22-00515	Register #	
<b>Total Invoice Amount</b>								<b>2,425.75</b>	<b>Check</b>	

Direct Vendor EDUCATIONAL FACILITIES PROGRAM (001042/1) MANAGEMENT LLC 129 RIDEOUT WAY MARYSVILLE, CA 95901										
2021/22	06/01/22		22-105 MAY	20 MAY SERVICES	06/16/22	Open		2,520.00		2,520.00
			SERVICES							
			21-8500-5890							
		2022 (001452)	21-0000-0-0000-8500-5890-000-000-00000							

Selection See last page for selection criteria

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Scheduled 06/16/2022 - 06/17/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
								<b>Total Invoice Amount</b>	<b>2,520.00</b>	<b>Check</b>

Direct Employee HAUTALA, ASHLEY I (000957)  
 1530 GILBERT LANE  
 Chico, CA 95926

2021/22	06/15/22		MEALS FOR CATA CONF 6/18 RS3550-5200-100	618-23 CATA MEALS	06/16/22	Open		200.00		200.00
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2022 (001875) 01-3550-0-3800-1000-5200-100-000-00000

**Total Invoice Amount 200.00 Check**

Direct Vendor HILLYARD INC (000072/1)  
 BOX 801400  
 KANSAS CITY, MO 64180-1400

2021/22	06/08/22		412 MAINT SUPPLIES OPEN 8150-4300	604767719	06/16/22	Open		1,646.52		1,646.52
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2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000

**Total Invoice Amount 1,646.52 Check**

AP Vendor HOME CAMPUS  
 CARTY WEB STRATEGIES INC (002109/1)  
 PO BOX # 807  
 DANA POINT, CA 92629

F	2021/22	05/31/22	REQ22-00013	ONLINE ACCESS 4300-100-006	HC-4943	06/16/22	Open	995.00		995.00
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2022 (000244) 01-0000-0-1110-1000-4300-100-006-00000

BatchId

Check Date

PO# PO22-00503

Register #

**Total Invoice Amount 995.00 Check**

Direct Vendor HUNT & SONS INC (000801/1)  
 PO BOX 277670  
 SACRAMENTO, CA 95827-7670

2021/22	06/07/22		400 DEISEL FUEL 3600-4392	418419	06/16/22	Open		2,961.26		2,961.26
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2022 (000132) 01-0000-0-0000-3600-4392-000-000-00000

**Total Invoice Amount 2,961.26 Check**

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Scheduled 06/16/2022 - 06/17/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor LARKIN AUTO ELECTRIC (000349/1) P.O. BOX 1044 HAMILTON CITY, CA 95951										
2021/22	06/01/22		401 2013 FORD EXPED REPAIRS 8100-5630	2977	06/16/22	Open		101.57		101.57
		2022 (000190)	01-0000-0-0000-8100-5630-000-000-00000							
2021/22	06/01/22		401 2021 FORD EXPED REPAIRS 8100-5630	2978	06/16/22	Open		137.93		137.93
		2022 (000190)	01-0000-0-0000-8100-5630-000-000-00000							
<b>Total Invoice Amount</b>								<b>239.50</b>	<b>Check</b>	
Direct Employee LOHSE, JANICE E (000205) 2489 COUNTY ROAD V GLENN, CA 95943										
2021/22	06/15/22		MEALS FOR CATA CONF 6/18 RS3550-5200-100	CATA CONF MEALS	06/16/22	Open		200.00		200.00
		2022 (001875)	01-3550-0-3800-1000-5200-100-000-00000							
<b>Total Invoice Amount</b>								<b>200.00</b>	<b>Check</b>	
Direct Employee MARTIN, ANDREW P (000833) 6990 COUNTY ROAD 47 WILLOWS, CA 95988										
2021/22	06/15/22		MEALS FOR CATA CONF 6/18 RS3550-5200-100	CATA CONF MEALS	06/16/22	Open		200.00		200.00
		2022 (001875)	01-3550-0-3800-1000-5200-100-000-00000							
<b>Total Invoice Amount</b>								<b>200.00</b>	<b>Check</b>	
Direct Vendor MJB WELDING SUPPLY (000524/1) P O BOX 2166 CHICO, CA 95927										
2021/22	05/31/22		22-135 AG WELDING RS0350-6000-4300-100-053	01101877-00	06/16/22	Open		659.41		659.41
		2022 (000489)	01-0350-0-6000-1000-4300-100-053-00000							

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Scheduled 06/16/2022 - 06/17/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor										
MJB WELDING SUPPLY (000524/1) (continued)										
2021/22	05/31/22		22-135 MAY CYLINDER RS0350-6000-5890-100-053	01388548	06/16/22	Open		12.40		(continued) 12.40
2022 (000493) 01-0350-0-6000-1000-5890-100-053-00000										

Total Invoice Amount 671.81 Check

AP Vendor										
OFFICE DEPOT INC (000309/1) PO BOX 29248 PHOENIX, AZ 85038-9248										
2021/22	06/02/22	REQ22-00004	BMERCADO 4300-100	247276853001	06/16/22	Open		79.24		79.24
2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000										

F	2021/22	06/02/22	REQ22-00004	BMERCADO 4300-100	248305699001	06/16/22	Open		32.37	32.37
2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000										
						BatchId	Check Date	PO# PO22-00494	Register #	
						BatchId	Check Date	PO# PO22-00494	Register #	

Total Invoice Amount 111.61 Check

Direct Vendor										
PAPE MACHINERY (000147/1) PO BOX 35144 #5077 SEATTLE, WA 98124-5144										
2021/22	04/14/22		450 MAINT DEPT OPEN 8100-4300	13475414	06/16/22	Open		167.60		167.60
2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000										
2021/22	04/14/22		450 MAINT DEPT OPEN 8100-4300	13475459	06/16/22	Open		10.05		10.05
2022 (001142) 01-8150-0-0000-8100-4300-000-000-00000										

Total Invoice Amount 177.65 Check

Direct Vendor										
PITNEY BOWES GLOBAL INC (000418/1) BOX 371887 LEASE# 1083576 PITTSBURGH, PA 15250-7887										
2021/22	06/05/22		443 ELEM POSTAGE METER 5620-800	APR-JUNE 3105531914	06/16/22	Open		166.48		166.48
2022 (000282) 01-0000-0-1110-1000-5620-800-000-00000										

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ReqPay05a

Payment Register

Scheduled 06/16/2022 - 06/17/2022

Bank Account COUNTY - County Bank Account

Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount	
								<b>Total Invoice Amount</b>	<b>166.48</b>	<b>Check</b>	
Direct Vendor PROPACIFIC FRESH (000763/1) CHICO DIVISION PO BOX 1069 DURHAM, CA 95938											
2021/22	06/06/22		407 13-5320-049	6937924	06/17/22	Open		626.19		626.19	
			CAFE								
			FOOD/PRODUCE								
			2022 (001414) 13-5320-0-0000-3700-4700-000-049-00000								
2021/22	06/13/22		407 CAFE SUPPLIES	6938988	06/16/22	Open		404.75		404.75	
			13-5320-4700-049								
			2022 (001414) 13-5320-0-0000-3700-4700-000-049-00000								
								<b>Total Invoice Amount</b>	<b>1,030.94</b>	<b>Check</b>	
AP Vendor QUILL CORPORATION (000134/1) PO BOX 37600 PHILADELPHIA, PA 19101-0600											
F	2021/22	06/03/22	REQ22-00005	MERCADO 4300-100	25546539	06/16/22	Open	25.19		25.19	
			2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000								
			BatchId			Check Date	PO# PO22-00495		Register #		
F	2021/22	06/06/22	REQ22-00002	APOLLO TOOLS TW	25550585	06/16/22	Open	62.73		62.73	
			2700-4300								
			2022 (000099) 01-0000-0-0000-2700-4300-000-000-00000								
			BatchId			Check Date	PO# PO22-00492		Register #		
2021/22	06/07/22	REQ22-00005	BMERCADO	25580721	06/16/22	Open	89.76			89.76	
			SUPPLIES 4300-100								
			2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000								
			BatchId			Check Date	PO# PO22-00495		Register #		
F	2021/22	06/07/22	REQ22-00012	LFUNDERBURK	25608205	06/16/22	Open	107.13		107.13	
			4300-100								
			2022 (000243) 01-0000-0-1110-1000-4300-100-000-00000								
			BatchId			Check Date	PO# PO22-00502		Register #		
								<b>Total Invoice Amount</b>	<b>284.81</b>	<b>Check</b>	
Direct Vendor ROBERTSON ERICKSON INC (000144/1) 888 MANZANITA CT SUITE 101 CHICO, CA 95926											

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ESCAPE ONLINE



Number of Payments	27	
Number of Checks	18	\$16,110.65
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$16,110.65	
Total Unpaid Sales Tax	\$0.00	
Total Expense Amount	\$16,110.65	

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**CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS**

\$0 - \$99	
\$100 - \$499	9
\$500 - \$999	3
\$1,000 - \$4,999	6
\$5,000 - \$9,999	
\$10,000 - \$14,999	
\$15,000 - \$99,999	
\$100,000 - \$199,999	
\$200,000 - \$499,999	
\$500,000 - \$999,999	
\$1,000,000 -	

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\*\*\*\*\* ITEMS OF INTEREST \*\*\*\*\*

- \* Number of payments to a different vendor
- ! Number of Prepaid payments
- @ Number of Liability payments
- & Number of Employee Also Vendors

? denotes check name different than payment name  
 F denotes Final Payment

<i>Chris Devries</i>	<i>6/17/22</i>
Prepared by	Date
Authorized by	Date

Report Totals - Payment Count 27 Check Count 18 ACH Count 0 vCard Count 0 Total Check/Advice Amount \$16,110.65  
 \$16,938.63

Report Selection Criteria Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, Payment Status(s) IN ('-1'), On Hold? = Y, Starting Schedule Date = 7/1/2021, Ending Schedule Date = 6/17/2022, Page Break by Check/Advice? = N, Zero? = Y)

ESCAPE ONLINE

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Batch #45

ReqPay05a

Payment Register

Scheduled 06/03/2022							Bank Account COUNTY - County Bank Account				
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount	
Direct Vendor			DANNIS WOLIVER KELLEY (002047/2) 2087 ADDISON STREET 2ND FLOOR BERKELEY, CA 94704								
2021/22	06/01/22		PO 423 APRIL LEGAL FEES	APRIL 3407	06/03/22	Paid	Printed	2,127.50		2,127.50	
2022 (000144) 01-0000-0-0000-7110-5815-000-000-00000											
Check #	40331219			BatchId	AP06092022	Check Date	06/09/22	PO#		Register # 000003	
<b>Total Invoice Amount</b>								<b>2,127.50</b>			

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	2,127.50	1,274,214.33-	1,276,341.83-

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Number of Payments	1	
Number of Checks	1	\$2,127.50
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$2,127.50	
Total Unpaid Sales Tax	\$ .00	
Total Expense Amount	\$2,127.50	
<b>CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS</b>		
\$0 - \$99		
\$100 - \$499		
\$500 - \$999		
\$1,000 - \$4,999	1	
\$5,000 - \$9,999		
\$10,000 - \$14,999		
\$15,000 - \$99,999		
\$100,000 - \$199,999		
\$200,000 - \$499,999		
\$500,000 - \$999,999		
\$1,000,000 -		
<b>***** ITEMS OF INTEREST *****</b>		
* Number of payments to a different vendor		
! Number of Prepaid payments		
@ Number of Liability payments		
& Number of Employee Also Vendors		
? denotes check name different than payment name		
F denotes Final Payment		

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Report Totals - Payment Count 1 Check Count 1 ACH Count 0 vCard Count 0 Total Check/Advice Amount \$2,127.50

Selection Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, On Hold? = Y, Approval Batch Id(s) = 000045,  
Page Break by Check/Advice? = N, Zero? = Y)

ESCAPE ONLINE

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Batch# 46

ReqPay05a

Payment Register

Scheduled 06/03/2022							Bank Account COUNTY - County Bank Account			
Fiscal Year	Invoice Date	Req #	Comment	Payment Id (Trans Batch Id)	Sched	Paymt Status	Check Status	Invoice Amount	Unpaid Sales Tax	Expense Amount
Direct Vendor		STANDARD (000584/1) P.O. BOX 4664 PORTLAND, OR 97208-4664								
2021/22	05/20/22		PO 408 MAY 2022 CT	CT 503202 3000	06/03/22	Paid	Printed	331.36		331.36
			503202 3000							
		2022 (002110)	01-0000-0-0000-0000-9571-000-000-00000							
Check #	40331220		BatchId	AP06092022	Check Date	06/09/22	PO#		Register #	000003
<b>Total Invoice Amount</b>								<b>331.36</b>		

EXPENSES BY FUND - Bank Account COUNTY			
Fund	Expense	Cash Balance	Difference
01	331.36	1,274,214.33-	1,274,545.69-

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Number of Payments	1	
Number of Checks	1	\$331.36
Number of ACH Advice	0	
Number of vCard Advice	0	
Total Check/Advice Amount	\$331.36	
Total Unpaid Sales Tax	\$ .00	
Total Expense Amount	\$331.36	
CHECK/ADVICE AMOUNT DISTRIBUTION COUNTS		
\$0 - \$99		
\$100 - \$499	1	
\$500 - \$999		
\$1,000 - \$4,999		
\$5,000 - \$9,999		
\$10,000 - \$14,999		
\$15,000 - \$99,999		
\$100,000 - \$199,999		
\$200,000 - \$499,999		
\$500,000 - \$999,999		
\$1,000,000 -		
***** ITEMS OF INTEREST *****		
* Number of payments to a different vendor		
! Number of Prepaid payments		
@ Number of Liability payments		
& Number of Employee Also Vendors		
? denotes check name different than payment name		
F denotes Final Payment		

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Report Totals - Payment Count 1 Check Count 1 ACH Count 0 vCard Count 0 Total Check/Advice Amount \$331.36

Selection Sorted by AP Check Order Option, Filtered by (Org = 12, Payment Method = N, Payment Type = N, On Hold? = Y, Approval Batch Id(s) = 000046, Page Break by Check/Advice? = N, Zero? = Y)

ESCAPE ONLINE

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