



Eden Area ROP

GOVERNING BOARD MEETING AGENDA

26316 Hesperian Blvd. Hayward, CA 94545 • (510) 293-2971 • www.edenrop.org

Thursday, December 12, 2024
5:45 pm

GOVERNING BOARD MEMBERS

James Aguilar, President	San Leandro Unified School District
Penny Peck, Vice-President	San Lorenzo Unified School District
Gary Howard, Member	Castro Valley Unified School District
Dr. April Oquenda, Member	Hayward Unified School District

MISSION STATEMENT

The mission of the Eden Area ROP is to build a foundation for students that prepare them academically, technically, and professionally to meet challenging opportunities of the 21st Century with confidence and purpose.



Regular Meeting of the ROP Governing Board

Date: Thursday, December 12, 2024
Time: 5:45 p.m.
In-Person (limited seating): Eden Area ROP Board Room (Building A), 26316 Hesperian Blvd., Hayward, CA 94545
Virtual via Zoom: <https://zoom.us/j/96157644480?pwd=XfHTjHcFvwObgrh5rv5jEOxdbMecYw.1>

Attend Zoom Meeting Instructions:

- **To observe the meeting by video conference**, please click on [LINK](#) or go <https://zoom.us/j/96157644480?pwd=XfHTjHcFvwObgrh5rv5jEOxdbMecYw.1> to at the noticed meeting time.

Meeting ID: **961 5764 4480**

Passcode: **EAROP2425**

Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193> -Joining-a-Meeting.

- **To listen to the meeting by phone**, please call at the noticed meeting time **1-669-900-9128**, then enter ID **961 5764 4480**, then press “#”. Passcode: **458056340**

Find your local number: <https://zoom.us/u/aeDS9Yfjh1>

Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> -Joining-a-meeting-by-phone.

Public Comment Instructions:

The Board respects and encourages the public to comment on matters on the Board agenda and within the Board's jurisdiction. The Board fully supports civil discourse and requests that everyone respect each other and their point of view. We strive to model respectful communication for our students in all of our interactions. According to the Brown Act, the Board may not comment or take action on items not on the agenda.

- **To comment by video conference**, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> -Raise-Hand-In-Webinar.
- **To comment by phone**, you will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> -Joining-a-meeting-by-phone.
- **To comment in-person**, individuals who would like to address the Board in-person must complete a “Request to Address ROP Governing Board” card, available at the entrance to the meeting room, and submit it to the Governing Board's President prior to the start of the agenda item. Once called on speakers are requested to go to the podium and begin by stating their name, and whether the statement is being made as an individual or as a representative of an organization.

AGENDA

Welcome to the Eden Area Regional Occupational Program Governing Board Meeting. The purpose of the meeting is to consider matters of policy and business necessary for the operation of the Regional Occupational Program.

Any member of the audience may speak on any agenda item by following this process, or upon recognition by the President by identifying himself/herself/themself and his/her/their organization affiliation prior to any action taken by the Governing Board. Such presentations may be limited. If there is a desire to address the Governing Board on a matter relating to the Eden Area ROP that does not appear on the agenda, this may be done during the “Public Comment” section.

State law prohibits the ROP Governing Board from taking any action on or discussing items that are not on the posted agenda except to A) briefly respond to statements made or questions posed by the public in attendance; B) ask questions for clarification; C) provide a reference to a staff member or other resource for factual information in response to the inquiry; or D) ask a staff member to report back on the matter at the next meeting and/or place it on a future agenda. (Government Code Section 54954.2 (a))

This meeting is being recorded. These recordings are maintained by the Eden Area ROP for 30 days and are available for review to the public upon request.

- I. **Call to Order**
- II. **Roll Call**
- III. **Pledge of Allegiance**
- IV. **Mission Statement**
- V. **Core Values**
- VI. **Approval of Agenda**
- VII. **Public Comment for Agenda items and matters that are related to the Eden Area ROP**

(According to the Brown Act, the Board may not comment or take action on items not on the agenda.)

The Board respects and encourages the public to comment on matters on the Board agenda and within the Board's jurisdiction. The Board fully supports civil discourse and requests that everyone respects each other and their point of view.

Public Comments:

When it is time for the speakers to address the Board, your name will be called and you will then be unmuted (if attending virtually) or asked to come to the podium (if attending in-person) and allowed to make public comments. Individual speakers are asked to limit their comments to no more than three (3) minutes, unless the Board decides otherwise. This meeting is being recorded to prepare the official minutes.

Public Comment if attending meeting in person:

Individuals who would like to address the Board in-person must complete a "Request to Address Eden Area ROP Governing Board" card, available at the entrance to the meeting room, and submit it to the Governing Board's President prior to the start of the agenda item.

Once called on, speakers are requested to go to the podium and begin by stating their name. Individual speakers are asked to limit their comments to no more than three (3) minutes, unless the Board decides otherwise.

Public Comment if attending meeting via Zoom:

Individuals who would like to address the Board via Zoom must use the "Raise Hand" feature under the "Participants." Speakers via Zoom should rename their Zoom profile names to their real names to expedite this process. After the comment, the microphone for the speaker's Zoom profile will be muted. Individual speakers are asked to limit their comments to no more than three (3) minutes, unless the Board decides otherwise.

VIII. **Student of the Month**

- A. Presentation of ROP Student of the Month Awards (page 7)

IX. **Consent Calendar**

Action by the Eden Area ROP Governing Board of the Eden Area Regional Occupational Program means that all items listed under the Consent Calendar are adopted by one single motion, unless a member of the Governing Board, the Superintendent, or a member of the public requests that any such item be removed from the Consent Calendar and voted upon separately.

Page 3 – Agenda for the December 12, 2024 Regular Meeting of the ROP Governing Board

- A. Request the Governing Board to approve the Minutes of the Regular Governing Board Meeting of November 7, 2024 (pages 9-16)
- B. Request the Governing Board to approve the Bill Warrants (pages 17-23)
- C. Request the Governing Board to approve the Personnel Action Items (pages 24-25)
- D. Request the Governing Board to approve the Listed Donation-Daniel Hernandez (page 26)
- E. Request the Governing Board to approve the Listed Donation-Red Door Restoration (page 27)
- F. Request the Governing Board to approve the Listed Donation-Tony Brenta, Phoenix Lighting Company (page 28)
- G. Request the Governing Board to approve the Grant Expansion Stipend for Operations (Information Technology Specialist) for the 2024-2025 Fiscal Year (page 29)
- H. Request the Governing Board to approve the Adoption of Resolution 5-24/25: Conflict of Interest Code (Form E1 9270) (pages 30-34)
- I. Request the Governing Board to approve the Agreement with the Alameda County Office of Education (ACOE), in Collaboration with School Services of California Inc. (SSC), for Fiscal Related Matters for the 2024-2025 School Year (pages 35-41)

X. Information Items

- A. ROP Pathway Review-Structural Repair and Refinishing (pages 43-44)
- B. ROP Pathway Review-Systems Diagnostics, Service, and Repair (pages 45-46)
- C. Fall Advisory Committee Meetings (page 47)
- D. Student Training and Employment Program (STEP) Grant Overview (page 48)

XI. Action Items

- A. Request the Governing Board to approve the 2024-2025 First Interim Report (page 50)
- B. Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, Board Bylaws, and Exhibits (pages 51-89)
- C. Request the Governing Board to approve the Cybersecurity Course for Adult Programs (pages 90-92)
- D. Request the Governing Board to approve the MOU with the Public Health Institute/FACES for the Future Coalition for Health Career Training and Work-Based Learning, Academic Support, Wellness Services, and Youth Leadership Development for the 2024-2025 School Year (pages 93-100)
- E. Request the Governing Board to approve the MOU with California State University, East Bay Foundation, Inc. (CSUEBF)/Hayward Promise Neighborhoods (HPN) to support College and Career Readiness through the Black Educational Excellence, LLC from January 1, 2025 through December 31, 2026 (page 101-104)
- F. Request the Governing Board to approve the Agreement with Black Educational Excellence, LLC for the Hayward Promise Neighborhoods Student Engagement Project from January 1, 2025 through December 31, 2025 (page 105-111)

XII. Superintendent's Report

XIII. Governing Board Reports

XIV. Recess to Closed Session

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

XV. Reconvene to Open Session and Report Action Taken in Closed Session

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

XVI. Adjournment

STUDENT OF THE MONTH



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Presentation of ROP Student of the Month Awards

BACKGROUND

The Eden Area ROP has developed a student recognition program to acknowledge outstanding efforts and achievements of our students.

CURRENT SITUATION

The student recognition program has proven to be a successful, motivational tool in the classroom, among the staff and the students of the Eden Area ROP.

The following students were selected as ROP students of the month for December:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Cristian Garcia-Villanueva	Tennyson	Automotive Technology	Espinoza
Jorge Bolanos	Arroyo	Automotive Technology	O'Leary
Maria Alaguna Munoz	San Lorenzo	Automotive Collision & Refinishing	Pareja

RECOMMENDATION

Information only

CONSENT CALENDAR



Minutes of the Regular Meeting of the ROP Governing Board November 7, 2024

I. Call to Order

James Aguilar, Board President, called the meeting to order at 5:46 p.m. on Thursday, November 7, 2024, in the Eden Area Regional Occupational Program Boardroom, located at 26316 Hesperian Blvd., Hayward, CA 94545.

II. Roll Call

Eden Area ROP Governing Board Members Present:

James Aguilar, President	San Leandro USD
Penny Peck, Vice President	San Lorenzo USD
Gary Howard, Member	Castro Valley USD
Dr. April Oquenda, Member	Hayward USD

Eden Area ROP Superintendent/Clerk of the Board Present:

Blaine Torpey

Eden Area ROP Administrators Present:

Craig Lang	Director of Adult Programs and Apprenticeships
Manuschka Michaud	Principal
Anthony Oum	Fiscal Services Administrator
Mark Rizkallah	Assistant Principal-Pathways

Eden Area ROP Staff Present:

Anissa Barrot	Dental Assisting Instructor
Jessica Fagundes	Career Counselor
Maria Luisa Fuller	Entrepreneurship Instructor
Gabriela Juarez	Executive Assistant
Ezenwanyi Osakwe	Sports Medicine Instructor
John Peters	First Responder (Fire Science/EMT) Instructor

III. Pledge of Allegiance

Anthony Oum led the Pledge of Allegiance.

IV. Mission Statement

Easten May-Fanene read the Eden Area ROP mission statement.

V. Core Values

Blaine Torpey read the Eden Area ROP Core Values.

VI. Approval of Agenda

Trustee Penny Peck moved to approve the agenda. Trustee Gary Howard seconded the motion. By the following vote, the agenda was approved:

AYES:	4 (Aguilar, Howard, Oquenda, Peck)
NOES:	0
ABSTENTIONS:	0
ABSENT:	0

VII. Student of the Month Awards

The following students were honored by their teachers, ROP Staff and the Governing Board as students of the month for November 2024:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Easten May-Fanene	Castro Valley	First Responder	Peters
Parman Singh	Castro Valley	Dental Assisting	Barrot
Cheyenne M Ryan	Tennyson	Entrepreneurship	Fuller
Belinda Rivera-Molina	Mt. Eden	Sports Medicine	Osakwe

Jessica Fagundes, Career Counselor, introduced the instructors, who in turn presented their students to the Governing Board. Each student received a framed certificate of achievement and had the opportunity to introduce their family and share a few words.

VIII. Public Comment for Agenda items and matters that are related to the Eden Area ROP

None.

IX. Consent Calendar

Trustee Gary Howard moved to approve the consent calendar items as follows:

- A. Minutes of the Regular Governing Board Meeting of October 4, 2024
- B. Bill Warrants
- C. Personnel Action Items
- D. Advisory Committee Members
- E. Receipt of the Workability I Program Funds
- F. Agreement with AT&T for Point to Point Access from November 2024 through November 2029
- G. Agreement with California Community Colleges Board of Governors through California Apprenticeship Innovative Grant Program for an Early Childhood Educator Pre-Apprenticeship Program August 1, 2024, through December 31, 2027
- H. Agreement with California Community Colleges Board of Governors through California Apprenticeship Innovative Grant Program for Dental Assisting Pre-Apprenticeship Program August 1, 2024, through December 31, 2027
- I. Amended Agreement with Donald Orlando for Welding Maintenance Services for the 2024-2025 School Year
- J. Agreement with Jayne Salinger for Work-Based Learning Support for the 2024-2025 School Year

Trustee Penny Peck seconded the motion.

AYES: 4 (Aguilar, Howard, Oquenda, Peck)
 NOES: 0
 ABSTENTIONS: 0
 ABSENT: 0

X. Information Items

A. ROP Pathway Reviews- Emergency Response

Mark Rizkallah, Assistant Principal-Pathways, shared with the Board that the First Responder (Fire Science/EMT) program is part of the Emergency Response Pathway under the Public Services sector. The program includes two courses, First Responder I

and First Responder II, both UC/CSU-approved for the "G" elective, with a total enrollment of 49 students. Additionally, Captain John Peters, Instructor, serves as a dual-enrollment instructor through Chabot College. Mr. Rizkallah introduced Captain John Peters, Instructor, to review information about the program offered in this pathway.

Captain John Peters provided an overview of the First Responder (Fire Science/EMT) program, emphasizing its strong focus on community service and professional development for students. Students have participated in activities such as volunteering with the Hayward Fire Department and the CERT program, where they acted as victims in triage drills. Additionally, students assisted at the Hayward Airport during a community service event prior to 9/11. Captain Peters expressed gratitude for the partnerships with local organizations, such as the Hayward Fire Department and Royal Ambulance, which provide students with hands-on experience through ride-alongs and training opportunities.

Captain Peters highlighted the comprehensive curriculum offered by the program, which includes CMS (Critical Medical Skills) training in areas like CPR, first aid, airway management, and childbirth. Students receive certifications in these essential skills. He also noted the program's involvement in SkillsUSA, where students have successfully competed at regional, state, and national levels.

The program has a robust pathway for students aspiring to careers in emergency services. Through dual enrollment with Chabot College, students earn credit in Fire Technology courses and have the opportunity to join a state-certified Fire Academy upon completion. Captain Peters proudly shared success stories of alumni who have secured positions in organizations like San Francisco Fire Department, Cal Fire, U.S. Forest Service, and various ambulance companies, as well as roles in medical facilities and dispatch centers. He concluded by expressing pride in his students' accomplishments.

B. Recognition of the Eden Area ROP Teacher of the Year

Blaine Torpey, Superintendent, reported Captain John Peters, First Responder (Fire Science/EMT) Program Instructor, is the Eden Area ROP Teacher of the Year for 2024.

The Governing Board and Superintendent recognized Captain John Peters, for being named an Alameda County Teacher of the Year. ACOE provided the Eden Area ROP with a short video that was shown during the Teacher of the Year event. The Eden Area ROP staff shared the video with the Board.

C. Business Partners of the Year

Mark Rizkallah, Assistant Principal-Pathways, presented the Annual Business Partners of the Year event. It was held on October 13, 2024 at the Cherryland Community Center in Hayward. He highlighted the contributions of student emcees, who helped celebrate the achievements of business partners supporting the Eden Area ROP and its partner districts. These partnerships provide students with valuable opportunities, including internships, speaking engagements, and field trips, while also strengthening connections between industry and education. This year, the Eden Area ROP and the four partner districts nominated a total of 12 Business Partners of the Year, showcasing a diverse range of industries. Honorees included:

NAME	COMPANY
Leonard Nieto	Envision Construction & Design Inc
Leah Cambra	EPIC Care, San Leandro
Michelle Garcia	EPIC Care, San Leandro

NAME	COMPANY
Tyler Waespi	East Bay Regional Parks
Lauren Neves	10X Genomics
Heather Johnson	1856 Productions
Bryon Pointer	1856 Productions
Andrew Treydte	Tesla
Rey Godoy	Second Mortgage Films LLC
Simeon Diaz	Boys and Girls Club of San Leandro
John Bridgewater	Doral's Auto Repair
Joliah James	Health PATH, Alameda Health System
Josselin Lopez Martinez	Health PATH, Alameda Health System

The event included breakfast, awards presentations, and networking opportunities, emphasizing the importance of celebrating partnerships to encourage continued collaboration.

Mr. Rizkallah acknowledged the significant contributions of the Work-Based Learning team, past efforts, partner districts, and students, noting that student engagement helps sustain and grow these partnerships. He concluded by highlighting the event as a vital way to connect with industry partners and create pipelines for future student opportunities.

D. Advanced Manufacturing Day

Mark Rizkallah, Assistant Principal-Pathways, discussed Advanced Manufacturing Day, one of the sector days organized by the Eden Area ROP in collaboration with Chabot College. Held on October 18, the event included 11 field trips to industry sites for students from partner schools and, for the first time, students from the ROP Center. Participating students toured businesses and later gathered at Chabot College for a speaker panel featuring advanced manufacturing professionals, followed by rotations through various Chabot programs such as machine technology, welding, automotive technology, and architecture.

Over 300 students participated, visiting more than 10 businesses and exploring a range of programs at Chabot. Mr. Rizkallah highlighted two standout site visits: ACCO Engineered Systems, which specializes in pipe fitting, and Hester Fabrication. The President of Hester Fabrication and an Eden Area ROP alumnus who completed the welding program in 2000, expressed interest in providing internships for students. The event showcased long-standing and new partnerships, offering students exposure to industry and post-secondary opportunities.

E. Eden Area ROP Car Show

Manuschka Michaud, Principal, reported about the Eden Area ROP's first annual Car Show, held as a fundraiser to support Career and Technical Student Organizations (CTSOs) such as SkillsUSA, DECA, and HOSA. The event, led by David Espinoza, Automotive Technology Instructor, successfully raised \$7,402 after expenses. The funds will support student participation in competitive events and conferences, helping to cover travel and other costs associated with these opportunities.

The car show featured 176 registered vehicles. Over 50 students participated in organizing and running the event, alongside community support from the Hayward Police Department, Alameda County Fire Department, and local residents. Attendees

included board members, the mayor of Hayward, and numerous neighbors who enjoyed raffles, music, and the impressive showcase of vehicles.

Ms. Michaud highlighted the collaborative effort among instructors, staff, and the business services team in organizing the event. The success has already sparked plans for next year's car show, with several participants expressing interest in returning. Ms. Michaud expressed gratitude to all who contributed.

F. Out of State Conference: Orbund Training

Craig Lang, Director of Adult Programs and Apprenticeships, discussed the Orbund system and plans for staff to attend its annual training conference. Orbund is a comprehensive Student Information System (SIS) and Learning Management System (LMS) that supports key functions such as payment processing, enrollment, transcript management, and attendance tracking. This system meets the needs for programs requiring time-based certifications, such as the 576-hour electrical apprenticeship program, as well as for managing hybrid and online courses introduced during the COVID-19 pandemic.

The annual Orbund conference, which includes training on system optimization and problem-solving, provides an opportunity for staff to engage directly with Orbund representatives. Mr. Lang emphasized the value of in-person interaction, particularly for addressing unique challenges and troubleshooting, which can be slower when handled remotely. The conference also features a "Genius Bar" setup, allowing users to work through specific technical issues alongside other schools using the system.

This year, the conference will be held in Puerto Rico, and the department plans to send staff members who frequently use the system to gain advanced training. Mr. Lang also noted the importance of Orbund's capabilities for hybrid and online learning, which are integral to ongoing and future programs, including continued education for professionals in fields such as dental, CPR, EKG, and first aid. These initiatives aim to maximize the system's potential and expand learning opportunities for adult learners.

G. Facilities Evaluation

Blaine Torpey, Superintendent, shared an update on the Eden Area ROP's aging facilities, noting that the 60-year-old buildings require significant modernization and maintenance. A 2023 evaluation conducted with Hayward Unified School District identified approximately \$10 million in necessary upgrades, including outdated alarm wiring and electrical and plumbing systems.

Mr. Torpey highlighted funding opportunities, including \$500 million set aside for ROP facilities in Proposition 2, pending its passage. The Eden Area ROP is also securing capital outlay funds to serve as a match for these projects. Immediate priorities include addressing ventilation issues in the welding classroom and preparing for the Zero Emission Vehicle Pathway program launching next year.

To support these efforts, a construction project manager has been hired to oversee planning and implementation. The Superintendent also referenced a facilities needs assessment summary, developed over two years, to guide decision-making and project prioritization.

H. First Reading of Governing Board Policies, Administrative Regulations, Board Bylaws and Exhibits

Blaine Torpey, Superintendent, shared that the Eden Area ROP has contracted with California School Boards Association (CSBA) to receive regular updates and suggested policy language for any additions, changes, or modifications to educational code that impacts policy. Staff has reviewed these updates and brought relevant changes to the Board for their consideration.

Superintendent Torpey presented to the Governing Board the first reading of the following board policies, administrative regulations, board bylaws, and exhibits:

NUMBER	TYPE	TITLE	STATUS
1114	BP	District-Sponsored Social Media	Revise
1114	AR	District-Sponsored Social Media	Revise
1312.4	AR	Williams Uniform Complaint Procedures	Revise
1312.4	E(1)	Williams Uniform Complaint Procedures	Revise
1312.4	E(2)	Williams Uniform Complaint Procedures	Revise
3517	AR	Facilities Inspection	New
3517	E(1)	Facilities Inspection	New
4040	BP	Employee Use of Technology	Revise
4040	E(1)	Employee Use of Technology	Revise
5144.1	BP	Suspension and Expulsion/Due Process	Revise
5144.1	AR	Suspension and Expulsion/Due Process	Revise
5144.2	AR	Suspension and Expulsion/Due Process (Students with Disabilities)	Revise
6112	BP	School Day	Revise
6112	AR	School Day	New
6163.4	BP	Student Use of Technology	Revise
6163.4	E(1)	Student Use of Technology	Revise
9010	BB	Public Statements	Revise
9012	BB	Board Member Electronic Communications	Revise

The Governing Board agreed with the revisions of board policies, administrative regulations, board bylaws, and exhibits.

XI. Action Items

A. Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, and Exhibits

Upon review of and a motion by Trustee Penny Peck and a second by Trustee Gary Howard the Governing Board approved the second reading and adoption of Governing Board policies, administrative regulations, and exhibits .

AYES: 4 (Aguilar, Howard, Oquenda, Peck)
 NOES: 0
 ABSTENTIONS: 0
 ABSENT: 0

B. Request the Governing Board to approve the Revised Salary Schedules (Charts 1-4)

Upon review of and a motion by Trustee Gary Howard and a second by Trustee April Oquenda the Governing Board approved the Revised Salary Schedules (Charts 1- 4).

AYES: 4 (Aguilar, Howard, Oquenda, Peck)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

C. Request the Governing Board to approve the Grant Expansion Stipend for Operations in the 2024-2025 Fiscal Year

Upon review of and a motion by Trustee Penny Peck and a second by Trustee April Oquenda the Governing Board approved the Grant Expansion Stipend for operations in the 2024-2025 fiscal year.

AYES: 4 (Aguilar, Howard, Oquenda, Peck)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

D. Request the Governing Board to approve the Agreement with Mark Miller for Construction Manager Consultation Services from October 1, 2024 through September 1, 2025

Upon review of and a motion by Trustee April Oquenda and a second by Trustee Gary Howard the Governing Board approved the agreement with Mark Miller for construction manager consultation services from October 1, 2024 through September 1, 2025.

AYES: 4 (Aguilar, Howard, Oquenda, Peck)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

XII. Superintendent's Report

The Superintendent highlighted several activities and achievements at the Eden Area ROP. October was a busy month with numerous events, including the highly successful inaugural car show, a community event that showcased the collaborative spirit of the Eden Area ROP. Additionally, the Eden Area AROP participated in the Hayward Promise Neighborhoods retreat and other community engagements.

Superintendent Torpey reported on participation in the CTE JPA Coalition's meeting with the Governor's Office to discuss the Master Plan. Updates were shared on plans to finalize a draft before the January 10th budget deadline. Later in the month, senior staff from the Governor's Office, Department of Finance, Legislative Analyst Office, and State Senate visited the Tri-Valley ROP and the Eden Area ROP. Their tour included classroom visits, discussions with staff, and refreshments prepared by the Culinary Science program, providing an overview of Eden Area ROP's impact.

Additional activities included participation in the Southern Alameda County College Night and the Asian American Pacific Islander College Readiness Night. Lastly, the Superintendent celebrated the success of the Eden Area ROP's Cybersecurity Program,

currently ranked #1 in North America in a competition involving teams from the U.S. and Canada.

Superintendent Torpey concluded his report by providing an achievement under each of his goals.

XIII. Governing Board Reports

None

XIV. Recess to Closed Session

The meeting was called into closed session at 7:21 pm.

A. Conference with Legal Counsel-Anticipated Litigation Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

XV. Reconvene to Open Session and Report any Action taken in Closed Session

The meeting resumed to open session at 7:38 pm.

A. Conference with Legal Counsel-Anticipated Litigation Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

Board President, James Aguilar, reported that no action was taken.

XVI. Adjournment

The meeting was adjourned at 7:38 pm in memory of Frances Galan, grandmother of Eden Area ROP Administrative Assistant, Jennifer Aguilar and in memory of Linda Wells, Ed. D.

Approved by the Eden Area ROP Governing Board _____.

Blaine Torpey, Superintendent/Clerk to the Eden Area ROP Governing Board



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Sabrina Ubhoff, Accounting Technician
SUBJECT: Request the Governing Board to approve the Bill Warrants

CURRENT SITUATION

The bill warrants submitted for approval are for the period of October 28, 2024 through November 22, 2024 and include test warrant numbers and voided warrants.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mercedes Henderson, Human Resources Administrator
SUBJECT: Request the Governing Board to approve the Personnel Action Items

CURRENT SITUATION

The attached listing of personnel action items are the Eden Area ROP Superintendent's recommendations for approval.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board to approve the Listed Donation-
Daniel Hernandez

BACKGROUND

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

CURRENT SITUATION

On December 3, 2024, Daniel Hernandez donated \$300.00 to the Eden Area ROP Automotive Technology Program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board to approve the Listed Donation-
Red Door Restoration

BACKGROUND

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

CURRENT SITUATION

On October 30, 2024, Red Door Restoration donated \$150.00 to the Eden Area ROP Automotive Technology Program and \$150.00 to the Construction Technology Program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board to approve the Listed Donation-
Tony Brenta, Phoenix Lighting Company

BACKGROUND

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

CURRENT SITUATION

On October 23, 2024, Tony Brenta owner of Phoenix Lighting Company donated \$100.00 to the Eden Area ROP Construction Technology Program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board to approve the Grant Expansion Stipend for Operations (Information Technology Specialist) for the 2024-2025 Fiscal Year

BACKGROUND

The massive expansion of grant funds, initiatives, more students, new and more staff has had a material and substantial impact on Eden Area ROP operations. While some challenges have been addressed by adding staff (although the number of staffing transitions has been a challenge), extra hours, and implementing proactive reclassifications. Certain employee groups and departments have been affected by this expansion without additional staffing or compensation adjustments.

CURRENT SITUATION

The Grant Expansion stipend of 10% of each identified employee group's salary to be paid monthly from July 1, 2024, through June 30, 2025, was approved by the Governing Board on November 7, 2024.

The Information Technology (IT) Specialist was recently identified as being inadvertently excluded from the original list of employees eligible for the Grant Expansion stipend. Given the role of this position in supporting the success of grant-related initiatives, the Eden Area ROP is resubmitting the stipend request to include the IT Specialist for the 2024-2025 school year.

With this addition, the total stipend amount will increase by \$10,331, bringing the revised total to an amount not to exceed \$109,711 across all funds.

CONSENT CALENDAR



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board to approve the Adoption of Resolution 5-24/25: Conflict of Interest Code (Form E1 9270)

BACKGROUND

As a public education institution, it is legally required that an agency's conflict of interest code reflects the current structure of the agency and properly identifies all officials and employees who should be filing a Form 700. To ensure the codes remain current and accurate, each agency is required to review its conflict-of-interest code at least every other year - state agencies in odd-numbered years and local agencies in even-numbered years.

CURRENT SITUATION

With the revision of the administrative positions in the Educational Services department for the 2024-2025 school year and the Adult Programs department for the 2023-2024 school year, approval of an updated conflict of interest code (Form E1 9270) reflecting the new positions and titles is required.

CONSENT CALENDAR

Eden Area ROP **RESOLUTION NO. 5-24/25**

Conflict of Interest Code (E1 9270)

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Eden Area Regional Occupational Program (Eden Area ROP) has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the Eden Area ROP conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Eden Area ROP has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the Eden Area ROP's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Eden Area ROP Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED by the Governing Board of the Eden Area ROP on this 12th day of December 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Blaine Torpey
ROP Governing Board Clerk, Eden Area ROP
Alameda County, State of California



Conflict of Interest Code of the Eden Area Regional Occupational Program (Eden Area ROP)

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the Eden Area ROP's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the Eden Area ROP's filing officer and/or, if so required, with the Eden Area ROP's code reviewing body. The Eden Area ROP's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:
 - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the Eden Area ROP.
 - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the Eden Area ROP, or manufacture or sell supplies, books, machinery, or equipment of the type used by the Eden Area ROP.
2. Category 2: A person designated Category 2 shall disclose:
 - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
 - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs.
3. Full Disclosure: Because it has been determined that the Eden Area ROP's Governing Board members and/or Superintendent "manage public investments,"

they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the Eden Area ROP.
- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position Disclosure Category

Governing Board Members	1
Superintendent	1
Director of Adult Programs and Apprenticeships	2
Principal	2
Assistant Principals	2
Fiscal Services Administrator	1
Human Resources Administrator	2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case- by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the Eden Area ROP, makes a governmental decision whether to: (2 CCR 18700.3)

- 1. Approve a rate, rule, or regulation
- 2. Adopt or enforce a law
- 3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
- 4. Authorize the Eden Area ROP to enter into, modify, or renew a contract that requires Eden Area ROP approval

5. Grant Eden Area ROP approval to a contract that requires Eden Area ROP approval and in which the Eden Area ROP is a party, or to the specifications for such a contract
6. Grant Eden Area ROP approval to a plan, design, report, study, or similar item
7. Adopt or grant Eden Area ROP approval of Eden Area ROP policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the Eden Area ROP, serves in a staff capacity with the Eden Area ROP and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the Eden Area ROP that would otherwise be performed by an individual holding a position specified in the Eden Area ROP's conflict of interest code. (2 CCR 18700.3)



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board to approve the Agreement with the Alameda County Office of Education (ACOE), in Collaboration with School Services of California Inc. (SSC), for Fiscal Related Matters for the 2024-2025 School Year

BACKGROUND

The Alameda County Office of Education (ACOE), in collaboration with School Services of California Inc. (SSC), has an agreement to aid on issues of school finance, legislation, school budgeting, and general fiscal issues. Per Government Code 53060, it states that "The legislative body of any public or municipal corporation or district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such person is specially trained and experienced and competent to perform the special services required."

CURRENT SITUATION

The Eden Area ROP works with ACOE and SSC throughout the fiscal year. This agreement ensures the relationship continues by paying our share of the cost amongst a multitude of school districts in Alameda County.

CONSENT CALENDAR

Client Name: ALAMEDA COE
Client #1200/S10 Consortium

P.O.# _____

AGREEMENT FOR SPECIAL SERVICES
Fiscal and Management Information Services Consortium

This is an Agreement between the **CLIENT**, as defined above, and **SCHOOL SERVICES OF CALIFORNIA INC.**, hereinafter referred to as “Consultant,” entered into as of July 1, 2024.

RECITALS

WHEREAS, the Client needs assistance regarding issues of school finance, legislation, school budgeting, general fiscal issues, and the state-mandated program cost claims process; and

WHEREAS, the Consultant is professionally and specially trained and competent to provide these services; and

WHEREAS, the authority for entering into this Agreement is contained in Section 53060 of the Government Code and such other provisions of California law as may be applicable;

NOW, THEREFORE, the parties to this Agreement do hereby mutually agree as follows:

1. The Consultant agrees to perform such duties relating to issues of school finance, including:
 - a. Electronic delivery of the *Fiscal Report* containing information on issues of school finance, budgets, or practices and policy issues that impact local educational agency fiscal and education policies.
 - b. An analysis of all major school legislation affecting public education and information related to their progress through the California State Legislature and implementing state agencies, if applicable.
 - c. Participation at the Consultant’s school finance conferences and workshops at the Consultant’s client rate.
 - d. Up to 26 hours of service annually as the Client directs on fiscal service issues, including analysis of specific local educational agency revenue or expenditure issues, analysis of specific legislative or regulatory issues, and a “quick query” service to provide telephone response to specific fiscal questions of the Client.

- e. Services for which the base service hours may not be used include Client-specific economy, efficiency, or management consulting services, executive searches, legislative representation or advocacy; appearance as an expert witness; provision of depositions or declarations for district legal issues; major customized research projects or studies; or on-site speeches or presentations.
2. The Client agrees that any information received from the Consultant shall be for the use of the county office of education and the local educational agencies within the county consortium only and shall not be provided by the county office of education to local educational agencies over 500 average daily attendance (ADA). Local educational agencies under 500 ADA are eligible to receive service as deemed appropriate by the county office of education (see Attachment A).
 3. The Client agrees to pay the Consultant for services rendered under this Agreement.
 - a. \$73,080 annually, plus expenses, for the services listed in Item 1 above, upon receipt of billing from the Consultant.
 - b. For all requested services in excess of 26 direct service hours as indicated in Item 1d above in the 12-month period, the applicable hourly rate for the person(s) performing the services shall apply.
 - c. “Hours” are defined as hours of direct service to the Client, as well as reasonable travel time to and from the county office of education.
 - d. “Expenses” are defined as actual, out-of-pocket expenses, such as travel, meals, shipping, and duplication of materials.
 4. This Agreement shall be for the period of one year, beginning July 1, 2024, and terminating June 30, 2025. This Agreement may be terminated prior to June 30, 2025, by either party on 30 days’ written notice. In the event that the Client elects to terminate services at the end of the Agreement, the Client shall give a 30-day written notice of nonrenewal. The Consultant will provide continuing services for 90 days after the expiration date of the Agreement or until the Client provides written notice. The Client is responsible for these accrued charges and the Consultant may bill these additional days. In the case of cancellation, the Client shall be liable for any costs accrued to the date of cancellation under Item 3 above.

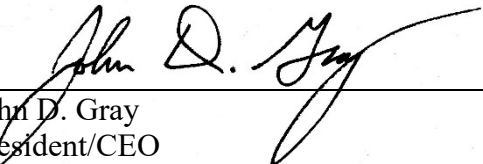
- 5. It is expressly understood and agreed to by both parties that the Consultant, while carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the Client.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as indicated below:

By: _____

Date: _____

ALAMEDA COE

By:  _____
John D. Gray
President/CEO
School Services of California Inc.

Date: 5/14/2024 _____

ALAMEDA COUNTY OFFICE OF EDUCATION
July 1, 2024

ATTACHMENT A

	# Districts Over 500 ADA
Alameda City USD	1
Albany City USD	2
Berkeley USD	3
Castro Valley USD	4
Dublin USD	5
Emery USD	6
Fremont USD	7
Hayward USD	8
Livermore Valley Joint USD	9
Mountain House ESD (<i>Under 500 ADA</i>)	
New Haven USD	10
Newark USD	11
Oakland USD	12
Piedmont City USD	13
Pleasanton USD	14
San Leandro USD	15
San Lorenzo USD	16
Sunol Glen USD (<i>Under 500 ADA</i>)	
Mission Valley ROP	17
Eden Area ROP	18
<i>Annual district/ROP rate (\$3,600 x 18):</i>	\$64,800.00
<i>Annual county office rate:</i>	<u>8,280.00</u>
<i>Alameda COE consortium rate for 2024</i>	\$73,080.00

100% participation of districts over 500 ADA is required (either through consortium membership or through district direct services.) Please call the Accounting Department regarding any changes that might need to be made. Thank you.

Order CADIE/SABRE?: Yes No

Contract period: _____ to _____

P.O. # _____

**ADDENDUM A
TO SPECIAL SERVICES AGREEMENT**

As a client of School Services of California Inc., you have the option of purchasing either or both of our **CADIE** and **SABRE** reports at the client rate. The following information describes the **CADIE** and **SABRE** reports, and the form at the bottom of the page to order the reports.

The **Comparative Analysis of District Income and Expenditures (CADIE)** is a comprehensive computer-generated report comparing your district’s revenues and expenditures to those of 40 other districts (*two reports with 20 districts in each*) of your choice throughout the state. Well over 300 comparisons are made using SACS, CBEDS, and CALPADS data.

The **CADIE** includes comparative graphic data expenditures by ADA, tabular information showing per ADA and percentage distribution of district revenues and expenditures, staffing levels, and tables that show—on an ADA and percentage basis—how your district spent its dollars for the prior three years. The report is comprehensive, yet easy to use.

The **Salary And Benefits Report (SABRE)** is generated from the CDE’s Certificated Teachers Salary and Benefit data (Form J-90) and provides up to 38 side-by-side comparisons of your district with those of 40 other districts (*two reports with 20 districts in each*) of your choice on certificated salaries, health and welfare benefits, and work days.

The **SABRE** includes ten graphical displays and 27 comparison tables with side-by-side analysis for certificated non-management. It also includes the actual salary and benefit schedules and other selected data important for compensation evaluation in an easy-to-read format.

The analytical uses of the **CADIE** and **SABRE** reports are unlimited. If these products are needed for negotiations, they may be fully reimbursable as part of your mandated cost claim if you have chosen to file mandate claims for this year.

WITH REPORT PURCHASE, YOU ARE ENTITLED TO TWO CADIES AND TWO SABRES

Please check the appropriate items below: Current year 2022-23 Next year 2023-24**

Electronic Version:

___ CADIE only \$500
___ SABRE only \$350
___ CADIE & SABRE \$800

Hardcopy Version:

___ CADIE only \$600
___ SABRE only \$450
___ CADIE & SABRE \$1000

Select either:

___ Use the same districts as last year

OR two of the following:

- ___ Use districts of similar type and size
- ___ Use districts geographically close to mine
- ___ Use districts with similar unduplicated pupil percentage

Reports are a year behind as the data is released by the CDE.

**Next year: SABRE will be released in December 2024, CADIE will be released in March 2025

District Name: Eden Area ROP

Contact Name: Anthony Oum

Address (no P.O. boxes please): 26316 Hesperian Blvd., Hayward, CA 94545

Telephone with extension: 510/293-2906

Email Address: aoum@edenrop.org

Signature: _____

Print Name: Anthony Oum Date: _____

By completing this Addendum A, and submitting with the contract, the Client agrees to pay for these reports upon receipt of the products and appropriate billing.

2024-25 School Services of California Consortium Notice to Interested School Districts & ROPs

ACOE is renewing the Consortium Contract with School Services of California. Please indicate your district’s intent to participate by completing the information below.

INTENT TO PARTICIPATE *(please check ONE option below)*

Yes, it is the intent of _____ School District to participate in the School Services Consortium for the period of **July 1, 2024 through June 30, 2025**. I understand that ACOE will journal the charge to my district for the entire cost of the contract in December of current fiscal year. The cost for each participating district is **\$3,600**. *(This is an estimate based on all current participants. Should the number of entities increase or decrease, there could be a change in the cost per district.)* All districts & ROPs that wish to participate must sign this intent form, including those that have participated in the past. A district may terminate this agreement prior to June 30, 2025 with a 30-day written notice. The district shall be liable for any costs accrued up to the date of cancellation.

OR,

No, the _____ School District does not wish to participate or, participates under its own contract with SSC.

Signature of District CBO/designee

Date

Print Name of District CBO/designee

Please return this form via email no later than **January 6, 2025** to:
 Hannah Gradowski (hgradowski@acoe.org)

Online districts only - please add your account code below:

FUND	OBJ	RES	GOAL	FUN	LOC	MGR	YR	OPT

INFORMATION ITEMS



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: ROP Pathway Review- Structural Repair and Refinishing

BACKGROUND

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry, and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to reflect the information more accurately being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

CURRENT SITUATION

The Structural Repair and Refinishing pathway is under the Transportation sector. The Structural Repair and Refinishing pathway prepare students for postsecondary education and employment in the transportation industry, including but not limited to body and frame straightening, estimating, painting, and refinishing (included but not limited to airplanes, trains, vehicles, and equipment).

The attached pathway review is for the following program(s):

Automotive Collision and Refinishing IP/IIP.

RECOMMENDATION

Information only

SCHOOL DISTRICT:		Eden Area ROP		LOCATION:		Eden Area ROP	
PATHWAY:		Structural Repair and Refinishing		INSTRUCTORS:		Daniel Pareja	
Course Name		Enrollment as of 23-24		Enrollment as of 22-23		Enrollment as of 21-22	
		Year to Date		Year to Date		Year to Date	
Automotive Collision and Refinishing IP		34		52		44	
Automotive Collision and Refinishing IIP		16		8		6	
Comments:							
<ul style="list-style-type: none"> Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Retention rate (Active Enrollment divided by Year-to-date Enrollment): 							
Text Book: Auto Body Repair Technology				Edition: 6 th			
NO.	YES	NO					
1.	X		ENROLLMENT – Course meets current or future labor market news.				
			CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:	
			2 (Center)	2 (Center)	3hrs Center	25+	
2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.				
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.				
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.				
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.				
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. <input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP <input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.				
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.				
8.	X		WORK BASED LEARNING – Course incorporates Work-Based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)				
9.		X	COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)				
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.				
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION <input type="checkbox"/> District will provide a facility which adequately accommodates the program. <input checked="" type="checkbox"/> EAROP will provide a facility which adequately accommodates the program. <input type="checkbox"/> District shares cost of equipment if program is cross utilized.				
OTHER CONSIDERATIONS:							
<input checked="" type="checkbox"/> A-G Credit for UC				<input type="checkbox"/> State and National Licensing or Certification			
<input type="checkbox"/> Community College Articulation				<input checked="" type="checkbox"/> Strong Business or Industry Partnership			
<input type="checkbox"/> Dual Enrollment				<input checked="" type="checkbox"/> Emerging Technologies -			
COMPLIANCE CATEGORIES							
<input checked="" type="checkbox"/> R – Retain Program: Program meets all criteria.		<input type="checkbox"/> W - Watch Program: All criteria not met. See areas that need to be complied with.		<input type="checkbox"/> P - Probation: Criteria is not being met. Program in danger of suspension.		<input type="checkbox"/> R – Reduce Program: Downsizing program.	
<input type="checkbox"/> S/T - Suspend/ Terminate program.							



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: ROP Pathway Review- Systems Diagnostics, Service, and Repair

BACKGROUND

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry, and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to reflect the information more accurately being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

CURRENT SITUATION

The Systems Diagnostics, Service, and Repair pathway is under the Transportation sector. The Systems Diagnostics, Service, and Repair pathway prepares students for postsecondary education and employment in the transportation industry, which includes but is not limited to motor vehicles, rail systems, marine applications, and small-engine and specialty equipment.

The attached pathway review is for the following program(s):

Automotive Technology IP/IIP

RECOMMENDATION

Information only

SCHOOL DISTRICT:		EDEN AREA ROP		LOCATION:		Eden Area ROP	
PATHWAY:		Systems Diagnostics, Service, and Repair		INSTRUCTORS:		David Espinoza, Todd O'Leary	
Course Name		Enrollment as of 23-24 Year to Date		Enrollment as of 22-23 Year to Date		Enrollment as of 21-22 Year to Date	
Auto Technology IP		85		115		63	
Auto Technology IIP		22		18		16	
Comments:							
<ul style="list-style-type: none"> Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Retention rate (Active Enrollment divided by Year-to-date Enrollment): 							
Textbook: Automotive Technology Principles, Diagnosis, and Service Edition: 6 th							
NO.	YES	NO					
1.	X		ENROLLMENT – Course meets current or future labor market news.				
			CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:	
			2	2	3hrs Center	25+	
2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.				
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.				
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.				
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.				
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. <input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP <input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.				
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.				
8.	X		WORK BASED LEARNING – Course incorporates Work-Based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)				
9.		X	COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)				
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.				
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION <input type="checkbox"/> District will provide a facility which adequately accommodates the program. <input checked="" type="checkbox"/> EAROP will provide a facility which adequately accommodates the program. <input type="checkbox"/> District shares cost of equipment if program is cross utilized.				
OTHER CONSIDERATIONS:							
<input checked="" type="checkbox"/> A-G Credit for UC				<input checked="" type="checkbox"/> State and National Licensing or Certification			
<input type="checkbox"/> Community College Articulation				<input checked="" type="checkbox"/> Strong Business or Industry Partnership			
<input checked="" type="checkbox"/> Dual Enrollment				<input checked="" type="checkbox"/> Emerging Technologies -			
COMPLIANCE CATEGORIES							
<input checked="" type="checkbox"/> R – Retain Program: Program meets all criteria.		<input type="checkbox"/> W - Watch Program: All criteria not met. See areas that need to be complied with.		<input type="checkbox"/> P - Probation: Criteria is not being met. Program in danger of suspension.		<input type="checkbox"/> R – Reduce Program: Downsizing program.	
						<input type="checkbox"/> S/T - Suspend/ Terminate program.	



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mark Rizkallah, Assistant Principal-Pathways
SUBJECT: Fall Advisory Committee Meetings

BACKGROUND

Advisory committees have been established and maintained to support our efforts in delivering high quality Career Technical Education (CTE) programs. The Advisory also serves to further develop and evaluate the implementation of our programs. The committees are made up of business and community representatives, instructors, and administrators. Our advisory members from industry work with the instructional staff to integrate rigor and relevancy to prepare students for college and careers. Advisory members also help to establish opportunities with community classroom, cooperative learning experiences, and internships.

CURRENT SITUATION

The CTE/ROP Fall Advisory meeting was held on November 14, 2024, at 5:30 pm. Meetings were organized by pathway and included CTE/ROP instructors and representatives from community and business. Every pathway had an assigned facilitator and notetaker to work through the elements of the meeting's agenda. Administrators from our partnering districts and the Eden Area ROP Center were on hand to support meeting objectives and promote dialogue. The next Advisory Committee meeting is scheduled for April 2025 and will focus on supporting the work of Perkins funding.

RECOMMENDATION

Information only

DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal-Educational Services
SUBJECT: Student Training and Employment Program (STEP) Grant Overview

BACKGROUND

The California Department of Rehabilitation (DOR) and FoundationCCC coordinate the Student Training and Employment Program (STEP), established in 2018, to provide work experience and job preparation training for students with disabilities ages 16-21.

STEP leverages collaborative partnerships between Local Workforce Development Boards, America's Job Centers of California (AJCCs), and Local DOR District Offices to serve students statewide.

DOR provides support at the state and local levels to enroll students with disabilities into STEP and ensure connections to resources for students and employers. FoundationCCC supports STEP awardees through a tailored approach to funding administration and a capacity-building model of technical assistance, leveraging a Community of Practice and human-centered design principles.

In January, the Eden Area ROP was awarded the Student Training and Employment Program(STEP).

CURRENT SITUATION

The STEP Forward Program is designed to build in extra workforce readiness support for students with disabilities.

The three main objectives of the grant are as follows:

- Deepen existing intentional workforce development efforts with Workforce Readiness Seminars for students with disabilities
- Provide 15-20 students with disabilities paid work experience through summer internships
- Explore ways to build systemic supports for students with disabilities

The Eden Area ROP is currently completing Round 1 of the STEP Forward Program and transitioning to Round 2.

RECOMMENDATION

Information only

ACTION ITEMS



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board to approve the 2024-2025 First Interim Report

BACKGROUND

The First Interim Report reflects revenues and expenditures as of October 31, 2024. The report was prepared and reviewed in accordance with all federal, state and local adopted criteria and standards using Local Control Funding Formula (LCFF) and Local Control Action Plan (LCAP).

CURRENT SITUATION

The Eden Area ROP Governing Board shall certify in writing whether or not the Eden Area ROP is able to meet its financial obligations for the remainder of the 2024-2025 fiscal year and, based on current forecasts, for the next two subsequent fiscal years 2025-2026 and 2026-2027, respectively. The certifications shall be classified as either positive, qualified, or negative, pursuant to standards and criteria adopted by the State Board of Education (Education Code 33127). Eden Area ROP is certifying a positive certification, and that staff prepared the report, along with assumptions using the School Services of California (SSC) Inc. Dartboard as well as Alameda County Office of Education (ACOE) guidelines. In certifying the 2024-2025 First Interim Report as positive, the Board understands its fiduciary responsibility to maintain fiscal solvency for the current and the two subsequent fiscal years.

The report confirms the Eden Area ROP's ability to meet all financial obligations for the current fiscal year 2024-2025 and two subsequent fiscal years 2025-2026 and 2026-2027. Finally, the Eden Area ROP continues to meet and exceed AB 1200 requirements.

The report is included under separate cover and is available for review by the public upon request.

RECOMMENDATION

It is recommended that the Governing Board approve the 2024-2025 First Interim Report.



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, Board Bylaws, and Exhibits

BACKGROUND

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date.

The Eden Area ROP's policy development process includes a first reading at a public Governing Board meeting and a subsequent second reading and adoption for Board approval at a public Governing Board meeting.

CURRENT SITUATION

The board policies, administrative regulations, exhibits and board bylaws listed below have been updated based on the feedback and discussion at the November 7, 2024 Governing Board meeting.

What follows is the second reading of updated board policies, administrative regulations, board bylaws, and exhibits to reflect current law and regulations.

NUMBER	TYPE	TITLE	STATUS
1114	BP	District-Sponsored Social Media	Revise
1114	AR	District-Sponsored Social Media	Revise
1312.4	AR	Williams Uniform Complaint Procedures	Revise
1312.4	E(1)	Williams Uniform Complaint Procedures	Revise
1312.4	E(2)	Williams Uniform Complaint Procedures	Revise
3517	AR	Facilities Inspection	New
3517	E(1)	Facilities Inspection	New
4040	BP	Employee Use of Technology	Revise
4040	E(1)	Employee Use of Technology	Revise
5144.1	BP	Suspension and Expulsion/Due Process	Revise
5144.1	AR	Suspension and Expulsion/Due Process	Revise
5144.2	AR	Suspension and Expulsion/Due Process (Students with Disabilities)	Revise
6112	BP	School Day	Revise
6112	AR	School Day	New
6163.4	BP	Student Use of Technology	Revise
6163.4	E(1)	Student Use of Technology	Revise
9010	BB	Public Statements	Revise
9012	BB	Board Member Electronic Communications	Revise

RECOMMENDATION

It is recommended that the Governing Board approve the second reading and adoption of Governing board policies, administrative regulations, board bylaws, and exhibits.

Policy 1114: District-Sponsored Social Media

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Reviewed Date:** 03/05/2020

The district herein after referred to as the Eden Area Regional Occupational Program (Eden Area ROP) unless otherwise noted or when referring to any of our member districts.

The Governing Board recognizes the value of social media to share Eden Area ROP information with families and the community and promote community involvement and collaboration in Eden Area ROP decisions. The purpose of any official Eden Area ROP social media account shall be to further the Eden Area ROP's vision and mission, to support student learning and staff professional development, and to enhance communication and engagement with students, families, staff, and community members. The Superintendent or designee shall ensure that the content posted by the Eden Area ROP on an official Eden Area ROP social media account is accessible to individuals with disabilities.

The Superintendent or designee shall develop content guidelines and protocols for official Eden Area ROP social media accounts to ensure public access, appropriate and responsible use, and compliance with law, board policy, and administrative regulation.

Guidelines for Content

Official Eden Area ROP social media accounts shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulations. This policy is not intended to create an open public forum or otherwise guarantee an individual's right to free speech on any of the official Eden Area ROP social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

The Superintendent or designee shall ensure that the limited purpose of official Eden Area ROP social media accounts is clearly communicated to users. Each account shall contain a statement specifying the purposes of the account, that the account shall only be used for such purposes, and any other user expectations or conditions as specified in the accompanying administrative regulation.

Official Eden Area ROP social media accounts may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

Staff or students who post prohibited content or otherwise engage with an official Eden Area ROP social media account in a manner that violates board policies and administrative regulations shall be subject to discipline in accordance with such applicable policies and regulations.

Users of official Eden Area ROP social media accounts, and anyone who posts, replies, or otherwise leaves a digital footprint on an official district social media account, should be aware of the public nature and accessibility of social media and that such information posted or left on an official Eden Area ROP social media account may be considered a public record subject to disclosure under the Public Records Act.

Privacy

To the extent practicable, the Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official Eden Area ROP social media accounts.

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, official Eden Area ROP social media accounts shall operate in accordance with Board Policy 1113 - Eden Area ROP Websites.

Social media and other online platforms shall not be used by Eden Area ROP employees to transmit confidential information about students, employees, or Eden Area ROP operations.

Regulation 1114: District-Sponsored Social Media

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Reviewed Date:** 03/05/2020

The district herein after referred to as the Eden Area Regional Occupational Program (Eden Area ROP) unless otherwise noted or when referring to any of our member districts.

Definitions

Social media means any online platform for collaboration, interaction, or active participation, or that allows users to post content, including, but not limited to, social networking sites such as Instagram, TikTok, Facebook, X/Twitter, SnapChat, YouTube, and LinkedIn.

An official Eden Area ROP social media account is an account on a social media platform authorized by the Superintendent or designee.

An account that contains content related to the Eden Area ROP or comments about Eden Area ROP operations but that has not been created based on authorization or direction from the Superintendent or designee, such as an account created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal account, is not an official Eden Area ROP social media account.

School-level employees such as teachers and coaches shall obtain authorization from the Superintendent or designee before creating an official social media account.

Guidelines for Content

Each official Eden Area ROP social media account shall contain content that is useful and appropriate for all audiences.

Eden Area ROP employees or agents in charge of posting or adding information to an official Eden Area ROP social media account shall ensure that copyright laws are not violated in the use of material on official district social media accounts.

The Superintendent or designee shall ensure that official Eden Area ROP social media accounts are regularly monitored. Staff members responsible for monitoring content may remove posts or even suspend users from interacting with the account only based on viewpoint-neutral considerations, such as lack of relation to the account's purpose or violation of board policies or administrative regulations.

Each official Eden Area ROP social media account shall, as appropriate, prominently display a link to this regulation or a statement that includes Items #1-10, below:

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding district decisions and Governing Board meetings; and sharing information regarding employment opportunities with the Eden Area ROP
2. Users shall use the site only for those intended purposes
3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed. Inappropriate interactions include, but are not limited to, interactions that:
 - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on Eden Area ROP premises, violation of Eden Area ROP rules, or substantial disruption to the Eden Area ROP's orderly operation
 - b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by board policies and administrative regulations
4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account
5. The Eden Area ROP is not responsible for the content posted by other users or how other users interact with

the account

6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the Eden Area ROP
7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the Eden Area ROP
8. The individual(s) to contact regarding violation of Eden Area ROP guidelines on the use of official Eden Area ROP social media accounts
9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate
10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

Appropriate Use by Eden Area ROP Employees

Eden Area ROP employees who participate in official Eden Area ROP social media accounts shall adhere to all applicable board policies and administrative regulations, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees posting, replying, or otherwise interacting with the public outside of their professional duties or responsibilities on official Eden Area ROP social media accounts shall identify themselves by name and Eden Area ROP title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the Eden Area ROP or school.

All staff shall receive information about appropriate use of the official Eden Area ROP social media accounts.

Regulation 1312.4: Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 12/07/2023 | Last Reviewed Date: 12/07/2023

Types of Complaints

The Eden Area Regional Occupational Program (Eden Area ROP) 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 Eden Area ROP-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 one or more 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)

Beginning of the year or semester means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards. (5 CCR 4600)

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

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, and 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 a documented student safety concern, an immediate threat to student safety, or to repair the facility. (Education Code 35292.5)

In any school serving students any of grades 3-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available 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. (Education Code 35292.6)

Additionally, starting July 1, 2026, in any school that has more than one female and more than one male restroom designated exclusively for student use, a complaint may be filed alleging noncompliance with the requirements specified in Education Code 35292.5 to maintain at least one all-gender restroom for student use. (Education Code 35292.5)

Forms and Notices

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

The Superintendent or designee shall ensure that the Eden Area ROP'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 a notice containing the components specified in Education Code 35186. (Education Code 35186)

Filing of Complaint

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)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the Eden Area ROP. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials that has been filed directly with the SPI but not with the Eden Area ROP, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

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 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)

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 #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 SPI within 15 days of receiving the Eden Area ROP response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4610, 4687)

However, no other type of complaint regarding the condition of school facilities as described in the section "Types of Complaints" above may be appealed to the SPI. (Education Code 35186; 5 CCR 4610, 4687)

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

Reports

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)

Exhibit 1312.4-E(1): Williams Uniform Complaint Procedures

Status: DRAFT

Original Adopted Date: 03/05/2020 | Last Revised Date: 12/07/2023 | Last Reviewed Date: 12/07/2023

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

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials

That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair

This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

3. There should be no teacher vacancies or misassignments

There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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.

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 a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the Eden Area ROP's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the Eden Area ROP office, or downloaded from the school or Eden Area ROP website. You may also download a copy of the California Department of Education (CDE) complaint form from CDE's website when available. However, a complaint need not be filed using either the Eden Area ROP's complaint form or the complaint form from CDE.

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

Status: DRAFT

Original Adopted Date: 10/07/2022 | Last Revised Date: 12/07/2023 | Last Reviewed Date: 12/07/2023

**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, including emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, 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 Eden Area Regional Occupational Program (Eden Area ROP) for the appropriate Eden Area ROP 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)

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or Eden Area ROP-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. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

- a. 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. (5 CCR 4600)

- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one

or more English learners in the class

This does not relieve the Eden Area ROP from complying with state or federal law regarding teachers of English Learners.

- c. 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. A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school 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 Eden Area ROP
- b. 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, and paper towels or functional hand dryers
- c. For a school serving students in any of grades 3-12, the school has not, at all times, stocked and made available 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
- d. Starting July 1, 2026, for a school that has more than one female and more than one male restroom designated exclusively for student use, the school has not maintained at least one all-gender restroom for student use in accordance with Education Code 35292.5
- e. 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 a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as you wish 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.

Please file this complaint at the following location:

Manuschka Michaud, Principal
 Eden Area ROP
 26316 Hesperian Blvd.
 Hayward, CA 94545
 510) 293-2904

Please be aware that you may file a complaint directly with the Superintendent of Public Instruction if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency.

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

(Signature)

(Date)

Regulation 3517: Facilities Inspection

Status: DRAFT

Original Adopted Date: Pending

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, 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, and ceilings 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 and restroom fixtures 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 due to a documented student safety concern, an immediate threat to student safety, or the need to repair the facility.

Additionally, any school serving students in any of grades 3-12 shall, at all times, stock and make available 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 Eden Area Regional Occupational Program (Eden Area ROP) shall post in a prominent and conspicuous location in every restroom required to stock menstrual products a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

In addition, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use shall provide and maintain at least one all-gender restroom for student use. The Eden Area ROP shall use signage that identifies the bathroom facility as being open to all genders and is in accordance with 24 CCR 11B-703; ensure that it is available for use consistent with the requirements specified above and is unlocked, unobstructed, easily accessible by any student, and consistent with existing access to sex-segregated restrooms; stock the bathroom facility with menstrual products in accordance with Education Code 35292.6, as specified above; and, ensure that the bathroom facility is available during school hours and school functions when students are present. The Eden Area ROP shall post in a prominent and conspicuous location outside at least one all-gender restroom a notice regarding these requirements that includes contact information for the staff member designated as the point of contact responsible for implementing such requirements.

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
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
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
17. Playground/School Grounds: Playground equipment, including exterior fixtures, seating, tables, and equipment, and 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
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.

Additionally, 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.

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 Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the Eden Area ROPs facility inspections and updates of any visits to the Eden Area ROP Center by the County Superintendent of Schools to review school facilities.

Exhibit 3517-E(1): Facilities Inspection

Status: DRAFT

Original Adopted Date: Pending

NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2024-25 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 3 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, 2024

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

Manuschka Michaud, Principal
(510) 293-2904
mmichaud@edenrop.org

Policy 4040: Employee Use Of Technology

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Revised Date: 02/01/2024 | Last Reviewed Date: 02/01/2024

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting Eden Area Regional Occupational Program (Eden Area ROP) and school operations; improving access to and exchange of information; enriching curriculum; and enhancing student learning.

Eden Area ROP technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the Eden Area ROP, whether accessed on or off site or through Eden Area ROP-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Employees shall review the prohibited and permitted uses of technology as specified in Board Policy 5131.9 – Academic Honesty, be responsible for the appropriate use of technology, and use Eden Area ROP technology primarily for purposes related to their employment consistent with board policies and administrative regulations.

An employee may use technology, including AI apps, to assist the employee in the performance of the employee's professional duties, including, but not limited to, the following specific tasks: developing syllabi, creating curriculum, reviewing student work, suggesting instructional strategies, and researching academic content or instructional techniques. Any employee using technology, including AI, shall review and be responsible for any final product or document; not share confidential student records with a third party, such as an AI app, except as permitted by law; use the technology in accordance with Board Policy 6162.6 – Use of Copyrighted Materials, and in a manner otherwise consistent with law, board policies, and administrative regulations. If an employee is unsure about the appropriate use of technology, the employee shall confer with the Superintendent or designee before using.

As determined by the Superintendent or designee, employees shall receive professional development in the appropriate use of these resources, including in the use of AI apps.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of Eden Area ROP technology, including the use of AI apps. Upon employment and whenever significant changes are made to the Eden Area ROP's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use Eden Area ROP technology to access, post, submit, publish, display, or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall ensure that all Eden Area ROP computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the Eden Area ROP's processes and procedures related to the protection of the Eden Area ROP's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content, in accordance with Board Policy 3580 – District Records.

The Superintendent or designee shall notify employees in writing that they have no reasonable expectation of privacy in the use of any Eden Area ROP technology, as defined above, even when using their personal devices. To ensure proper use, the Superintendent or designee may monitor employee usage of Eden Area ROP technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records, including communications, maintained on any personal accounts or devices used to conduct Eden Area ROP business are subject to disclosure at the Eden Area ROP's request, and pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of Eden Area ROP technology to the Superintendent or designee.

Inappropriate use of Eden Area ROP technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, board policy, and administrative regulation.

Employees may access their mobile or other communications device if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety. (Labor Code 1139)

Electronic Communications with Students

Employees shall communicate electronically only with students through Eden Area ROP approved technology resources. Violation of this policy may result in disciplinary action and/or legal action in accordance with law, Board Policy, and Administrative Regulation. Exceptions to this rule are limited to justifiable circumstances where an employee has a familial relationship with the student involved.

Exhibit 4040-E(1): Employee Use Of Technology

Status: DRAFT

Original Adopted Date: 05/07/2020 | **Last Revised Date:** 02/01/2024 | **Last Reviewed Date:** 02/01/2024

**ACCEPTABLE USE AGREEMENT
AND RELEASE OF EDEN AREA ROP FROM LIABILITY (EMPLOYEES)**

The Eden Area Regional Occupational Program (Eden Area ROP) authorizes its employees to use Eden Area ROP technology, as defined in Board Policy 4040 – Employee Use of Technology. The use of Eden Area ROP technology is a privilege permitted at the Eden Area ROP's discretion and is subject to the conditions and restrictions set forth in applicable board policies, administrative regulations, and this Acceptable Use Agreement. The Eden Area ROP reserves the right to suspend access at any time, without notice, for any reason.

The Eden Area ROP expects all employees to use technology responsibly in order to avoid potential issues and liability. The Eden Area ROP may place reasonable restrictions on the sites, material, and/or information that employees may access through the system.

However, the Eden Area ROP shall not prevent or restrict access to an employee's mobile or other communications device(s) if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety.

The Eden Area ROP makes no guarantee that the functions or services provided by or through the Eden Area ROP will be without defect. In addition, the Eden Area ROP is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each employee who is authorized to use Eden Area ROP technology shall sign this Agreement, which indicates that the employee has read and understands this Agreement and Board Policy 4040 – Employee Use of Technology.

Employee Obligations and Responsibilities

Employees are expected to use Eden Area ROP technology safely, responsibly, and primarily for work-related purposes and in accordance with the accompanying board policy and applicable copyright laws. Any incidental personal use of Eden Area ROP technology shall not interfere with Eden Area ROP business and operations, the work and productivity of any Eden Area ROP employee, or the safety and security of Eden Area ROP technology. The Eden Area ROP is not responsible for any loss or damage incurred by an employee as a result of the employee's personal use of Eden Area ROP technology.

The employee in whose name Eden Area ROP technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned. Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the Eden Area ROP's system for which they do not have authorization.

Employees are prohibited from using Eden Area ROP technology for improper purposes, including, but not limited to, use of Eden Area ROP technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive
2. Disclose or in any way cause to be disclosed confidential or sensitive Eden Area ROP, employee, or student information without prior authorization from a supervisor, including sharing confidential information or personally identifiable information with an open artificial intelligence system
3. Engage in personal commercial or other for-profit activities without permission of the Superintendent or designee
4. Engage in unlawful use of Eden Area ROP technology for political lobbying

5. Infringe on copyright, license, trademark, patent, or other intellectual property rights
6. Intentionally disrupt or harm Eden Area ROP technology or other Eden Area ROP operations (such as destroying Eden Area ROP equipment, placing a virus on Eden Area ROP computers, adding or removing a computer program without permission, changing settings on shared computers)
7. Install unauthorized software
8. Engage in or promote unethical practices or violate any law or board policy, administrative regulation, or Eden Area ROP practice
9. Staff shall use only Eden Area ROP authorized Internet-based resources (e.g., Eden Area ROP e-mail, Eden Area ROP grade book tools, Eden Area ROP authorized websites) to communicate with students online. Communication via one-to-one text messaging, private-messaging on websites (e.g., Facebook, Myspace, Twitter), use of personal e-mail, instant-messaging and any other two-way private messaging methods are prohibited unless authorized under Sections 9.a and 9.b.
 - a. Employees may text students if a signed Authorization to Text Message form (E4040) is on file.
 - b. Additional resources may be used to communicate with students, if approved in writing by the Superintendent or designee on a case-by-case basis.

Privacy

Since the use of Eden Area ROP technology is intended for use in conducting Eden Area ROP business, no employee should have any expectation of privacy in any use of Eden Area ROP technology.

The Eden Area ROP reserves the right to monitor and record all use of Eden Area ROP technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of artificial intelligence, communications sent or received from Eden Area ROP technology, or other uses within the jurisdiction of the Eden Area ROP. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of Eden Area ROP technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any Eden Area ROP technology are the sole property of the Eden Area ROP. The creation or use of a password by an employee on Eden Area ROP technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If an employee uses a personally owned device to access Eden Area ROP technology or conduct Eden Area ROP business, the employee shall abide by all applicable board policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Records

Any electronically stored information generated or received by an employee which constitutes an Eden Area ROP or student record shall be classified, retained, and destroyed in accordance with Board Policy/Administrative Regulation 3580 - District Records, Board Policy/Administrative Regulation 5125 - Student Records, or other applicable policies and regulations addressing the retention of Eden Area ROP or student records.

Reporting

If an employee becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of Eden Area ROP technology, the employee shall immediately report such information to the Superintendent or designee.

Consequences for Violation

Violations of the law, board policy, or this Agreement may result in revocation of an employee's access to Eden Area ROP technology and/or discipline, up to and including termination. In addition, violations of the law, board policy, or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment

I have received, read, understand, and agree to abide by this Agreement, Board Policy 4040 - Employee Use of Technology, and other applicable laws and Eden Area ROP policies and regulations governing the use of Eden Area ROP technology. I understand that there is no expectation of privacy when using Eden Area ROP technology or when my personal electronic devices use Eden Area ROP technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the Eden Area ROP, its personnel, and the Governing Board, from any and all claims and damages arising from my use of Eden Area ROP technology or from the failure of any technology protection measures employed by the Eden Area ROP.

Name: _____ Position: _____
(Please print)

School/Work Site: _____

Signature: _____ Date: _____

Policy 5144.1: Suspension And Expulsion/Due Process

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Reviewed Date:** 06/05/2020

The Governing Board to expects provide Eden Area Regional Occupational Program (Eden Area ROP) students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Governing Board shall develop rules and regulations setting the standards of behavior expected of Eden Area ROP students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within the Eden Area ROP or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

Eden Area ROP staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the Eden Area ROP's nondiscrimination policies.

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Due Process

The Governing Board shall provide for the fair and equitable treatment of students facing suspension by affording the students due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Governing Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the type of firearm involved, as required pursuant to 20 USC 7961.

Regulation 5144.1: Suspension And Expulsion/Due Process

Status: DRAFT

Original Adopted Date: 02/03/2022 | Last Revised Date: 05/04/2023 | Last Reviewed Date: 05/04/2023

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet website, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

Burn page means an internet website created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying out the crime. (Education Code 48900.7)

A student may not be suspended or expelled for disruption or willful defiance. (Education Code 48900)

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against Eden Area Regional Occupational Program (Eden Area ROP) personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the

rights of school personnel or students by creating an intimidating or hostile educational environment
(Education Code 48900.4)

Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

As soon as possible after the teacher has suspended the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if requested by the parent/guardian or teacher. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of Items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension upon a student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class

for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The Eden Area ROP may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

4. In addition, the notice shall state the date and time when the student may return to school.
5. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education

Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Maintenance of Records

The Eden Area ROP shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from the Eden Area ROP. (Education Code 48915.1)

Regulation 5144.2: Suspension And Expulsion/Due Process (Students With Disabilities)

Status: DRAFT

Original Adopted Date: 04/07/2022 | Last Revised Date: 05/04/2023 | Last Reviewed Date: 05/04/2023

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

Suspension or expulsion of a student with disabilities shall be in accordance with Board Policy 5144.1 – Suspension And Expulsion/Due Process and this administrative regulation.

When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior. (Education Code 56521.2; 20 USC 1414)

Suspension

The Superintendent, principal, or designee may suspend a student from school for up to five consecutive school days, unless the suspension has been extended following a recommendation for expulsion. (Education Code 48911).

A student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year, as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's current educational placement for disciplinary reasons constitutes a change of placement.

A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

A decision has been made that would result in the removal of the student for more than 10 consecutive school days

The student has been subjected to a series of removals that constitute a pattern because of all of the following:

- a. The series of removals total more than 10 school days in a school year
- b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals
- c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in the student's IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the Eden Area ROP to provide the student with transportation, the Eden Area ROP shall provide the student with an alternative form of transportation at no cost to the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation. (Education Code 48915.5)

The principal or designee shall monitor the number of days, including portions of days, in which a student with an IEM has been suspended during the school year.

Interim Alternative Educational Placement Due to Dangerous Behavior

The Eden Area ROP may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the

student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by the student's IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from the student's current placement because of dangerous behavior shall be referred to the student's resident district/school.

Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in Administrative Regulation 5144.1 - Suspension And Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the Superintendent or designee shall require the law enforcement official to certify in writing that the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the Eden Area ROP's code of student conduct may nevertheless assert any of the protections under IDEA, if the Eden Area ROP had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to Eden Area ROP supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311
3. The teacher of the student or other Eden Area ROP personnel has expressed specific concerns directly to the Eden Area ROP's director of special education or other supervisory Eden Area ROP personnel about a pattern of behavior demonstrated by the student

However, the Eden Area ROP shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed the student to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the Eden Area ROP determined that the student was not an individual with a disability. (20 USC 1415(k)(5); 34 CFR 300.534)

When the Eden Area ROP is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

Policy 6112: School Day

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Revised Date:** 04/07/2022 | **Last Reviewed Date:** 04/07/2022

The Governing Board shall fix the length of the school day in accordance the law. (Education Code 46100)

At each school, the length of the school day shall be the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

In establishing the daily instructional schedule, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities and equipment, and applicable legal requirements.

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Regulation 6112: School Day

Status: DRAFT

Original Adopted Date: Pending

Grades 9-12

The school day for a high school shall begin no earlier than 8:30 a.m. (Education Code 46148)

The school day for students in grades 9-12, including students in the independent study program, shall be at least 240 minutes. (Education Code 46141, 46142)

However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:

1. Continuation high school or classes (Education Code 46141, 46170)
2. Opportunity school or classes (Education Code 46141, 46180)
3. Regional occupational center (Education Code 46141, 52325)
4. Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)

A student in grade 12 who is enrolled in work experience education and is in the last semester or quarter before graduation may, upon written request by the student's parent/guardian or the student, if 18 years of age or over, be permitted to attend school for less than 180 minutes per school day if all requirements for graduation would be completed, except physical education courses, in less than 180 minutes each day. (Education Code 46147)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)
6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with Item #5 above (Education Code 46141, 46146.5)
7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session may be determined by the Board. (Education Code 46141, 51721)

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions, independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (Education Code 46145)

Alternative Block Schedule for Secondary Schools

In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the district may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (Education Code 46160)

An early college high school or middle college high school may be scheduled so that students attend classes for at least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period. (Education Code 46160)

Policy 6163.4: Student Use Of Technology

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the Board recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to Eden Area Regional Occupational Goals (Eden Area ROP) goals, objectives, and academic standards. The use of technology shall augment the use of Board adopted instructional materials.

The Board intends that technological resources provided by the Eden Area ROP be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with Eden Area ROP policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

Eden Area ROP technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the Eden Area ROP, whether accessed on or off site or through Eden Area ROP-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of Eden Area Regional Occupational Program (Eden Area ROP) technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this board policy and the Eden Area ROP's Acceptable Use Agreement.

Before a student is authorized to use Eden Area ROP technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the student and parent/guardian shall agree not to hold the Eden Area ROP or any Eden Area ROP staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the Eden Area ROP and Eden Area ROP staff for any damages or costs incurred.

The Eden Area ROP reserves the right to monitor student use of technology within the jurisdiction of the Eden Area ROP without advance notice or consent. Students shall be informed that the use of Eden Area ROP technology, as defined above, is not private and may be accessed by the Eden Area ROP for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of Eden Area ROP technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, Eden Area ROP policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any Eden Area ROP student in accordance with Education Code 49073.6 and Board Policy/Administrative Regulation 5125 - Student Records.

Whenever a student is found to have violated board policy or the Eden Area ROP's Acceptable Use Agreement, the Superintendent or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the Eden Area ROP's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using Eden Area ROP technology and to help ensure that the Eden Area ROP adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all Eden Area ROP computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Eden Area ROP's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy Eden Area ROP equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the Eden Area ROP's processes and procedures related to the protection of the Eden Area ROP's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content, in accordance with Board Policy 5125 – Student Records.

The Superintendent or designee may provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Exhibit 6163.4-E(1): Student Use Of Technology

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Reviewed Date:** 06/05/2020

ACCEPTABLE USE AGREEMENT AND RELEASE OF EDEN AREA ROP FROM LIABILITY (STUDENTS)

The Eden Area Regional Occupational Program (Eden Area ROP) authorizes students to use technology defined in Board Policy 6163.4 – Student Use of Technology. The use of Eden Area ROP technology is a privilege permitted at the Eden Area ROP's discretion and is subject to the conditions and restrictions set forth in applicable board policies, administrative regulations, and this Agreement. The Eden Area ROP reserves the right to suspend access at any time, without notice, for any reason.

The Eden Area ROP expects all students to use technology responsibly in order to avoid potential issues and liability. The Eden Area ROP may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

The Eden Area ROP makes no guarantee that the functions or services provided by or through the Eden Area ROP will be without defect. In addition, the Eden Area ROP is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each student who is authorized to use Eden Area ROP technology and the student's parent/guardian shall sign this Agreement, which indicates that the student has read and understands the Agreement and Board Policy 6163.4 – Student Use of Technology.

Student Obligations and Responsibilities

Students are expected to use Eden Area ROP technology safely, responsibly, and for educational purposes only, and in accordance with the accompanying board policy and applicable copyright laws. The student in whose name Eden Area ROP technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, students shall not attempt to access any data, documents, emails, or programs in the Eden Area ROP's system for which they do not have authorization.

Students are prohibited from using Eden Area ROP technology for improper purposes, including, but not limited to, use of Eden Area ROP technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")
3. Disclose, use, or disseminate personal identification information (such as name, address, email, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Share confidential information or personally identifiable information with an open artificial intelligence (AI) system of themselves, another student, staff member, or other person
5. Adjust the privacy settings on any technology tool or AI app unless directed to do so by a teacher or staff member
6. Violate the direction of teachers or other staff members, age restrictions, or the intended use of the technology
7. Infringe on copyright, license, trademark, patent, or other intellectual property rights
8. Intentionally disrupt or harm Eden Area ROP technology or other Eden Area ROP operations (such as

destroying Eden Area ROP equipment, placing a virus on Eden Area ROP computers, adding or removing a computer program without permission from a teacher or other Eden Area ROP personnel, changing settings on shared computers)

9. Install unauthorized software

10. "Hack" into the system to manipulate data of the Eden Area ROP or other users

11. Engage in or promote any practice that is unethical or violates any law or board policy, administrative regulation, or Eden Area ROP practice

Privacy

Since the use of Eden Area ROP technology is intended for educational purposes, students shall not have any expectation of privacy in any use of Eden Area ROP technology.

The Eden Area ROP reserves the right to monitor and record all use of Eden Area ROP technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of AI, communications sent or received from Eden Area ROP technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of Eden Area ROP technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any Eden Area ROP technology are the sole property of the Eden Area ROP. The creation or use of a password by a student on Eden Area ROP technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access Eden Area ROP technology, the student shall abide by all applicable board policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of Eden Area ROP technology, the student shall immediately report such information to the teacher or other Eden Area ROP personnel.

Consequences for Violation

Violations of the law, board policy, or this Agreement may result in revocation of a student's access to Eden Area ROP technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, board policy, or this Agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Agreement and other applicable laws and Eden Area ROP policies and regulations governing the use of Eden Area ROP technology. I understand that there is no expectation of privacy when using Eden Area ROP technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____

(Please print)

School: _____

Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the Agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Agreement. By signing this Acceptable Use Agreement, I give permission for my child to use Eden Area ROP technology and/or to access the school's computer network and the Internet. I understand that, despite the Eden Area ROP's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, Eden Area ROP, Eden Area ROP personnel and the Board against all claims, damages, and costs that may result from my child's use of Eden Area ROP technology or the failure of any technology protection measures used by the Eden Area ROP. Further, I accept full responsibility for supervision of my child's use of my child's access account if and when such access is not in the school setting.

Name: _____ Date: _____

(Please print)

Signature: _____

Bylaw 9010: Public Statements

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the Eden Area Regional Occupational Program (Eden Area ROP), and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding Eden Area ROP issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

Board Spokesperson

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or, with respect to a specific issue or topic, other representative as designated by the Board or Board president.

When speaking for the Board, a spokesperson shall exercise restraint and tact and to communicate in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board or by law. (Government Code 54963)

Statements by Individual Board Members

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify when a viewpoint is held by an individual Board member rather than the Board as a whole. For example, a Board member may include a disclaimer on the Board member's personal social media account that the Board member is expressing personal viewpoints and not those of the Board or the Eden Area ROP.

Board members who opt to express their opinions on Eden Area ROP matters, whether in-person or online, are expected to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for Eden Area ROP students and the community.

Bylaw 9012: Board Member Electronic Communications

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Revised Date:** 02/03/2022

The Governing Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information with each other, Eden Area ROP staff, and members of the public. Board members shall exercise caution to ensure compliance with the Brown Act, the Public Records Act, and other applicable laws.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Examples of permissible electronic communications concerning Eden Area ROP business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members may engage in separate conversations or communications with members of the public on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the Board, as long as a majority of the Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the Board. Additionally, Board members prohibited from using digital icons such as "likes" or "emojis," that express reactions to communications made by other Board members regarding matters within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 – Public Statements and shall forward any complaints or requests for information to the Superintendent in accordance with applicable Board bylaws.

To the extent possible, electronic communications regarding any Eden Area ROP -related business shall be transmitted through an Eden Area ROP-provided device or account. When any such communication is transmitted through a Board member's personal device or account, the Board member shall copy the communication to an Eden Area ROP electronic storage device for easy retrieval.

This Bylaw does not apply to Board member electronic communications not related to Eden Area ROP business or not conducted by a Board member in the Board member's official capacity.



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Craig Lang, Director of Adult Programs and Apprenticeships
SUBJECT: Request the Governing Board to approve the Cybersecurity Course for Adult Programs

BACKGROUND

Eden Area ROP Adult Programs has developed a transformative course designed to bridge the technology education gap and foster inclusivity within the Science, Technology, Engineering, and Mathematics (STEM) fields. The program prepares individuals to plan, organize, direct, and secure the virtual connections of a firm or organization. Students will learn to troubleshoot computers, operating systems, network switches, and routers. The learner will also attain foundational skills in cyber defense to investigate, detect, and quarantine malware and be prepared for optional industry certification testing.

CURRENT SITUATION

This new course reflects Eden Area ROP's commitment to democratizing access to technological education, thereby contributing to a more diverse and skilled workforce. Typical job titles include: Computer Technician, Desktop Support, Data Security Administrator, Information Security Specialist, Information Systems Security Analyst, Information Technology Security Analyst (IT Security Analyst), Information Technology Specialist, Network Security Analyst, Security Analyst, Systems Analyst, and Incident Response Analyst.

In today's tech-centric landscape, the need for skilled cybersecurity professionals continues to grow, making it a great time to enter this "in-demand" industry. ~~Our~~The Eden Area ROP's comprehensive program is designed for adults seeking to acquire future-proof skills that not only enhance job security but also increase earning potential. By mastering cybersecurity, adults position themselves at the forefront of a high-demand sector, safeguarding not just their digital assets but also gaining a competitive edge in the job market. Eden Area ROP empowers career-changers with essential expertise, cultivating a proactive stance against cyber threats, and fostering a workforce ready to thrive in the evolving digital economy, thus paving the way for more lucrative and resilient career paths in cybersecurity and technology.

RECOMMENDATION

It is recommended that the Governing Board approve the Cybersecurity course for Adult Programs.

COURSE DESCRIPTION

The need for skilled cybersecurity professionals continues to grow year over year, making it a great time to enter this in-demand industry. This course teaches the fundamentals of cybersecurity operations and practices such as computer communication, terminal commands, basic cryptography and pen testing tools, as well as important skills for modern-day defensive and offensive cyber threat through lectures and follow-along in-class demonstrations. Students will primarily learn Windows Linux operating systems (some iOS and Android), cloud computing, digital forensics and other critical topics and programs that offer a certification-as-you-go learning model.

COURSE DETAILS

This is an introductory and certification preparation course that will prioritize quality over quantity as some students might take a few weeks and some a few months to complete. This course is designed to help students increase their knowledge of cybersecurity and technology fundamentals to fill knowledge gaps in their current role or pursue an entry-level career in this in-demand field. Students will have the opportunity to develop their foundational cybersecurity skills through hands-on demonstrations as they follow along with the instructor, learn time-saving tips to increase efficiency and establish best practices. This course's curriculum, labs and group exercises expose students to several in-demand cybersecurity applications and prepare them to enter the field of cybersecurity with AI and IT.

Syllabus (Sample Topics)

1. Cybersecurity Essentials
2. Computer Hardware Basics
3. Operating Systems
4. Windows Command Line Foundations
5. Encryption and Cryptography
6. Network Fundamentals
7. Cloud Computing Fundamentals
8. Cyber Threat Management
9. Penetration Testing - Demonstration

CLASS MEETINGS

The class meets twice a week on Tuesdays and Thursdays from 5:30 pm to 8:30 pm and lasts for a total of 40 sessions (class meetings). In person classes take place at Eden Area ROP Adult Program. Otherwise, and if necessary, online participation with lectures and demonstrations can be made available through Zoom, Google Meet or Microsoft Teams with Canvas.

REQUIREMENTS

Prerequisites:

Basic computer literacy. High School Diploma or GED recommended. Access to personal computers, internet/Wi-Fi, Canvas and Zoom are required to enroll in this course.

Hardware Requirements:

- This course can be taken on either a PC, Mac or Chromebook.

Software Requirements:

- PC: Windows 10 or later.
- Mac: macOS 14 or later.
- Browser: The latest version of Google Chrome or Mozilla Firefox is preferred. Microsoft Edge and Safari are also compatible.
- Google Docs Online or free LibreOffice
- Adobe Acrobat Reader or free Foxit Reader
- Software must be installed and fully operational before the course begins.

Other:

- Email capabilities and access to a personal email account.

INSTRUCTIONAL MATERIAL REQUIREMENTS:

The instructional materials required for this course are included in the enrollment fee and some material will be available online. Students will have access to a computer lab while in class.

COURSE FEE:

\$950



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mark Rizkallah, Assistant Principal-Pathways
SUBJECT: Request the Governing Board to approve the MOU with the Public Health Institute/FACES for the Future Coalition for Health Career Training & Work-Based Learning, Academic Support, Wellness Services, and Youth Leadership Development for the 2024-2025 School Year

BACKGROUND

Founded in Oakland, California in 2000, the FACES for the Future program was conceived as a direct response to two significant problems facing diverse communities:

- A lack of support and opportunity for youth seeking options to improve their lives through education, career training and healthy choices
- A lack of diversity in the health professions that directly contributes to worsening health disparities in diverse communities

FACES for the Future addresses these goals by connecting schools, healthcare organizations and professionals, and community benefit organizations. Jointly they provide a cohesive system of support for youth to ensure that we have highly qualified, multi-lingual and multi-cultural health care professionals to meet the growing demand of the workforce. (From the FACES website: facesforthefuture.org/about-us)

CURRENT SITUATION

The Public Health Institute/FACES for the Future Coalition is offering a weekly program, once per week, for a subset of Eden Area ROP students in Medical Careers I including the following programming:

- Health Career Training and Work-Based Learning
- Academic Support
- Wellness Services
- And Youth Leadership Development

This will include opportunities for additional health trainings and certifications as well as internships at local hospitals, community clinics, mental and behavioral health agencies, public health departments and health-focused community-based organizations. Currently, the program will serve 24 Medical Careers I students.

RECOMMENDATION

It is recommended that the Governing Board approve the MOU with the Public Health Institute/FACES for the Future Coalition for health career training and work-based learning, academic support, wellness services, and youth leadership development for the 2024-2025 school year.

Memorandum of Understanding

26316 Hesperian Blvd., Hayward, CA 94545 | P: (510) 293-2900 | F: (510) 293-8225 | www.edenrop.org

This Memorandum of Understanding (this "Agreement") is between the **Eden Area Regional Occupational Program** (the "District") and **Public Health Institute/FACES for the Future Coalition** (the "FACES") for the 2024-2025 school year.

Purpose:

The agreement establishes and describes the roles and responsibilities of the District and FACES to provide EAROP Medical Careers students health career training and work-based learning, academic support, wellness services, and youth leadership development.

FACES for the Future target resilient and motivated underserved youth, providing academic support, case management, and leadership development opportunities that allow them to learn about health careers and gain the confidence, skills, and support to pursue their dreams. EAROP will provide students with medical knowledge and skills. FACES will provide academic enrichment, health careers training, work-based learning, wellness programs, and youth leadership development.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the parties to this Agreement agree, as follows:

Responsibilities of the District

1. The District shall assign a primary person of contact for oversight of this Agreement.
2. The District shall assign a staff member to coordinate with FACES regarding the activities included in this Agreement.
3. The District shall provide staff to oversee the coordination of the program and the Medical Careers curriculum and instruction.
4. The District shall notify FACES in a timely manner of any concerns or issues related to any component of the program and coordinate with FACES to address any issues that arise in order to successfully attain the goals of the program.
5. The District shall assist in program recruitment.

6. The District shall provide academic and occupational specific training.
7. The District shall assist FACES in progress reporting and performance reviews regarding students participating in the FACES Program.
8. The District shall participate in a program evaluation meeting at the termination of the academic school year.
9. The District shall provide students with internship training and orientation, not including specific health care facility required orientation.
10. The District shall provide relevant school policies and procedures to FACES staff.
11. The District shall notify FACES staff, to the extent possible, of any schedule changes that will interfere with the provision of services.
12. The District shall coordinate with FACES on internship/job-shadowing experiences for students.
13. The District may request to use the EAROP Internship Handbook and its resources as relevant resources in the execution of this Agreement.
14. The District may require Student to develop and execute, in conjunction with FACES and the District, an Individualized Training Plan, that specifies the deliverables expected of students. Such an Individual Training Plan, however, shall not be construed as part of this Agreement. Determination of those assignments for which an Individual Training Plan is required is solely by the District.

Responsibilities of FACES

1. FACES shall provide Four Core Components:
 - a. Health Career Training and Work Based Learning: FACES will provide internships in hospitals, community clinics, mental and behavioral health agencies, public health departments, and health-focused community-based organizations.

- b. Academic Support: FACES will support students through tutoring, college application preparation, and financial aid and scholarship applications.
 - c. Wellness Services: FACES students are assessed for environmental stresses that may negatively impact student achievement of academic goals. FACES connects students with outside resources when needed, including counseling, medical homes, housing, and food resources. In addition, FACES provides wellness trainings around topics such as mindfulness, healthy relationships, and self-advocacy.
 - d. Youth Leadership Development: FACES provides opportunities for peer health educations, participation in public health conversations about issues impacting their communities and being activated around health disparities.
2. FACES shall provide introductory training and on-boarding support services to prepare students at the Eden Area ROP for work-based learning opportunities, including job shadows, site visits, and internships within patient at Eden Area health care facilities.
 3. FACES shall provide a Program Coordinator who will work with teachers and staff to provide in-class services as well as connection to industry partners.
 - a. The Program Coordinator shall additionally support students with college preparation and connection to community resources when there is an identified need.
 - b. The Program Coordinator will be available every day that FACES is scheduled for student programming to coordinate student activities at Eden Area ROP and partner health facilities.
 4. FACES shall assign a primary person of contact for oversight of this Agreement.
 5. FACES shall assign a staff member to coordinate with District regarding the activities included in this Agreement.
 6. FACES shall provide staff to oversee the coordination of the program and the Medical Careers curriculum and instruction.

7. FACES shall notify the District in a timely manner of any concerns or issues related to any component of the program and coordinate with the District to address any issues that arise in order to successfully attain the goals of the program.
8. FACES shall recruit, assess and enroll student participants.
9. FACES shall provide job readiness training sessions.
10. FACES shall assist the District in progress reporting and performance reviews regarding students participating in the FACES Program.
11. FACES shall participate in a program evaluation meeting at the termination of the academic school year.
12. FACES shall provide job shadowing/internship experiences.
13. FACES shall provide services that do not interfere with classroom work or disrupt the normal activities of the District.
14. FACES shall understand the need for flexibility when working with the District specifically related to scheduling of services and allocation of space and other school resources.
15. FACES shall provide services at the District in a manner that is consistent with school site rules and requirements, including school site visitor sign-in and field trip requirements.
16. FACES shall, in good faith, make the necessary efforts to expand the number of students served through this agreement.
17. FACES shall support the effort to include Medical Careers II students for clinical internships at participating health care facilities.
18. FACES shall maintain the confidentiality of all student records produced by it, or furnished to it, by the District and will not disclose information except as the District may request for its own use.
19. FACES acknowledges the existence of state and federal laws regarding sexual harassment and agrees that such laws pertain to student relationships with the FACES and its personnel.
4. FACES agrees to provide and maintain general liability and professional liability insurance with limits of at least \$1,000,000.00 per occurrence and \$3,000,000 aggregate covering its employees and agents. Upon request, FACES will provide

the District with a Certificate of Liability Insurance and endorsement pages evidencing such coverage.

Mutual Responsibilities/General Provisions

1. The District and FACES personnel will consult periodically to review student progress and to review the affiliation in general.
2. The District and FACES will comply with the requirements of the Family Educational Records Privacy Act (FERPA) and relevant state law regarding the confidentiality and handling of student records.
3. Both parties shall be in compliance with applicable local state and federal laws and regulations, will not discriminate on the basis of race, religion, color, sex, age, national origin, handicap, sexual preference, disabled or Vietnam era veteran status, or financial status in admission or access to, or treatment or employment in, its programs and activities.

CA Educational Code 45125.1 Compliance

1. FACES staff, employees, independent contractors, and agents will have contact or interaction with the District students outside of the immediate supervision and control of the pupil's parent or guardian or a District employee. Accordingly, the fingerprinting and criminal background investigation requirements of Education Code section 45125.1 apply.
2. At least one adult employee who supports the supervision of students needs to complete a Fingerprinting and Criminal Background Check.
3. Full execution of this agreement will certify FACES' fulfillment of this obligation.

Term of Agreement

1. The term of this Agreement will begin on July 1, 2024, and will remain in full force and effect until June 30, 2025, subject to earlier termination as provided in this Agreement, with the said term being capable of extension by mutual written agreement of the parties.

2. This Agreement may be terminated by either party giving written notice to the other party, with or without cause, at least 30 days prior to the effective date of such termination.

Indemnification

1. **Indemnification of the District.** To the maximum extent authorized by law, the Internship Provider shall defend, indemnify and hold harmless the District, the Governing Board, and each member thereof, and the District's other officers, employees, and agents (collectively, not including the District, the "District Agents"), and each of them, from and against any and all claims, demands, actions, other proceedings, liens, judgments, damages, losses, costs, reasonable attorney's fees, expenses, and other liabilities of any nature arising from or directly or indirectly relating to (1) the performance of instruction provided by the Internship Provider or anyone working under or for the Internship Provider; (2) actual or alleged negligence, recklessness, or willful misconduct by the Internship Provider or anyone, except the District student, working under or for the Internship Provider; and/or (3) the performance of this Agreement by the Internship Provider or anyone working under or for the Internship Provider, except the District's student. Any defense of the District and/or the District Agents shall be by qualified and appropriately experienced legal counsel reasonably acceptable to the District but selected and retained by the Internship Provider at its sole cost. The Internship Provider's obligations under this Section shall survive the expiration or termination of this Agreement.
2. **Indemnification Obligation.** The Internship Provider shall not be obligated to the extent any claim, demand, action, judgment, damage, loss, cost or expense, or other liability results from the active negligence, sole negligence, or willful misconduct of the District's Student. In each such event, the Parties shall be responsible and liable on a comparative basis.

Notice

1. Notices, requests, and other communications required pursuant to Agreement shall be in writing and shall be sent by first-class mail or overnight service (e.g., Federal Express) to each party as follows:

If to the District:

Superintendent
Eden Area ROP
26316 Hesperian Blvd, Hayward, CA 94545

If to FACES:

Public Health Institute/FACES:
Attn: Dr. Tomas Magana
555 12th Street, Suite 600
Oakland, CA 94607

Compliance with the Law

1. It is the intention of the parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of California, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Execution of Agreement

1. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which, taken together, shall constitute one and the same instrument. Signature pages may be detached from counterpart originals and combined to physically form one or more copies of this Agreement having original signatures of both Parties. Signature pages sent via email shall also constitute original signatures under this Agreement.
2. **Due Authority.** Each person signing this Agreement on behalf of a Party represents and warrants that he or she has been duly authorized by such Party to sign, and thereby bind such Party to, this Agreement.

Authorized Party
FACES for the Future

Date

Blaine C. Torpey
Superintendent
Eden Area ROP

Date



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board to approve the MOU with California State University, East Bay Foundation, Inc. (CSUEBF)/Hayward Promise Neighborhoods (HPN) to support College and Career Readiness through the Black Educational Excellence, LLC from January 1, 2025 through December 31, 2026

BACKGROUND

The Hayward Promise Neighborhoods is in its third round of federal funding. Promise Neighborhood grants are 5 years in duration and are cradle-to-career initiatives focused on transforming a neighborhood within the city. The first Promise Neighborhood grant focused on the Jackson Triangle neighborhood, the second on South Hayward and the new Promise Neighborhood grant focuses on Downtown Hayward.

CURRENT SITUATION

The Eden Area ROP as a partner in this project will use funding provided by the California State University's Chancellor's office to engage the Black Educational Excellence, LLC, which has been designated as a core partner by HPN with demonstrated success in implementing student engagement initiatives at other CSU communities statewide. The goal is to develop innovative approaches to align college and career pathways to address disparities experienced by students of color.

RECOMMENDATION

It is recommended that the Governing Board approve the MOU with California State University, East Bay Foundation, Inc. (CSUEBF)/Hayward Promise Neighborhoods (HPN) to support College and Career Readiness through the Black Educational Excellence, LLC from January 1, 2025 through December 31, 2026.

MOU for 2025-2026 between EAROP and CSUEBF

This Services Agreement (the "Agreement") is made and entered into as of **January 1, 2025** (the "Effective Date"), by and between **California State University, East Bay Foundation, Inc.** (CSUEBF), a California nonprofit public benefit corporation, ("Client"), on behalf of its internal sponsored project referred to as **Hayward Promise Neighborhoods** ("HPN") and **Eden Area Regional Occupational Program Center (EAROP)** with an address located at **26316 Hesperian Blvd, Hayward, CA 94545**. ("Contractor").

RECITALS

- A. CSUEBF is a California nonprofit public benefit corporation that is recognized as exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code ("IRC") and corresponding provisions of state law and is classified as a public charity under IRC Sections 509(a)(1) and 170(b)(1)(A)(vi). In furtherance of its exempt purposes, Client fiscally sponsors a number of projects that engage in charitable and/or educational activities within the meaning of IRC Section 501(c)(3).
- B. HPN is an internal project of with a mission: **to ensure educational success from cradle-to-career and a safe, healthy, thriving community for all living in Hayward.**
- C. Contractor, through its Project, has experience and proficiency in the performance of **career technical education and cradle-to-career initiatives in collaboration with Hayward Promise Neighborhoods since 2012.**
- D. The parties desire to enter into a contract for the provision of certain services on the terms and conditions stated in this Agreement.

NOW, THEREFORE, in consideration of the premises and mutual covenants and agreements contained herein, the parties agree as follows:

1. Term. This Agreement shall have a term commencing on **January 1, 2025**, through **December 31, 2026**. (the "Termination Date"), unless terminated prior thereto in accordance with the terms of this Agreement (the "Term").
2. Contractor's Services. Contractor shall provide the services set forth in the Statement of Work hereto and incorporated fully herein to Client during the Term of this Agreement (collectively, the "Services").

II. Scope of Work

EAROP will collaborate with HPN by engaging existing programs and services administered by the partnership and engage the Black Educational Excellence, LLC (BEE), which has been designated as a core partner by the funder and demonstrated success in implementing student engagement initiatives at other CSU communities statewide, to develop innovative approaches to align college and career pathways to address disparities experienced by students of color. EAROP will work with BEE and HPN to perform the following services under this MOU:

1. **Engage Students in College and Career Pathways**
 - o Support Hayward Promise Neighborhoods (HPN) and the California State University system in initiatives to engage local underrepresented minority students as part of the

existing collaboration and support the sustainability of services in South Hayward Promise Neighborhoods initiative.

- Contract with BEE to coordinate the creation and distribution of student stories through video and social media platforms at HPN partner schools in Hayward Unified School District.

2. Student Mentorship Models

- Collaborate with HPN and BEE with identifying students and career programs to enhance mentorship programs that align with the goals of increasing access to career opportunities at EAROP and postsecondary pathways at Chabot College and Cal State East Bay.

III. Funding and Budget

The funding available for the initiative, which will be provided by the California State University Chancellor's office to Hayward Promise Neighborhoods to administer in the total amount of an initial funding total of \$123,500 to support this project. The funds will be allocated as follows:

- Student mentorship and college and career pathway activities in collaboration with HPN initiative partners, Hayward Unified School District (HUSD), EAROP, Chabot College and California State University, East Bay.
- Video and digital media stories capturing student experiences and college and career aspirations.

IV. Responsibilities of Each Party

HPN:

- Coordinate funding through the California State University Chancellor's office.
- Oversee the implementation of the project and ensure alignment with HPN and CSU Chancellor Office goals.

EAROP:

- Implement the scope of work outlined in Section II.
- Ensure timely coordination with subcontractors and school sites.
- Provide progress updates as needed, which can be included in its existing reporting template to HPN in January and July of each year.

VI. General Terms and Conditions

1. **Term and Termination:** This MOU is effective from January 1, 2025, to December 31, 2026, as funds become available, unless terminated earlier by mutual agreement or upon 30 days written notice by either party.
2. **Amendments:** Any amendments to this MOU must be in writing and signed by both parties.
3. **Dispute Resolution:** Any disputes will be resolved in good faith through negotiation between the parties.

VII. Signatures

CLIENT: Eden Area Regional Occupational Program

Center (EAROP)

By: _____

Name: Blaine Torpey

Title: Superintendent

CSUEBF:

By: _____

Name: _____

Title: _____

ACKNOWLEDGED BY: HAYWARD PROMISE NEIGHBORHOODS

By: _____

Name: **Edgar Chavez**

Title: **Executive Director**



DATE: December 12, 2024
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board to approve the Agreement with Black Educational Excellence, LLC for the Hayward Promise Neighborhoods Student Engagement Project from January 1, 2025 through December 31, 2025

BACKGROUND

The Hayward Promise Neighborhoods (HPN) is in its third round of federal funding. Promise Neighborhood grants are 5 years in duration and are cradle-to-career initiatives focused on transforming a neighborhood within the city. The first Promise Neighborhood grant focused on the Jackson Triangle neighborhood, the second on South Hayward and the new Promise Neighborhood grant focuses on Downtown Hayward.

CURRENT SITUATION

HPN is working on a number of projects to sustain services to South Hayward schools and students. The Eden Area ROP has been a partner on some of these projects. The Black Educational Excellence, LLC is partnering with HPN and the Eden Area ROP to develop innovative approaches to align college and career pathways to address disparities experienced by students of color.

The Eden Area ROP as a partner in this project will use funding provided by the California State University's Chancellor's office to engage the Black Educational Excellence, LLC, which has been designated as a core partner by HPN with demonstrated success in implementing student engagement initiatives at other CSU communities statewide.

RECOMMENDATION

It is recommended that the Governing Board approve the agreement with Black Educational Excellence, LLC for the Hayward Promise Neighborhoods Student Engagement Project from January 1, 2025 through December 31, 2025.

This agreement for service (this "Agreement") is between the Eden Area ROP (the "Customer") and Black Educational Excellence, LLC (the "Service Provider") between January 1, 2025, through December 31, 2025.

Background:

- A. The Customer is of the opinion that the Service Provider has the necessary qualifications, experience and abilities to provide services to the Customer.
- B. The Service Provider is agreeable to providing such services to the Customer on the terms and conditions set out in this Agreement.
- C. The Service Provider has a background in using media in a way that engages families and students in service of College and Career Readiness Initiatives.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the parties to this Agreement agree as follows:

Services Provided

1. The Customer hereby agrees to engage the Service Provider to provide the Customer with services (the "Services") consisting of, but not limited to, conducting stakeholder interviews in the Spring of 2025.

Term of Agreement

2. The term of this Agreement will be from January 1, 2025, and will remain in full force and effect until December 31, 2025, and not to exceed \$123,500, subject to earlier termination as provided in this Agreement.
3. EAROP shall allocate up to 5% of the total funding of the grant in the amount of \$6,175 to cover indirect costs associated with the coordination and administration of services under this agreement.
4. The Agreement is contingent upon completion of an MOU with HPN and receipt of funds to support the initiative under the Service Provider's scope of work.

Performance

5. The parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

Compensation

6. Eden Area ROP will pay the Service Provider \$50,000 upon full execution of the agreement and encumbrance of HPN funds per the HPN MOU, and \$5610.41 a month with a not to exceed amount of \$117,325. This fee shall be payable monthly, at Net 30, upon invoicing of services.
7. Service Provider shall submit an invoice to Eden Area Regional Occupational Program which includes details of work done to develop, produce and delivery of stakeholder interviews. This work is guided by language in the HPN MOU.

Confidentiality

8. The Service Provider agrees that they will not disclose, divulge, reveal, report or use, for any purpose, any confidential information with respect to the business of the Customer, which the Service Provider has obtained, except as may be necessary or desirable to further the business interests of the Customer. This obligation will survive indefinitely upon termination of this Agreement.

Non-Competition

9. Other than with the express written consent of the Customer, which will not be unreasonably withheld, the Service Provider will not, during the continuance of this Agreement, be directly or indirectly involved with a business which is in direct competition with the particular business line of the Customer, divert or attempt to divert from the Customer any business the Customer has enjoyed, solicited, or attempted to solicit, from other individuals or corporations, prior to termination of this Agreement.

Ownership of Materials

10. The Service Provider will secure rights that will ensure that the deliverables will be available to all the funding sources to meet the needs that they've articulated in as required in writing. The Customer will be able to use the material for promotional purposes.
11. The Service Provider may retain use of the said materials and will not be responsible for damages resulting from their use for work other than services contracted for in this Agreement.

Return of Property

12. Upon the expiration or termination of this Agreement, the Service Provider will return to the Customer any property, documentation, records, or confidential information which is the property of the Customer.

Assignment

13. The Service Provider will not voluntarily or by operation of law assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Customer.

Capacity/Independent Contractor

14. It is expressly agreed that the Service Provider is acting as an independent contractor and not as an employee in providing the services under this Agreement. The Service Provider and the Customer acknowledge that this Agreement does not create a partnership or joint venture between them and is exclusively a contract for service.

Modification of Agreement

15. Any amendment or modification of this Agreement or additional obligation assumed by either party in connection with this Agreement will only be binding if evidenced in writing signed by each party or an authorized representative of each party.

Notice

16. All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the parties of this Agreement.

Costs and Legal Expenses

17. In the event that legal action is brought to enforce or interpret any term of this Agreement, the prevailing party will be entitled to recover, in addition to any other damages or award, all reasonable legal costs and fees associated with the action.

Time of the Essence

18. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

Entire Agreement

19. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

Limitation of Liability

20. It is understood and agreed that the Customer will have no liability to the Service Provider or any other party for any loss or damage (whether direct, indirect, or consequential) which may arise from the provision of the services.

Indemnification

21. A) Service Provider Indemnity of Customer. The Service Provider shall indemnify, defend and hold harmless Eden Area ROP and its Governing Board, officers, agents and employees from any and all claims and losses including those resulting in bodily injury and/or physical damage accruing against the Customer by any other party arising directly or indirectly due to the negligent or willful acts, omissions, or errors of Service Provider in performing or providing any of the services or other work product by the Service Provider.

B) Customer Indemnity of Service Provider. The Customer shall indemnify, defend and hold harmless Service Provider from any and all claims and losses including those resulting in bodily injury and/or physical damage, accruing against Service Provider by any other party arising directly or indirectly due to negligent or willful acts, omissions or errors of the Customer, its Governing Board, officers, agents, employees and contractors.

Inurement

22. This Agreement will ensure the benefit of and be binding on the parties and their respective heirs, executors, administrators, successors and permitted assigns.

Currency

23. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in United States dollars.

Titles/Headings

24. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement.

Gender

25. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

Governing Law

26. It is the intention of the parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of California, without regard to the jurisdiction in which any action or special proceeding may be instituted.

Severability

27. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will

nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

28. The waiver by either party of a breach, default, delay or omission of any of the provisions of this Agreement by the other party will not be construed as a waiver of any subsequent breach of the same or other provisions.

Additional Provisions

29. Service Provider is responsible to pay their own taxes. Customer (Eden Area ROP) will issue a 1099 at the end of the year.

Steven Cleveland
Black Educational Excellence, LLC

Date

Blaine C. Torpey
Superintendent
Eden Area ROP

Date