SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
A G E N D A A N D O R D E R O F B U S I N E S S – REGULAR MEETING
Thursday, October 7, 2021

Baden High School – Gymnasium
825 Southwood Drive, South San Francisco, California

The Board of Trustees invites the community to participate in this meeting in-person or virtually. In-person attendees must show either proof of COVID-19 vaccination or negative COVID-19 test results taken within the prior 72 hours.

The Board meeting will be streamed live and you can view it by visiting this web page for the Board meeting streaming link: http://www.ssfusd.org/onlineboardmeeting
(The link will be active shortly before 7:00 p.m. on October 7)

OPEN SESSION - 6:00 p.m.

A. CALL TO ORDER

CLOSED SESSION - 6:00 p.m.

1. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: SSFCTA
2. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: CSEA Chapter 197
3. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: SSFAFT
4. To consider the evaluation of performance and discipline/dismissal/release/reassignment of Classified personnel in accordance with Government Code Section 54957 (one case).

RECONVENE INTO OPEN SESSION - 7:00 p.m.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE will be led by SSFHS student Anthony Songco.

D. LAND ACKNOWLEDGEMENT STATEMENT

We acknowledge that the South San Francisco Unified School District is located on the unceded ancestral homeland of the Ramaytush Ohlone peoples who are the original inhabitants of the San Francisco Peninsula.

We wish to pay our respects by acknowledging the Ancestors, Elders, and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples.

E. REPORTING OUT FROM CLOSED SESSION

F. REVIEW OF AGENDA

G. RECOGNITION AWARDS – volunteers

H. PTA COUNCIL REMARKS

I. STAFF ASSOCIATION REPRESENTATIVES' REMARKS

- South San Francisco Federation of Adult Educators
- South San Francisco Classroom Teachers Association
- California School Employees Association Chapter 197

J. PERSONNEL COMMISSION

K. ITEMS FROM THE BOARD

- Announcements
- Board Calendar
- Board Committee Reports

L. SUPERINTENDENT'S REPORT

a. Equity Network

b. Virtual Independent Study

c. Pooled testing update

d. Other

- ASB Reports
  - Samantha Avila Gomez, Fall Student Trustee and ASB President South San Francisco High School

- Abigail Verino, Spring Student Trustee and ASB President El Camino High School

M. COMMUNICATIONS

Public comments may be submitted in advance of the meeting through the following link: https://bit.ly/boardmeeting10072021 beginning at 3:00 p.m. on Monday, October 4, until 3:00 p.m. on Thursday, October 7. These comments will be read by all Board members and posted on the District website's 2021-22 Board meetings at: www.ssfusd.org/20212022boardmeetings prior to the meeting.

To comment during the meeting, please use the following link: https://www.ssfusd.org/publiccomment

NOTE: You will need to register and follow the instructions to comment during the meeting.

The meeting is recorded. Individuals may address the Board concerning school business not on the agenda, but public comment cannot be acted upon or discussed by the Board unless placed on the agenda at a subsequent meeting, in accordance with the law, the Brown Act. The Board may request staff to respond orally at the meeting or in writing at a future time.

N. PRESENTATIONS

(Individual presentations are limited to a maximum of 10 minutes.)

1. EDUCATIONAL SERVICES

a. Teaching and learning presentation: South San Francisco High School

Principal Kevin Asbra will share, with the Board, educational priorities and programs at SSFHS.

O. CONSENT AGENDA: The following items are submitted for Board approval. One motion will authorize action for those items so designated.

		PAGE
1. ADMINISTRATION		
a.	Minutes of the September 23, 2021 regular Board meeting.	1 - 31
2. HUMAN RESOURCES		
a.	Certificated Personnel Assignment Order.	32 - 41
b.	Classified Personnel Assignment Order.	42
3. BUSINESS SERVICES		
a.	Gifts to the District, September 2021.	43 - 44
b.	Fundraising events for the 2021-22 school year.	45 - 46
c.	Professional services agreements under $25,000.	47 - 48

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INFORMATION/DISCUSSION

1. HUMAN RESOURCES

a. Williams Uniform Complaints for First Quarter Ending 9/30/21 49 - 50

Staff will present to the Board, the Quarterly Report on Williams Uniform Complaints for the quarter ending 9/30/21, per Education Code Section 35186.

PUBLIC HEARING – SSFCTA Additional Proposal

Prior to commencing negotiations, California law (Government Code Section 3547) requires that a school district and the exclusive employee representative present their respective initial proposals at a public meeting. The District is negotiating a successor agreement outlined in the South San Francisco California Teachers Association (SSFCTA) collective bargaining agreement in which both parties agree to reopen for negotiations. The SSFCTA is submitting an additional item to sunshine in this public hearing. 51

SSFCTA Proposal to SSFUSD 52

The South San Francisco California Teachers Association (SSFCTA) proposal will be presented to the South San Francisco Unified School District (SSFUSD) Board of Trustees for successor negotiations related to the Children's Center.

A Public Hearing will provide an opportunity for members of the public to comment on the SSFCTA proposal.

ACTION

1. ADMINISTRATION

a. Resolution No. 21-51 Native American Heritage Month 53

Staff recommends the adoption of Resolution #21-51: Honoring Native American Heritage Month.

b. 2nd Reading of District's Updated Board Policy 54 - 59

Staff recommends the approval of the District's updated Board Policy listed below, as presented to the Board.

1. BP 5121 - Grades/Evaluation of Student Achievement

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c. Approval of District's New and Updated Board Policies 60 - 176

Staff recommends the approval of the following new and updated District's Board Policies, the last ones to be approved for the 2019-20 fiscal year, as presented to the Board.

1. BP 0430 - Comprehensive Local Plan for Special Education
2. BP 0470 - COVID-19 Mitigation Plan
3. BP 1312.3 - Uniform Complaint Procedures
4. BP 1340 - Access to District Records
5. BP 4112.9, 4212.9, 4312.9 - Employee Notifications
6. BP 4113 - Certificated Personnel Assignment
7. BP 4119.42, 4219.42, 4319.42 - Exposure Control Plan for Bloodborne Pathogens
8. BP 4119.43, 4219.43, 4319.43 - Universal Precautions
9. BP 4151, 4251, 4351 - Employee Compensation
10. BP 5141.5 - Mental Health
11. BP 5145.3 - Nondiscrimination/harassment
12. BP 6020 - Parent Involvement
13. BP 6115 - Ceremonies and Observances

d. Approval of District's Response to Grand Jury Report on "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools." 177 - 181

Staff recommends the approval of the proposed District's response to the Grand Jury report on "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools" and authorizes staff to submit the response to the Grand Jury commission, as presented to the Board.

e. Approval of Superintendent's Contract Extension 182 - 185

Staff recommends the approval of the Superintendent's contract extension through June 30, 2025, as presented to the Board.

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2. EDUCATIONAL SERVICES

a. Approval of the K-12 Strong Workforce Program Grant 186 - 200

Staff recommends the approval of the K-12 Strong Workforce Program grant, in the amount of $206,972, effective January 1, 2021 through June 30, 2023, as presented to the Board.

b. Approval of SSFUSD Local Performance Indicators Self-reflection for 2020-21 201 - 216

Staff recommends the approval of the District's 2020-21 self-assessment of its progress on local performance indicators based on the LCFF state priorities, as presented to the Board.

c. Approval of Elementary and Secondary School Emergency Relief Fund (ESSER) III Expenditure Plan 217 - 233

Staff recommends the approval of the District's ESSER III Expenditure Plan, for the 2021-23 school years, to address safe in-person learning, lost instructional time, and student needs, as presented to the Board.

3. HUMAN RESOURCES

a. Adoption of Memorandum of Understanding (MOU) Between SSFUSD and SSFCTA to Address Conditions Related to Assembly Bill (AB) 130 in Regard to Independent Study 234 - 237

Staff recommends the adoption of the tentative agreement, between the SSFUSD and the SSFCTA to address conditions related to Assembly Bill (AB) 130 in regard to Independent Study as a result of the COVID-19 pandemic, as presented to the Board.

b. Approval of a Provisional Internship Permit 238 - 239

Staff recommends the approval of a Provisional Internship Permit for Roselle Loudon, a certificated employee at the District Office, as presented to the Board.

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4. BUSINESS SERVICES

a. Approval of Amendment #1 to the Hohbach-Lewin, Inc. Agreement for the Hillside Parking and Drop-off Project 240 - 245

Staff recommends the approval of amendment #1 to the Hohbach-Lewin, Inc. agreement, in the amount of $30,100, for the Hillside parking and drop-off project, as presented to the Board.

REVIEW OF FUTURE AGENDA ITEMS AND MEETINGS *(subject to change)*

Board meetings have returned to in-person and are being held in the Baden HS gym.

October 12, 2021 – Special Meeting

- Discussion/approval of SSFUSD SLO MOU with the City

October 21, 2021 - *Community Forum*

- Nutrition Services (long food lines and breakfast service at MS and HS)
- Mandatory vaccinations for students 12+ medically eligible to receive them

November 18, 2021

- Teaching and learning presentation - Los Cerritos ES
- Monthly Accounting reports for the months of September and October
- Presentation on the Nutrition Services Department
- Approval of the 2022 Summer School programs
- Update on Safe School Plans

December 9, 2021

- Board of Trustees reorganization
- Resolution honoring outgoing Board President
- Selection of Trustees to District sub-committees/committees
- Teaching and learning presentation - Ponderosa ES
- Teaching and learning presentation - Children's Center
- Presentation on Performance Management - CTE
- Presentation and approval of 1st interim budget report "positive certification"
- Approval of San Mateo Co. QRIS block grant for 2021-22
- CSBA Delegate Assembly nomination(s)

January 13, 2022

- Recognition for outgoing Student Trustee Avila Gomez
- Teaching and learning presentation - Monte Verde ES

- Presentation on Performance Management - Special Education
- Audited actuals report for the fiscal year ended June 30, 2021
- Approval of SARCS
- Resolution honoring African American History Month (February)
- Williams report for 4th quarter ending 12/31/21
- Update on Governor's 2022-23 budget proposal

February 10, 2022

- Introduction of new Student Trustee Verino
- Teaching and learning presentation - Westborough MS
- Presentation on Genentech and Science

February 24, 2022

- Teaching and learning presentation - ECHS
- Presentation on Performance Management - English Learners
- Resolution honoring Women's History Month (March)
- Resolution for Red Cross Month (March)
- 2022 CSBA Delegate Assembly election

SUMMARY OF BOARD DIRECTIVES

GOOD AND WELFARE

- Comments from Board Members and Superintendent

ADJOURNMENT

The agenda is available for review at the District's website: www.ssfusd.org (Click on *Board Meeting Agendas and Minutes*).

A recording is made of the Open Session of each meeting. Telephone--(650) 877-8705, Fax--(650) 588-8113 or e-mail: ncantley@ssfusd.org

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
Minutes of the Board of Trustees' Meeting of September 23, 2021

CORONAVIRUS DISEASE (COVID-19) NOTICE

This meeting was conducted pursuant to the provisions of the Governor's Executive Order N-35-20 issued on March 21, 2020 allowing for deviation of teleconference rules required by the Brown Act and pursuant to the order of the Health Officer of San Mateo County dated March 16, 2020 as this meeting is necessary so that the South San Francisco Unified School District can conduct necessary business and is permitted under the order as an essential governmental function.

As SSFUSD is an inclusive school district a Spanish language translation of the Board meeting was also available to the Spanish speaking community.

This meeting included closed captions which required the Board to provide a break, for the stenographer's benefit, after approximately every 1.5 hours.

OPEN SESSION - 6:30 p.m.

A. CALL TO ORDER

CLOSED SESSION - 6:30 p.m.

1. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: SSFCTA
2. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: CSEA Chapter 197
3. Conference with Labor Negotiators
   Agency Designated Representative: District Assistant Superintendent for HR/Student Services
   Employee Organization: SSFAFT

RECONVENE INTO OPEN SESSION - 7:03 p.m.

B. ROLL CALL

Board Members:
Mr. John Baker - Present
Dr. Chialin Hsieh - Present
Ms. Daina Lujan - Present
Mrs. Patricia Murray - Present
Mrs. Mina Richardson - Present

Ms. Samantha Avila Gomez, Student Board Member - Present

Cabinet Members:
Dr. Shawnterra Moore, Superintendent - Present
Mr. Keith Irish, Assistant Superintendent, Educational Services and Categorical Programs - Present
Mr. Ted O, Assistant Superintendent, Business Services - Present
Dr. Jay Spaulding, Assistant Superintendent, Human Resources and Student Services - Present

C. PLEDGE OF ALLEGIANCE was led by Martin ES 2nd grade student Zoey Lindell. Principal Jonathan Covacha said she loves reading, enjoys science, especially learning about dinosaurs and insects, and art. She participates in jujitsu and hula dancing. Zoey loves spending time with her family and making new friends wherever she goes.

D. LAND ACKNOWLEDGEMENT STATEMENT

We acknowledge that the South San Francisco Unified School District is located on the unceded ancestral homeland of the Ramaytush Ohlone peoples who are the original inhabitants of the San Francisco Peninsula.

We wish to pay our respects by acknowledging the Ancestors, Elders, and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples.

E. REPORTING OUT FROM CLOSED SESSION - Nothing to report.

F. REVIEW OF AGENDA - No changes.

G. PTA COUNCIL REMARKS - President John Sanna reported that they recently had their PTA Officers training, working with the 17th District PTA of San Mateo County trainers. Attendance was very good and a lot of great lessons were learned. The 17th District PTA indicated there would be technology or Zoom assistance for any PTA in the County that needed it. He said memberships are going very, very well this year and he gave a shout out to Martin ES for having a successful year and stepping it up.

H. STAFF ASSOCIATION REPRESENTATIVES' REMARKS

South San Francisco Federation of Adult Educators - None

South San Francisco Classroom Teachers Association - President Danny Yanow thanked Assistant Superintendent Ted O and the Facilities Department for putting air purifiers in all classrooms. Since they are loud, teachers now use microphones to be heard by the students. He also thanked Dr. Jay Spaulding and Director Ryan Sebers for their tireless work in tracing COVID cases and contacts, which is keeping everyone safe. Since Dr. Spaulding is asking all District employees to send in verification of vaccination, he encouraged everyone to send that information to HR as soon as possible. He said CTA appreciates everything the administration is doing to fight this pandemic. However, members are feeling that they are not being treated fairly or respectfully at the negotiating table. They are currently working on an expired contract. Their bargaining team has been at the table several times and the District representatives have been unprepared to negotiate. Their team is meeting next Tuesday with the District members with written subplans and are ready to negotiate for a new contract. They hope and expect that the District's team will also be prepared. Mr. Yanow said many teachers sent a signed letter to President Daina Lujan this week which described what makes a contract. This includes respect for working in classrooms daily, an acknowledgement of the task of learning with little support, valuing work done during the shutdown and return, bringing professionalism to classes and meetings, praise from administrators, and a needed raise. “A contract is respect.”

California School Employees Association Chapter 197 - Jolene Malfatti echoed Mr. Yanow's remarks about how hard the HR department and staff have been working on COVID tracing. It is phenomenal work, and an unprecedented amount of stress on everyone involved. She thanked Dr. Spaulding for providing dates for bargaining sessions. She commended the Classified school employees, many of whom have been on the front lines throughout this ongoing pandemic, which has had a negative impact on staffing levels as well. The areas greatly impacted are paraeducators and Nutrition Services. Ms. Malfatti said she hopes the District can consider implementing what other districts have done with a sign-on bonus for applicants to help reduce the staffing shortage. She closed her comments by remembering the beloved teacher, Mr. Jim Cresta, whose work ethic and unwavering devotion to his ECHS students over many years will always be admired and unsurpassed. On behalf of all Classified employees, she sent sincere condolences to his family and the entire ECHS staff. CSEA 197 will make a donation to the school in his honor. She also urged Classified employees who have not been vaccinated to do so.

I. PERSONNEL COMMISSION - Assistant Superintendent Spaulding reported that the last meeting was held virtually on September 20. During that meeting, they ratified six position announcements and four eligibility lists. The next Commission meeting will take place on October 18, 2021.

J. ITEMS FROM BOARD

Trustee Patricia Murray reported that she attended a Rotary Club event on September 16. She spoke about their mission statement which includes service to others, promoting integrity and advancing world understanding, goodwill, and peace. They have been a great partner with the District over the years. Both ECHS and SSFHS have Interact Clubs, which are part of Rotary. She thanked Rotary for providing each District kindergartner with a small toolbox for their work.

K. SUPERINTENDENT'S REPORT

a. Ruby Bridges Walk to School Day update - Superintendent Shawnterra Moore acknowledged Martin ES teacher Deborah Carlino and her students. Mrs. Carline inspired them to engage, to develop a process, to advocate and most importantly to make a positive difference in the community at large. In 2017, a group of 5th graders wanted to find a way to recognize the contributions of Civil Rights activist Ruby Bridges after learning she had helped integrate William Frantz ES in New Orleans as a 6-year-old. The students collected over 1,000 signatures and presented them to the Board in hopes that they would identify a day for Ruby Bridges. In fact, the Board, the City of SSF, as well as the San Mateo County Office of Education all voted and approved November 14 as Ruby Bridges Day. In 2019, this date was officially named Ruby Bridges Walk to School Day County-wide. Last year, 55 schools across seven states participated. Two weeks ago, through a resolution authored by San Mateo Senator Josh Becker, the Senate unanimously approved November 14 as Ruby Bridges Walk to School Day in California. She said the District is so proud that the movement began at Martin ES and congratulated their students and teachers.

b. Vaccinations - Dr. Moore reported that earlier this year she shared that the District would be collecting vaccination status from staff and she would communicate the percent after the September 17 deadline. At this point, SSFUSD has 86.8% of staff who have been able to show proof of COVID-19 vaccinations. The HR Department has worked tirelessly, sent out a lot of reminders to staff, and she appreciates the community's cooperation. She encouraged anyone who has not submitted proof yet of a vaccination or a negative COVID test, to please do that soon.

c. Rotary Club - the Superintendent thanked them and said she truly appreciates their partnership and looks forward to continuing this effort going forward.

- ASB Reports
    - Samantha Avila Gomez, Fall Student Trustee and ASB President, South San Francisco High School, shared the following news from her school: She asked for a moment of silence for Derrick Gaines, a District student, who was killed by the SSF PD ten years ago. A Club

Rush was held on Friday, September 10, and many students were able to join new clubs; the Key club participated in a beach clean-up with help from the South City Warriors; Earth club has been working on an outdoor learning space where the grass area is used as a picnic area by students and the goal is to eventually grow food there, which will be donated to Mission Mills in the East side of South City; for Hispanic Heritage Month, September 15 to October 15, ASB hung flags from all Hispanic countries in the quad area with posters acknowledging the month; since the majority of SSFHS students are Hispanic-Latinx, they wanted to make them feel at home with the flags of their home countries; on September 16, Mexican Independence Day, the Ballet Folklórico, led by Director Martin Cruz, performed during lunch; later that day, the program was performed at City Hall; a Mid-Autumn Festival was held on September 21 to mark the beginning of fall with handmade lanterns which have a significance in many cultures; tomorrow is Senior Sunrise at 6:30 a.m., when the senior class marks the beginning of their last year together; this is also Suicide Prevention Month for which the ASB class wore purple and teal ribbons to bring awareness to suicides; yesterday the School Culture Commission posted positive messages in campus restrooms for students to read; a PTSA meeting will take place on September 28 via Zoom; Homecoming season has started with the overarching theme of "Cities"; seniors are representing New Orleans, juniors are New York City, sophomores are Mexico City and freshmen are Tokyo; the Homecoming dance will be on October 16; sophomores and juniors will have a practice PSAT on October 16; events and updates are posted on the ASB Instagram, @SSFHS_ASB; today the girls' tennis team played games and the football team played Capuchino HS and although they did not win, they scored a touchdown; home football games are on Thursdays; girls' and boys' soccer have started conditioning; the next girls' volleyball home game is tomorrow; a volleyball tournament takes place on October 1, with a team of students or teachers playing against the girls volleyball team; Complaints and Concerns: Several teachers are concerned about fire season coming up and what the plan will be for students. They have to close doors, but that raises concerns as there will not be fresh air moving in and out of the classroom. There are concerns about teachers not having a contract with the District and a lot of teachers wish that part of the negotiations will be the bell schedule. Teachers just want to ensure that they get a living wage. The District needs to stay competitive and give students the best education they deserve with teachers getting a living wage. SSFHS needs more EL assistants and translators. The District had not put the hiring site on, so they were not able to apply until the school year started. Due to the need for more Nutritional Service workers, there are very long lunch lines and

kids are in need of breakfast. No District money has been put into the school's sports account to get the new equipment they need to be successful. ECHS students feel they are being wrongfully disciplined for a new TikTok trend in which students vandalize school bathrooms and school property. Many students have told her pool testing is going in the right direction, but they have concerns that when they get a letter from the school saying they have been in close contact with someone who has tested positive for COVID, they are not allowed to go home and get tested as soon as possible instead of staying at school and possibly spreading it to others.

Dr. Moore told Student Trustee Avila Gomez that she can always sit down together and have a conversation about some of these things, to address them prior to the Board meeting.

- Abigail Verino, Spring Student Trustee and ASB President, highlighted the following recent and upcoming events at her site: in honor of Hispanic Heritage Month, they had a performance after school last week to celebrate the beautiful culture, Hispanic music is being played every Friday at lunch, and the outreach team connected with guest speaker Jackie Guerrido, a Learning and Development leader, focused on diversity, programming, and experiences, a Manager of Public Policy for External Affairs, and an Administrative Specialist who work at Facebook; they shared their experiences as Hispanic women and how they appreciate and honor their heritage and what it means to be a woman in their culture; Homecoming Week officially begins on October 18 thru October 22, where freshmen to senior classes will be showcasing their decorations in light of the theme "Disney World"; the Homecoming rally takes place on October 22 and the Homecoming dance is on October 23; a new tradition is replacing the Homecoming Court where class offices will have the opportunity to fundraise for their class by selling food; fall sports kicked off a great season with their first home football game last Friday; their first Athlete of the Week, Michael (Mikey) Jimenez, is a member of the Cross Country Team; clubs officially held their first meetings and in honor of Breast Cancer Awareness Month, there will be a pink ribbon donation; animal club will continue their fundraiser from past years and the funds will be donated to the non-profit group Ocean Conservancy; the student trauma open platform will continue its partnership with a local non-profit, Rape Trauma Services; she acknowledged the students who volunteered for small campus beautification projects earlier this month; on Saturday, September 11, the school community lost legendary teacher, Mr. James Cresta who began teaching at ECHS in 1964, and his passing is a tremendous tragedy for the community; on Wednesday, September 29, the school will be hosting a candlelight vigil honoring

him and all members of the Board and Cabinet, alumni, families, and students can pay their respects; the school will be exploring a more permanent way to honor Mr. Cresta later this year such as with a plaque, a bench, etc.; at the memorial, they will present the family with a small binder containing memories and well wishes from the ECHS community.

L. COMMUNICATIONS

Public comments were submitted in advance of the meeting, were read by all Board members and posted on the District's website before the meeting.

The following were live comments:

Carney Skold, a SSFHS teacher, spoke about English Learner classes which are suffering from class size issues, with a newcomer class having 35 students last week. He encouraged the Board to visit this classroom and see the conditions, including a new teacher with so many students that their desks surround her desk, making it difficult to walk through the classroom. This is unacceptable as those students need one-on-one contact with either teachers or paraprofessionals. Some SpEd classes have more than 20 students making it hard to meet their needs. Mr. Skold also spoke about retention. Many teachers are working at 120% due to understaffing. More bilingual and SpEd paras are needed, with a pay increase, to make the District more competitive. More funding is needed to limit class sizes.

Alanna Wong, a teacher, said she was asking the Board for respect. While she expects negotiations to take time, the District needs to do their part by bargaining in good faith and presenting a plan to be negotiated on. CTA is working without a contract, in an ongoing pandemic, with staff expected to adjust and innovate daily to new challenging situations while they are drastically understaffed, particularly with paraprofessionals, substitute teachers, and Nutrition Service workers. Respect consists of both words and action. After next week's bargaining meeting she expects that the District will present a plan that the negotiating team can discuss, because that is how the Board can act to respect them and their work.

Nida Currier-Herzallah, a SSFHS student, commented on a problem with the speakers on the away side of the football field. They do not work since they were not installed properly. This is an issue since rallies are being held on the field. Her mother, a District teacher, spends time on her computer at home without being compensated. Her site has lost many young teachers who have made a difference because they did not get paid enough. She is concerned others will leave if they are unable to support themselves on their salaries.

Aaron Haffner, an ECHS teacher, spoke about the need for air conditioning in the classrooms. During very warm days, it is hard to teach and hard for the students to focus and learn. He said between COVID and the annual fires, he needs to

decide whether to shut the windows and possibly keep COVID in the classroom or trade that for opening windows and having smoke come in. He asked administration to look into installing air conditioning.

Rachel Estrada, a Spruce ES teacher, asked the Board to give teachers a reasonable raise, which they deserve. While she takes pride in teaching, she does not make a living wage here. She said it would be devastating to need to leave the District to make a comfortable living. In order to keep qualified and talented teachers, who want to remain in the District, she pleaded for them to be compensated for their work or they might not be able to afford to live here.

Brenda Gonzalez, a SSFHS student, spoke about the toll staffing has taken on the breakfast program and lunch at her school. Long lunch line are problematic and often students have no time to eat. She encouraged giving staff a raise so students have access to breakfast and ample time to eat their lunch. She urged the Board to listen to teachers who need a pay raise to be able to live here. Better teacher retention is needed and students and teachers need support. She thanked Student Trustee Avila Gomez for letting the community and the Board members know about student concerns.

M. PRESENTATIONS

1. EDUCATIONAL SERVICES

a. Teaching and learning presentation: Martin Elementary School

Principal Jonathan Covacha shared educational priorities and programs at Martin ES. He also recognized the following parent volunteers with certificates of appreciation from the Board: Patricia Cortez, Megumi Isobe, Deborah Lainez, Beatriz Mendoza, and Vanessa Merino.

<u>Mission</u>

- Educating resilient learners through collaboration, communication, critical thinking, and creativity with awareness that each of us can grow and improve each day.

Principal Covacha said their main focus continues to be in their ability to grow and improve so that they can be a better version of themselves at the end of each day. The mission is:

- Aligned with the District's LCAP Goals and Priorities
- Academic Achievement - the focus is on student progress
- Professional Development, Student, Parent, and Community Engagement is the center to all of the school planning decisions and actions, as stated in the plan for student achievement.

Professional Development (PD)
Principal Covacha said collaboration time is embedded in early release Wednesdays. This allows staff to carve out time for professional learning during work hours. At Martin ES, they have designated opportunities to learn together and also build leadership capacity from within. Through their breakout sessions, staff are able to lead the learning sessions with technology, reading strategies, EL strategies and build their social/emotional learning program. This shows how they can fulfill their commitment to the community.

CAR (Communication, Achievement, Relationships)
The SSFUSD car metaphor is a journey to excellence, providing students a superb learning experience by visiting classrooms daily, collecting walk through data and providing ongoing feedback to teachers and support staff. Principal Covacha noted that the RTI process acts as the gas tank for a system they use to monitor the progress of their students, the car mirror enables them to reflect and adjust their professional practices to better support students, and the steering wheel allows them to steer school programs in the right direction as far as supporting their program goals, guided by data that they are able to gather.

Demographics
Principal Covacha said the current population is 353 students, with two students participating in the virtual independent study. 310 students are Hispanic/Latino and 48% are English Language Learners with twelve students being designated newcomers, as they have been in the community less than twelve months. The site has 30 students who meet the State's criteria for reclassification and are currently receiving support in their transitional years from the English Learner designation. 48 students with IEPs are receiving mild to moderate Special Education support.

Attendance Data
Principal Covacha reviewed attendance data at Martin ES. According to the State's definition, any student accumulating 10% of absences is considered to have chronic absenteeism. His data shows students who were absent at least two days out of the first 20 days. He said the Hispanic Latino student group had the highest number with at least two absences in those first 20 days. It is important to note that that group make up 88% of the students. There were circumstances to consider with the first few weeks of school, such as some families having to transition back to in-person learning and they started a day or two later than the first day school. 13% of absences are attributed to COVID-related cases. This includes students who had to quarantine after testing positive, students who had to quarantine from positive contacts,

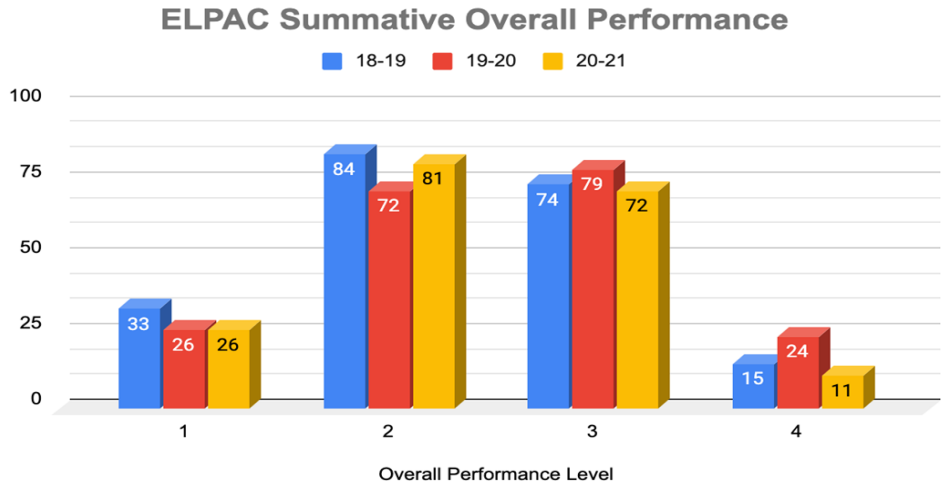
and students out of an abundance of caution for what they were experiencing as either a common cold or common allergies. Mr. Covacha said they need to ask the community to continue to support each other by making sure everyone is healthy, minimizing cases where students and classes have to quarantine by making sure that they are able to complete health screening at home, wearing masks indoors, practicing proper hygiene such as washing hands, and participating in the optional weekly COVID testing

Literably Data

Literably assessments allow the team to measure students' reading levels, screen for reading difficulties, and monitor their progress throughout the year. As they await the latest data, Principal Covacha shared last year's results. In looking at the progress of the 1st to 5th graders between the first and third trimester, out of 311 students, 95% were able to continue their growth despite distance learning.

ELPAC (English Language Proficiency Assessments for California) Summative Overall Performance

- Designated ELD time allows teachers to provide targeted EL instruction tailored to the student group's overall performance level. Focused on being able to develop English language skills.
- EL TOSA support with school's ELPAC Initial and Summative assessments, professional development for teachers, and support with school's ELD program.



Principal Covacha noted the trend for English Learners in the last three years. This data is an example of what is used to guide the development of their school goals and action plans.

Student Support

3 RTI Meetings:

- Provides time and space to meet with individual teachers to monitor progress of students.
- Enables specialists (school psychologists, speech pathologists, SpEd teachers, counselors, reading specialists, and EL support to share possible strategies that can be implemented in class.
- Identify student needs and as team create an action plan to provide support; academic, behavioral, health, family assistance, etc.

Reading Support:
- Reading specialists will be able to meet with students in small groups to provide reading support.
- Support staff with reading assessment.
- Review non-academic information such as health and social/emotional progress.
- Data gathered from this meeting is what they base their decision-making on in terms of creating support plans for students. To be able to determine whether they need reading support with a reading specialist, or whether the team needs to move to holding a student success team meeting for possible higher level supports such as conducting an assessment to see if the student qualifies for Special Education support.

Counseling Support:
- Star Vista - 5 days a week support
- YSB Counseling - 2 days a week support

Through these partnerships, the Martin ES counseling team is able to meet with students in either individual or small group setting, depending on the support needed.

Additional Classroom Support:
- District TOSA - was able to visit during lunch and see how they were supporting students during recess time. So far, she has been able to provide professional learning for the noontime supervisors and also helped out with a healthy environment.
- BCBA support - for students with IEPs there was behavior supervision to help student learning and teachers in the classroom.

Small Guided Reading and Hour of Power
- K-3 small guided reading time in class with support.
- Allows students to develop reading skills by providing appropriate text increase understanding and control with their reading.
- Hour of Power allows them to provide tier 1 support for students during school hours.
    - Students have extra time to work on essential standards and skills.
    - Teachers hold teacher/student conferences to discuss progress.

Technology Integration

- 1-1 technology device provided.
- iPads for K-2.
- Chromebooks for grades 3-5 as part of their leaning tools which allows teachers the ability to assign work in other electronic learning platforms.
- Build digital responsibility.
- Not only helpful in enhancing learning opportunities for students, but it is also an essential part for the continuity of the students' learning.
- They continue to rely on the digital platform to help when a student or a class might have to go through a period of quarantine.
- Monday Morning Meteor Announcements: Allows school to continue with announcements and community time where they introduce a special monthly virtue to the students. It is an opportunity for students to have their voices heard and be part of the community time when they lead the pledge, and provide announcements and presentations for the whole school.

Meteor Leaders

Principal Covacha said they continue to celebrate their students through the Meteor Leaders where they share good examples of what positive behavior is expected and celebrated in school. This also provides them the opportunity to replicate positive behavior. All students who are recognized by their teachers are given a digital certificate so they can also celebrate as a family at home

Ruby Bridges Day

After only four years since Mrs. Carlino's class started to honor Ruby Bridges, the State approved November 14 as Ruby Bridges Walk to School Day in California. Principal Covacha said they are grateful for the learning opportunity for his students who were part of the process. And now every year the students can discuss the civil rights movement, and what they can do to be part of the ongoing process to reach equality.

Principal Covacha expressed his gratitude to the staff members for their courage, dedication and love for the most important work in the world, creating opportunities for students. He thanked the Leadership Team, CSEA and CTA leaders, District administrators, and Board members for providing support and guidance for the important work that they do at Martin ES. He reported that Martin ES turns 100 years old this year and a centennial celebration is planned for January.

Trustee Murray thanked Principal Covacha for his presentation and said she loves visiting his school. She learned a lot about how the

Senate works when the Ruby Bridges Walk to School Day resolution was passed.

Trustee John Baker shared that he missed seeing the Martin Safety Patrol students in person at the meeting. He liked seeing the pictures of the new facilities, especially students sitting on the new lawn. It is great to hear students demonstrating growth. He thanked the entire Martin ES family, including the volunteers for their work last year. He asked Principal Covacha what support the Board could offer to help him get to where he is trying to be. Mr. Covacha said he appreciates the hard work that the Board members are putting into the District, and the best way for them to support school sites is through the continued collaboration and planning that the Board has already established with District leaders.

Trustee Chialin Hsieh also thanked Principal Covacha for the great presentation and noted that everything is tied back to the school's mission. Every slide talked to the collaboration, communication, critical thinking, and creativity, and that everyone can grow and improve each day. She is impressed with the growth students are making in reading and asked if they are on track for their grade levels. Principal Covacha replied they are on track and that is why they focus on the growth. And with RTI process, it really helps them monitor the students throughout the year to see how far they are. Trustee Hsieh said she is excited to see the disaggregated data when it is available.

Vice President Mina Richardson said she appreciates getting the students started with positive images of themselves. She also likes the fact that students with IEPs are mainstreaming and wished Principal Covacha continued success.

President Lujan commended Principal Covacha and thanked him, his staff, parents, and students. The commitment to Martin ES is remarkable and is demonstrated in everything from the thoughtful strategic interventions for students, the careful eye toward data, the focus on developing the whole child, the academic, the social, the emotional, and the way the way he helps bring the community together. She looks forward to the 100 year celebration.

Due to the time needed for the next presentation and the upcoming break, President Lujan moved the Consent Agenda forward in the agenda.

N. CONSENT AGENDA

Trustee Murray asked about how the SSFHS face paint and polaroid fundraiser works and whether masks will be worn. Student Trustee Avila Gomez said while the ASB's Publicity and Recognition Commission students are painting faces in

class colors, students will still be masked. For the polaroids, students are photographed in front of a poster.

MOTION #42 (Hsieh/Baker) to approve Item 1a, Minutes to the regular Board Meeting, September 9, 2021; Item 2a, Certificated Personnel Assignment Order; Item 2b, Classified Personnel Assignment Order; Item 3a, Purchase Order Listing, August 1 - 31, 2021; Item 3b, Warrant Register, August 1 -31, 2021; Item 3c, Cash Receipts, August 1 - 31, 2021; Item 3d, Declaration of surplus items; Item 3e, Gifts to the District September 2021; Item 3f, 2021-22 fundraising events; Item 3g, Professional service agreements under $25,000. Motion Carried. (Unanimous)

The Board recessed at 8:21 p.m. for a break and reconvened at 8:31 p.m.

2. BUSINESS SERVICES

a. Report on Year-End Unaudited Actuals

Assistant Superintendent O presented the Unaudited Actuals Financial Report for the 2020-21 fiscal year ended June 30, 2021.

Unaudited Actuals - the District's annual financial report of operations for the fiscal year which is the basis of the annual audit. The report is a statement of revenues, expenditures, and changes in fund balance.

Closing the Books - allows a district to prepare financial statements that give a picture of the financial status for the end of a fiscal year. This captures carryover as well as other future obligations. Independent auditors also audit the data, procedures, and practices used on the report.

Mr. O said the District is required to take the unaudited actuals report to the Board for approval. The report is then submitted to the San Mateo County Office of Education for verification of the mathematical accuracy of the statements. After that, District's independent auditors review the books and prepare the annual audit report.

2020 - 21 General Fund - Revenues

- The General Fund is the District's main operating fund.
- The categories, consistent throughout the State of California, are LCFF sources, Federal, State and Local revenue, and Transfers In.
- Being a Basic Aid district, SSFUSD's bulk of its revenue comes from LCFF sources, mostly property taxes.
- Restricted funds must be used for specific purposes such as Categorical Programs, Title 1, 2, 3, Special Education programs and other parts of Federal and State stimulus funds including the ESSER funds. These funds may not be used to provide salary increases for employees.

Unrestricted	Restricted	Combined
$104,916,224	$30,384,348	$135,300,572

Combined Revenues - 79% of the District's total revenue came from LCFF funding.

2020 - 21 General Fund - Expenditures

- The State requires expenditure categories to be consistent throughout the State, just like revenue.
- The categories are Certificated and Classified salaries, benefits, books/supplies, services, capital outlay, other outgo, and transfers out.

Unrestricted	Restricted	Combined
$78,566,095	$47,745,188	$126,311,283

Unrestricted Expenditures - Services and Other Operating categories include insurance, utilities, copiers, phone systems, audit and legal fees, etc. There is a difference of $26.3M more in unrestricted revenue vs. unrestricted expenditures. This is due in part to the general fund contribution for the SpEd programming, which is approximately $19.6M.

Combined Expenditures - 77% of the District's total expenditures were dedicated to salaries and benefits.

2020 - 21 General Fund Summary

The combined projected ending fund balance, before the State required designations and District designations, is approximately $48.8M. The $13.9M in undesignated reserve will be needed to balance the budget for the current year and the next two years unless the District receives additional revenue.

General Fund Summary	2020-21 Unrestricted	2020-21 Restricted	Total
Revenues w/Contribution	81,419,920	53,867,351	135,287,271
Interfund Transfer In	13,301	-	13,301
Total Sources of Funds	**81,433,221**	**53,867,351**	**135,300,572**
Expenditures	77,302,367	46,450,295	123,752,662
Interfund Transfer Out	1,263,728	1,294,893	2,558,621
Total Usage of Funds	**78,566,095**	**47,745,188**	**126,311,283**
Net Increase/Decrease In Fund Balance	2,867,126	6,122,163	8,989,289
Beginning Fund Balance	28,802,785	11,052,682	39,855,467
Projected Ending Fund Balance	31,669,911	17,174,845	48,844,756
Nonspendable	259,819	-	259,819
Restricted (Program Carryovers)	-	17,174,845	17,174,845
Committed	-	-	-
Assigned/Designated			
Various Designations *	11,198,727	-	11,198,727
Unassigned/Unappropriated			
Designated for Economic Uncertainties	6,315,564	-	6,315,564
Undesignated Reserve	13,895,801	(0)	13,895,801

* Details provided on Slide 16

Unrestricted Expenditures - The ending fund balance, before the State required destination and District destination, for the unrestricted general fund is $31.7M. $11.2M is the amount set aside by the District for anticipated expenditures. About $6.3M is the State required designations. SSFUSD is required to set aside 3%, but being a Basic Aid district, 5% is set aside to use the extra funds for cash flow purposes. The undesignated reserve of $13.9M is needed to help the District balance its budget in 2021-22 and the next two years because the District is deficit-spending. This means the District is spending more than the revenue it takes in and the State requires a school district to have a balanced budget for the current year as well as the next two years. Mr. O noted that when he presented the 2021-22 adopted budget in June, he said the District had to remove the $8.5M for property tax repayment in order to balance the budget for all three years. Without this remaining balance after they closed the books, the District could not balance the books.

Restricted Expenditures - The ending fund balance for the restricted general fund of about $17.2M are funds that need to be carried over into the following year and spent for their intended purpose. They are not funds the District can spend as it chooses. This amount is much larger this year due to carryover of one time unspent Federal and State stimulus funds that the District received late in the year. For example, the Expanded Learning Opportunity grant of about $4.6M and $6.2M in ESSER funds have not been spent and were carried over.

	2020-21 Unrestricted General Fund
Assigned/Designated	
STRS/PERS Increases: 2024-25	350,000
STRS/PERS Increases: 2025-26	650,000
Property Tax Re-Payment - Litigation (Rough Estimate)	8,500,000
Staffing - Grounds Keepers (2)	188,000
Staffing - Custodian for Hillside	85,000
Staffing - Custodian (2) - High Schools	170,000
Carryover - Site Discretionary Funds from 20/21	434,996
Carryover - Site LCAP Funds from 20/21	596,078
Carryover - Other Program Funds from 20/21	224,653
	0
	11,198,727

District reserve designations - the $11.2M are program carryover funds from the prior year. They will be removed from the designation at the 1st interim.

General Fund Summary Comparison (Unrestricted)

General Fund (Unrestricted)	2020-21 Estimated Actual	2020-21 Unaudited Actual	Change
Revenues (with contributions)	80,634,133	81,419,920	785,787
Interfund Transfer In	13,301	13,301	-
Total Sources of Funds	**80,647,434**	**81,433,221**	**785,787**
Expenditures	76,521,836	77,302,367	780,531
Interfund Transfer Out	1,748,000	1,263,728	(484,272)
Total Usage of Funds	**78,269,836**	**78,566,095**	**296,259**
Net Increase/Decrease In Fund Balance	2,377,598	2,867,126	489,528
Beginning Fund Balance	28,802,785	28,802,785	-
Projected Ending Fund Balance *	**31,180,383**	**31,669,911**	**489,528**
* Before District and State Required Designations			

Mr. O said this is a comparison of the estimated actuals, what they anticipate District revenue and expenditures will look like when they close the books. They prepared the estimated actuals at the end of May with the adopted budgets for next year. This is only for the unrestricted general fund, because these funds are not restricted for a specific spending purpose. They were very close with a fallout of approximately $490K as they closed the books.

Other Funds

The State requires districts to track different funds such as Nutrition Services in the Cafeteria Fund 13. Fund 08, a new 2020-21 Student Activity Special Revenue Fund, is one the State is requiring the District to report on any balance for ASB funds, only this year.

Areas of Concern:

- STRS/PERS Increases
- Increases in Special Education Costs
- Re-payment of property taxes due to litigation
- One-time reduction of property taxes in 2021-22 - the District will be losing $4.9M in revenue this coming school year due to a change in the law and the result of a litigation settlement.
- Declining student enrollment
- Shortage of teachers, nutrition service workers, substitutes, and other staff - this is taking place in many other districts as well. Temp agencies are having the same problem and may result in additional costs for the District.
- Additional costs due to COVID-19
- Contributions to other funds to balance the budget due to low enrollment and participation in these programs
- Potential impact of the Delta Variant on the economy which may impact the District.

Next steps

December 2021

- 1st Interim report for 2021-22

January 2022

- Audit report for 2020-21
- Governor's Proposed 2022-23 State Budget Release

Trustee Baker asked for some examples of what restrictions are on the use of the ESSER funds. Mr. O said a big part of the funds must be used to address learning loss. The extra funds could be used to purchase additional equipment such as Chromebooks or iPads, essential protective equipment like face masks, hand sanitizers, and for mental health needs. Trustee Baker asked and Mr. O confirmed that the funds must be used for a specific purpose related to pandemic recovery and cannot be put into the General Fund.

Trustee Baker noted that salaries and benefits are at 89% of unrestricted expenditures and said the Board tries to spend as much as possible on staff, who they value. He compared what was spent last year in unaudited actuals to what is budgeted for next year and with increasing expenditures and a chance of less revenue, there is a risk of eventually using up the unallocated $13M. Mr. O confirmed the District is deficit spending in the current and next two years and unless revenue increases to help balance that, the reserves are being drained significantly.

Trustee Hsieh thanked Mr. O for providing a big picture look at the budget. She asked, since SSFUSD is a Basic Aid district and revenue does not comes from student head counts, about the concern with declining enrollment. Mr. O said 10% of California school districts are Basic Aid and receive the bulk of their revenue from property taxes. However, they are impacted when enrollment declines since the number of students affects Lottery funding and one-time stimulus funds.

Vice President Richardson said the District never has enough and it goes so fast. Restricted funds need to be spent it specific ways and cannot be shifted over to salaries. She wanted to clarify, to the public, that if there is extra money, the Board and Administration are happy to give it to the District's deserving staff.

Trustee Murray thanked Mr. O for being at the helm and making the presentation look so east. There are many uncertainties going forward for every school district.

Student Trustee Avila Gomez asked if the negotiating team has a say in spending funds or will that be in the contract. Mr. O replied that

some program expenditures continue year after year, but occasionally expenditures are based on community feedback, such as adding more counselors. This is why Assistant Superintendent Keith Irish is holding ESSER III funds feedback meetings. The District has over 250 different programs, so it depends on the funding source.

President Lujan thanked Mr. O for an honest, but bleak, look at the budget and presenting it in a way that is easy to understand. She asked how if would affect the budget if the District is unable to fill some paraprofessional positions. Mr. O said the District uses other sources such as third party, temp agencies. However, since there is a high need, they charge outrageous amounts which is an additional cost to the budget. Assistant Superintendent Irish added that for third party paraprofessionals, the cost is three times the usual hourly rate.

INFORMATION/DISCUSSION

1. ADMINISTRATION

a. Discussion on Returning to In-Person Board Meetings

The Board members and Cabinet engaged in a lengthy discussion regarding the timing for returning to in-person meetings at the Baden HS gym.

Superintendent Moore stated that from the onset, based on Governor Newsom's executive order, virtual Board meetings would not have to comply with certain provisions of the Brown Act. Initially this was only intended to last until physical and social distancing was required by the State or local health agencies, but the Governor signed another executive order in June 2021, extending these flexibilities through September 30, 2021. So effective October 1, public agencies were no longer required to stream or accept remote comments at meetings. Dr. Moore said at their May 27 meeting, the school board had a robust conversation about transitioning back to in-person. And at the time, the Board was supportive of maintaining Zoom as a platform and the ability to stream so the community could stay engaged and informed. During that meeting, a majority of the Board discussed that when transitioning back to in-person at Baden HS, they would also like to transfer public comments back to in-person as well. And they agreed to maintain written public comments being submitted in advance of the meetings. At that meeting, the Board also indicated a need to come back and have further conversation to decide when to transition. Initially, only the Board and staff were attending meetings in-person, but this would change to include students, community members, and

everyone else transitioning back as though it was pre-pandemic. Dr. Moore noted that there is an assembly bill which essentially says, school districts and public agencies need to transition back to in-person meetings and if there is a desire to continue with remote meetings, some implications of that bill will need to be taken into consideration.

Trustee Baker said with agencies in other California counties, it is about 60-40 that the meetings are in-person with a remote component. His ongoing concern, for the foreseeable future, is that the District can maintain remote communication with the public whether in-person or not. Every agency he has seen still has a hybrid and does not limit speaking to only those in person. Since students need to be back in class, the Board should be willing to be back to in-person meetings.

Trustee Murray suggested not opening meetings up to in-person until January after flu season and possible increases in CCOVID during the winter. Public speakers should have to come to the meetings and not use a Zoom or other platform to comment. She has learned that most personal communication is body language and you lose a lot of what people are trying to say when they are not in person. She does not have a problem meeting in a building together.

Trustee Hsieh said she had no preference.

Dr. Moore provided more information under the new assembly bill, which comes with a lot of expectations. If the Board still wants to meet remotely, then all rules go back to teleconferencing, pre-pandemic and the Brown Act rules apply. A board needs to proclaim a state of emergency indicating that it is unsafe for their members and the public to meet in person due to an imminent risk to health or safety. That is part of the expectation and must happen with a majority vote. Also, local agencies will have to put an item on their agenda on the Brown Act every 30 days, regarding the circumstances of the emergency and that it is still unsafe to meet in person. Again, the Board would have to vote to continue relying upon the provision for teleconferencing procedures in lieu of in-person meeting. She noted that many boards are transitioning back to in-person because there are a lot of steps the local agencies would have to implement otherwise. When she spoke with high school and unified school district superintendents, many of them are transitioning back to in-person with a caveat if there is a concern about safety. Having attendees show proof of vaccination or proof of a negative COVID test to gain entry into a meeting can be done, which is what the County Superintendent is implementing.

Trustee Hsieh asked for clarification on what in-person means. Dr.

Moore replied it is pre-pandemic in-person.

Vice President Richardson said she asked that this item be placed on the agenda for a practical purpose. Due to her hearing loss, she finds it very difficult to understand people speaking through their masks. Other people have said that without the captions they also would have a hard time understanding some dialogue during the meetings. In returning to in-person, she would like to see everyone. She asked if masks would still be required for in-person meetings. Superintendent Moore confirmed that the California Department of Health has indicated masks are required when on a school campus and the District must follow the same health and safety guidelines.

Student Trustee Avila Gomez asked if the meetings are in-person, would the public not be able to comment via Zoom. Dr. Moore said when the meetings transition, there will be a TV in the room since that is how technology live streams to YouTube. Everyone agreed to continue to live stream. The question is whether to continue to accept public comments virtually or in person. During the last discussion, the majority said they would like to have people come speak in person. Student Trustee Avila Gomez said hearing speakers and what they have to say is important but a large population of the community cannot always show up at Board meetings and still want to share their voices, so she wants to retain letting them call in to comment.

Vice President Richardson commented that some meetings, such as the recent Personnel Commission meeting, are still being held virtually. President Lujan reiterated that the law is changing effective October 1 and everyone is having this discussion right now. Vice President Richardson said anyone who cannot attend the meetings can still email the Board and get their message out. For her, it is important to see them in person.

Trustee Baker agreed with Student Trustee Avila Gomez. During the pandemic, online meetings have brought a wider range of opinions and demographics plus more students are speaking and he would miss that input. It would be more accessible for people who cannot physically attend as well as for people who are hard-of-hearing or English is their second language.

Trustee Murray agreed to continue streaming to keep meetings accessible to all. With the translation, more people are participating through computers. If someone has a comment and cannot come in, the Board is allowing them to continue to email them. She said without having speakers in person, they are missing a lot of what is being said.

Trustee Hsieh asked if remote, the way meetings are being held right

now is still okay. Dr. Moore replied it is, but there are new expectations and the challenge is in trying to do both Zoom calls and email comments. She thinks if the Board decides to also do remote public comments, that is going to be acceptable as long as the they follow the guidance.

Student Trustee Avila Gomez said with emails, they would be losing that element of hearing their voices. It is important to teach students to use their voice even if they are not physically in the meeting room. Public speaking is a life skill and there are lessons to teach them remotely. Making it accessible, live streams, the captions, and the translation should be continued for meetings done in-person.

Trustee Murray said some nuance is lost in reading an email as opposed to talking directly to somebody in a public forum. When there was an important issue for the student population, they came in. Anonymous emails mean the same person can and has sent several different emails or often someone emails and also talks via Zoom. If anyone cannot come to a meeting, email would be fine.

Trustee Baker stated that, in general, the trend is going towards allowing more remote public comment in meetings. Since the District has cameras, screens, and a Zoom account, there will not be any additional fiscal costs to stream anyway.

President Lujan asked if the Board allows public comments, would they need to declare an emergency because they would still be allowing some form of teleconferencing. She said her preference would be in-person comments. Navigating remote comments in concert with all the public comment cards, would be a lot to manage. She does read every email and listens to each comment. She thinks something is lost when she cannot make eye contact with the person making a public comment. Dr. Moore noted that staff is facilitating the extra meetings it is extra work for them to support the other types of communication. It is a challenge to support both.

Vice President Richardson said the Board members monitor their own comments and do not need to have staff in the meetings. Dr. Moore said when there have been some challenges, Technology staff had to intervene. Staff needs to manage online and people physically, plus both the remote and in-room timers, so it is a lot of moving parts. Vice President Richardson said she wants to have access to the public and the public to have access to the Board.

Trustee Baker said he realizes it is extra work, but the benefits of additional public comment outweigh the negatives of having to do both. It also gives them a more representative sample of the community.

Student Trustee Avila Gomez acknowledged the extra work and is thankful for everyone who is helping with Zoom meetings. She said they need to realize they would be limiting the voices of people who are underprivileged and cannot come to Board meetings sometimes. Those are the voices that most need to be heard.

Trustee Murray said if someone is passionate about an issue, or something is important to them, then they go to the meeting and give their comment publicly. A skill to teach people is how to advocate for what you want and to not hide behind a computer and say it.

Trustee Baker said AB 39 only applies to cities and counties with populations greater than 250,000. He thinks once the Governor signs it, the call will go to smaller levels of government. So, the Board can either continue or not and probably in a year from now they will have to start it up again. He would rather the Board be in practice when the time comes.

President Lujan said the Board had deliberated quite a bit and shared a lot of opinions. She was hearing a general consensus for returning to Baden and continue streaming. She took a poll on collecting public comments to see if they need to deliberate further or they were ready to provide direction to staff. Student Trustee Avila Gomez, Trustee Baker, and Vice President Richardson wanted a hybrid version with both in-person and online public comments. Trustee Murray, Trustee Hsieh and President Lujan preferred in-person comments only.

Dr. Moore said the Board needed to get to a place where they are really clear what they want so she and staff can work on how to make it happen.

Trustee Murray inquired if there would be a cost of having more Technology Department staff at the meetings. Dr. Moore said there would be since they would need to have a staff person to manage the in-person and a second staff person to manage the online. Dr. Moore said there are multiple ways to elicit feedback, including when Board members are out in the community. She noted that there would be increased costs for the captioning and Zoom. Running both is going to be an added cost for staffing purposes because it is overtime to have two people present and also having someone check vaccinations is another person. Staff will figure it out, but it is something to consider.

Trustee Baker pointed out that there would be costs for the captioner and the vaccination checker, whether or not the Board is taking public comments. He thinks the technician who sets up and breaks down the devices could probably also manage the online comments. Dr. Moore

said she did not think that would be feasible because someone would be needed to manage the in-person. Since there is a lot of behind the scenes happening, the technician would not be able to manage both.

Student Trustee Avila Gomez said it is important to hear the voices in the October 12 meeting on the SLO MOU between the District and the City.

President Lujan said the desire is to be accessible, but it is also trying to balance cost, the asks on staff, and good facilitation in general.

Trustee Baker said President Lujan needed to reach consensus and technically the student Trustee's vote cannot legally be counted. He added that if the Board decides not to continue remote public comments, this will likely be something he would bring up again later.

Vice President Richardson suggested getting a cost analysis from Mr. O because she did not want to add any more burdens to the budget. Mr. O replied that the costs would be difficult to estimate since some meetings go to ten or eleven at night, which is a lot of overtime. Also, additional meetings are being added during the year. He said it would be pretty significant because there is always overtime pay for additional staff.

Trustee Baker said the Board has two upcoming meetings where they are hoping for large public attendance and/or input. On October 12, the SLO MOU with the City will be discussed. The two topics for the Community Forum on October 21 will be Nutritional Services and potential mandatory vaccinations. These are important topics that affect every student. He suggested making an exception to allow remote comments for these two meetings.

President Lujan recommended using the meetings in the month of October as the transition to allow for both remote and in-person comments and then switching to full in-person in November. Public participants will need to provide proof of vaccination or a negative COVID test. The Board members unanimously agreed to the plan.

2. HUMAN RESOURCES

a. Update on District Enrollment

Assistant Superintendent Spaulding presented information on the enrollment of SSFUSD students for the 2021-22 school year and a 4-year enrollment trend.

<u>First ten days of enrollment.</u>

- The enrollment from all of the District’s schools decreased from last

year to this year. These numbers can change as it is a comparison of only the first ten days of school.
  - Elementary school total was reduced by183 students.
  - Middle school total was reduced by 47 students. Parkway Heights MS had a little growth.
  - High school total was reduced by 27 students.
  - Other programs including independent study, middle college, and other two-day schools was reduced by 20 students.
- For the entire District, there was a loss of 277 students, or a 3.4% decline, from the previous year.

Four year enrollment trend (after the tenth day of school)
- 2018 comparison to 2021:
  - Elementary school total was 3,842 students vs. 3,526.
  - Middle school total was 1,914 students vs. 1,734.
  - High school total was 2,615 students vs. 2,544.
  - Other programs total was 82 students vs. 73.
- For the entire District, there was a loss of:
  - 576 students from 2018 to 2021.
  - In the last four years, the District has lost 1.6% of students.

Dr. Spaulding said the District receives Federal funding based on student enrollment. With declining enrollment, there will be more classroom space. TK will be available for all with eligibility dropping to four-year-old students. Current 21:1 staff will eventually go to a 10:1 ratio. In HR and Student Services, they project staffing needs based on enrollment numbers. Currently, enrollment is much lower than 24:1 in TK to 5th grade. Instead of condensing classes, since the District is coming back from a pandemic, they decided not to close classes or make split classes. That might not be the case for next year if this trend continues. He noted that due to the high cost of living, people are moving out of the area.

Trustee Murray asked if there is a survey to compare this data with the City's data to see how many children live in the City and then compare it to how many students are in the District. Dr. Spaulding replied that they have an enrollment projection ten years out based on the residents, the construction of new buildings in SSF, and the City which shows a decline in enrollment still. A couple of schools are going to increase in enrollment based on where they are in relation to the new buildings, which are mostly on the East side. He noted that the trend is people getting married or having families later and having only one or two children.

Trustee Baker asked if the statistics are enrollment and not ADA. Dr. Spaulding confirmed it is actual enrollment, students in the seats.

Trustee Baker said between the 2000 and 2010 censuses, the SSF population increased, but the number of children five to seventeen decreased by about 700. He does not expect an enrollment increase since most new buildings are studios or one bedrooms. Also, the median age in SSF has gone up as many empty nesters remain in their homes and young people cannot afford to buy here.

Student Trustee Avila Gomez said many teachers call in saying there are too many students in their classroom when enrollment is going down and asked what that means when enrollment increases. Dr. Spaulding replied that the staffing to the sites at the elementary level, from TK to 3rd grade is a 24:1 ratio and for fourth and fifth grade it is 33:1 At middle and high schools, the ratio is 28:1.

Staffing ratios are based on the number of students enrolled. If he was at Buri Buri ES and they had 96 students with 24:1 ratio in K-3rd grade, then they would have four classes and a need for four teachers. When those 96 students got to 4th grade, the ratio is no longer at 24:1 anymore, it ended up being 32:1, or three classes of 32.

With FTE's, full time equivalents, if he picks Alta Loma MS and divides the number of students in a grade by 28, there are a couple of extra FTE's that are allotted from the LCAP and Special Education.

Site administrators make their masters schedule for classes. Elementary school is easy to schedule, but middle and high schools do the master scheduling and there is some technique to it because they need to know how many English classes are needed based on the number of students and the teachers that have the appropriate credentials

If a school's master schedule is well-constructed and clean, they may have one or more classes that have larger enrollment because there is no other place for the students that need that class to go.

Trustee Baker asked where the virtual independent study students are included. Dr. Spaulding said they are counted in the numbers based on their home school.

Vice President Richardson said in 1979 the District had about the same number of students, 8,000, and they were concerned about declining enrollment as well. Based on the census numbers, the District barely gained anything and she is not optimistic, based on several factors, that the enrollment numbers will increase.

The Board recessed at 9:57 p.m. for a break and reconvened at 10:07 p.m.

ACTION

1. ADMINISTRATION

a. Resolution No. 21-47 for Filipino American History Month

Board Clerk Murray read the resolution.

MOTION #43 (Baker/Murray) to adopt Resolution #21-47: Honoring Filipino American History Month. (AYES: Student Trustee Avila Gomez, Baker, Hsieh, Lujan, Murray, Richardson; NOES: None). Motion Carried. (Unanimous)

b. Approval of District's New and Updated Board Policies

MOTION #44 (Baker/Hsieh) to approve the District's new and updated Board Bylaw and Board Policies listed below with the waiver for a second reading. Motion Carried. (Unanimous)

1. BP 3471 - Parcel Taxes
2. BP 3551 - Food Service Operations/Cafeteria Fund
3. BP 4112.2 - Certification
4. BP 5141.52 - Suicide Prevention
5. BP 5144.1 - Suspension and Expulsion/Due Process
6. BP 6172.1 - Concurrent Enrollment in College Classes

b. Approval of 2021-22 SSFUSD Governance Calendar

MOTION #45 (Baker/Murray) to approve the SSFUSD 2021-22 Governance Calendar, which highlights when certain items come before the Board, categorized by department and month. Motion Carried. (Unanimous)

2. EDUCATIONAL SERVICES

a. Approval of Migrant Education Memorandum of Understanding (MOU) for 2021-22

MOTION #46 (Murray/Hsieh) to approve the Migrant Education MOU with the Santa Clara County Office of Education for the 2021-22 school year. Motion Carried. (Unanimous)

b. Approval of Contract with ATX Learning for 2021-22

Trustee Baker asked what has been done to support supports up to now. Assistant Superintendent Irish replied that pool substitutes have been teaching.

MOTION #47 (Baker/Murray) to approve a contract with ATX Learning for the District to fulfill Individualized Education Plan (IEP) service agreements for the 2021-22 school year. Motion Carried. (Unanimous)

c. Approval of Agreement with Learning A-Z for 2021-22

MOTION #48 (Hsieh/Baker) to approve an agreement for services with Learning A-Z to deliver effective differentiated instruction for the 2021-22 school year. Motion Carried. (Unanimous)

d. Approval of Work Experience Can Work Agreement for 2020-23 and Adoption of Resolution #21-39

MOTION #49 (Baker/Murray) to approve the Department of Rehabilitation's Work Experience Can Work agreement for the 2021-24 school years and adoption of resolution #21-39, authorizing designated District personnel to sign. (AYES: Student Trustee Avila Gomez, Baker, Hsieh, Lujan, Murray, Richardson; NOES: None) Motion Carried (Unanimous)

3. HUMAN RESOURCES

a. Resolution No. 21-48 Week of the School Administrator

Trustees Murray and Baker read the resolution.

Trustee Murray thanked all the District school site administrators for their work. SSFUSD is the best school district in the world because of its great leaders. Vice President Richardson said she seconded that.

MOTION #50 (Murray/Richardson) to adopt Resolution#21-48: To honor the contributions of the District's school leaders during the week of October 10 - 16, 2021. (AYES: Student Trustee Avila Gomez, Baker, Hsieh, Lujan, Murray, Richardson; NOES: None). Motion Carried. (Unanimous)

b. Approval of a Provisional Internship Permit

MOTION #51 (Baker/Murray) to approve a Provisional Internship Permit for Richard Mendez, a certificated employee at SSFHS.

Motion Carried. (Unanimous)

c. Approval of a Variable Term Waiver

MOTION #52 (Murray/Richardson) to approve the Variable Term Waiver for Wilfredo Feliciano, a certificated employee at ECHS. Motion Carried. (Unanimous)

4. BUSINESS SERVICES

a. Approval of Unaudited Actuals Report

MOTION #53 (Hsieh/Richardson) to approve and authorize the submittal of the 2020-21 unaudited actual financial operating results of all District funds, to the San Mateo County Office of Education. Motion Carried (Unanimous)

d. Approval of Audio/Video System Upgrade at Martin ES

MOTION #54 (Richardson/Murray) to approve the quote from AVI-SPL for upgrading the audio/video system at Martin ES. Motion Carried. (Unanimous)

REVIEW OF FUTURE AGENDA ITEMS AND MEETINGS *(subject to change)*

Board meetings are returning to in-person and are being held in the Baden HS gym starting on October 7, 2021.

October 7, 2021

- Teaching and learning presentation - SSFHS
- Williams report for 3rd quarter ending 9/30/21
- Authorization to Respond to the 2020-21 Grand Jury Report: "*Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools.*"
- Resolution honoring Native American Heritage History Month (November)
- Approval of Superintendent's contract extension
- Approval of SMCOE agreement for K-12 strong workforce program grant
- Approval of independent study MOU
- Approval of ESSER III funds Expenditure Plan

October 12, 2021 – Special Meeting

- Discussion/approval of SSFUSD SLO MOU with the City

October 21, 2021 - *Community Forum*

- Nutrition Services (long food lines and breakfast service at MS and HS)
- Mandatory vaccinations for students 12+ medically eligible to receive them

November 18, 2021

- Teaching and learning presentation - Los Cerritos ES
- Presentation on the Nutrition Services Department
- Approval of the 2022 Summer School programs
- Update on Safe School Plans

December 9, 2021

- Board of Trustees reorganization
- Resolution honoring outgoing Board President
- Selection of Trustees to District sub-committees/committees
- Teaching and learning presentation - Ponderosa ES
- Teaching and learning presentation - Children's Center
- Presentation on Performance Management - CTE
- Presentation and approval of 1st interim budget report "positive certification"
- Approval of San Mateo Co. QRIS block grant for 2021-22
- CSBA Delegate Assembly nomination(s)

January 13, 2022

- Recognition for outgoing Student Trustee Avila Gomez
- Teaching and learning presentation - Monte Verde ES
- Presentation on Performance Management - Special Education
- Audited actuals report for the fiscal year ended June 30, 2021
- Approval of SARCS
- Resolution honoring African American History Month (February)
- Williams report for 4th quarter ending 12/31/21
- Update on Governor's 2022-23 budget proposal

February 10, 2022

- Introduction of new Student Trustee Verino
- Teaching and learning presentation - Westborough MS
- Presentation on Genentech and Science

February 24, 2022

- Teaching and learning presentation - ECHS
- Presentation on Performance Management - English Learners
- Resolution honoring Women's History Month (March)
- Resolution for Red Cross Month (March)
- 2022 CSBA Delegate Assembly election

SUMMARY OF BOARD DIRECTIVES - None

GOOD AND WELFARE

Student Trustee Avila Gomez encouraged everyone to attend their various school events. Football and volleyball games are free right now, but attendees must be masked.

Trustee Murray said she attended the flag raising event at ECHS on September 10, which was probably the most significant thing that she has done in the last month. Principal Lunt had some first responders raise the flag in commemoration of 9/11. It was very touching, very well done, and she loved it. She was going to attend the mass for Mr. Cresta tomorrow. She said several members of her family had him as their teacher since the '70's and he inspired students in his Auto Shop classes.

Trustee Baker said he was also at that flag ceremony and it was emotional. This afternoon he attended the viewing for Mr. Cresta and said it is hard to imagine someone teaching for 57 years. He almost outlasted three decades worth of employees. Trustee Baker also met the family today and they were surprised and touched by the outpouring of support and memories from the school community, and wanted that to be passed on to the Board.

Vice President Richardson said she attended the SEPAC meeting for Special Education, and the parents were very attentive to the speaker. She went to two funeral wakes. One was for a SSFUSD alumni and member of the Hispanic community. The second one was for Mr. Cresta who was an inspiration to students. Yesterday, she went to the girls' volleyball game against JeffersonUHSD and they played their hearts out.

President Lujan thanked the teachers, Classified staff and administrators. This week the Board received a lot of communication from teachers, and members of District staff and thanked them for their engagement and reassured them that every communication is read. She also appreciates their work to support the students.

ADJOURNMENT – 10:29 p.m. in memory of

- **John Perrick**, a District employee who passed away on September 5 at the age of 82. He worked as an electrician beginning in 2000 until 2006.
- **James Cresta**, an ECHS teacher who passed away from natural causes on September 11. He began working for the District in 1964 as an Auto Shop and Health teacher and remained for 57 years.

TO THE BOARD OF TRUSTEES FROM THE SUPERINTENDENT

It is recommended that the following Certificated Personnel items be approved:

CERTIFICATED CONTRACT 2021-2022

Paz Cedillos, Gilma will be placed at the District Office as a TOSA for Curriculum & Instruction on a Probationary contract effective October 4, 2021. Salary placement FM-11.

ADJUST ASSIGNMENT

Brown, Jamahl, a teacher at El Camino High School, from 1.0 FTE to 1.2 FTE, effective September 23, 2021.
Feliciano, Wilfredo, a teacher at El Camino High School, from 1.0 FTE to 1.2 FTE, effective September 23, 2021.

MEMORANDUM OF UNDERSTANDING AND AGREEMENT

Authorizes the Superintendent to enter into a partnership by and between California State University East Bay and South San Francisco Unified School District will provide fieldwork instruction through student teaching, practicum experiences and/or fieldwork experiences to selected students of the University teachers effective September 23, 2021, through July 31, 2026.

California State University, East Bay
College of Education and Allied Studies

Multiple Subject Teaching Credential
Single Subject Teaching Credential
Education Specialist Credential, Mild Moderate Disabilities
Education Specialist Credential, Moderate Severe Disabilities

MEMORANDUM OF UNDERSTANDING

Student Teacher Under District Employment Contract (i.e., Intern)
Support, Mentoring and Supervision

This MOU is an agreement between the Trustees of the California State University, hereinafter called the "TRUSTEES," on behalf of **California State University, East Bay**, hereinafter called "CSU East Bay" and the **South San Francisco Unified School District**("District"), effective as of **September 23, 2021**.

1.0 Responsibilities Shared by the CSU East Bay and the District

1.2 CSU East Bay and the District share responsibility for providing each paid "Intern" with 189 minimum hours of annual support, mentoring and supervision. The 189 hours will include 144 hours of support, mentoring, and supervision in general education and/or Special Education and an additional 45 hours of annual support, mentoring, and supervision related to teaching English learners.

1.3 "Interns" who begin their District employment after the beginning of the school year shall receive a minimum level of support, mentoring, and supervision prorated equal to the number of instructional weeks remaining in the school year.

1.4 "Interns" who are appointed at a time base of less than 1.00 or for less than a full year shall receive support that is commensurate with the percentage of their employment from the district. All Interns will receive full university support as mandated by the CTC.

1.5 A minimum of two hours of support, mentoring, and supervision shall be provided to an intern teacher every five instructional days.

1.6 The District certifies that "interns" do not displace certificated employees and that personnel are unavailable for the position. An effort is being made to develop a future applicant pool in high need areas.

1.7 The District ensures that the "intern" is teaching in his or her area of subject matter competence as evidenced by CSET or subject matter waiver.

2.0 CSU East Bay Personnel and Resource Support

2.1 CSU East Bay "Intern" Coordinator

CSU East Bay shall appoint a CSU East Bay "Intern" Coordinator to perform the following:

a. Support all CSU East Bay "Interns";
b. Assist and monitor all "Interns" and CSU East Bay's University Supervisors;
c. Work closely with the District's Employer Provided Mentors (EPM) by providing training to all CSU East Bay US and will coordinate training of EPM with the district; and

d. Monitor the "intern's" completion of the "Intern" Support Record, documenting that the required number of hours of Support/Mentoring and Supervision have been met.

2.2. CSU East Bay University Supervisor

CSU East Bay shall designate a University Supervisor (US) to provide support, mentoring and supervision. It shall be the responsibility of CSU East Bay to provide compensation and/or release time to the US. The US shall possess each of the following qualifications:

a. Current knowledge of the content the intern teaches,
b. Understanding of the context of public schooling,
c. Ability to monitor best professional practices in teaching and learning, scholarship, and service,
d. Knowledge about diverse abilities, cultural, ethnic and gender diversity, and English language development
e. Thorough grasp of the academic standards and accountability systems that drive the curriculum of public schools
f. A corresponding teaching credential as the "Intern" will earn or an Administrative Services Credential (general education only)

3.0 District Personnel and Resource Support

3.1 Employer Provided Mentor

The District shall designate an Employer Provided Mentor (EPM) to provide Support/Mentoring and Supervision to each "Intern". The EPM cannot be an administrator or evaluator of the "Intern". It shall be the responsibility of the District to provide compensation and/or release time to the EPM. The EPM shall possess each of the following qualifications:

a. Valid corresponding Clear or Life credential same as the "Intern" will earn;
b. Three years or more successful teaching experience; and
c. English Learner (EL) Authorization.

3.2. CSU East Bay University Supervisor – Employee Provided Mentor Meetings

The "Intern", the US and the EPM shall meet in person at least 3 times per semester to discuss the "Intern's" progress.

3.3 Release Time

The District shall provide release time as needed for the "Intern" and EPM to meet. If there are no English learners in the "intern's" assigned class(es), the District shall provide release time for the "intern" to observe and work with English learners in another class or school.

3.4 Employee Provided Mentor (EPM) Training

The District is responsible for the training of EPMs with the assistance of the CSU East Bay "Intern" Coordinator.

4.0 CSU East Bay-Provided Support, Mentoring, and Supervision Support

4.1 General Education and/or Special Education Observations by CSU East Bay University Supervisor:

4 visits to observe the "Intern" teaching, followed by one-on-one conferences totaling at least **8 hours per semester**.

4.2 English Learner (EL) Observations by University Supervisor:

2 visits to observe the "Intern" teaching English Learners, followed by one-on-one conferences addressing issues related to English learners totaling at least **4 hours per semester**.

4.3 Online Discussion Board, Email, and Phone Support by University Supervisor (US)
US will provide **10 hours** per academic year of support and mentoring via Blackboard Discussion Board, email, and phone.

4.4 Seminars:
"Interns" will attend a fieldwork or other support seminar each semester for a total of 2 semester units or 30 **hours minimum**

4.5 Intern" Support Record, or "My Internship Journal":
"The "Intern" Coordinator will communicate with "Interns" by email and/or phone and will monitor their completion of the "Intern" Support Record using the "app" "My Internship Journal" **for a total of 5 hours** per semester.

5.0 District-Provided Support, Mentoring, and Supervision

5.1 General Education and/or Special Education Support and Supervision by Employee Provided Mentor (EPM)
The EPM will provide a minimum of **13 hours** of support/mentoring and supervision per semester during school hours, including coaching, modeling, and demonstrating within the classroom, assistance with course planning and problem-solving regarding students, curriculum, and effective teaching methodologies.

5.2 English Learner Support and Supervision by Employee Provided Mentor
The EPM will provide a minimum of **5 hours** per semester of support and supervision related to English Learners during the school day.|

5.3 District and School Site Professional Development and Meetings
"Interns" will attend a minimum of **45 hours** per semester of District and school site-sponsored events including New Teacher Orientation, Grade Level, Department Meetings, Faculty meetings, and Professional Development Seminars.

5.4 The EPM will be invited to use "My Internship Journal" by the CSU East Bay "Intern" Coordinator.
The EPM will use this program to approve support that is provided to the "Intern".

6.0 Additional Support Provided by the CSU East Bay and District (Shared Responsibility)

6.1 The US, the EPM, and the "intern" will meet **3 hours per semester**.

6.2 Individualized "Intern" Plan (IIP)

a. The US, EPM, and the "Intern" shall develop the Individualized "Intern" Plan (IIP) during the first three weeks of school year.

b. The IIP will specify the support, mentoring, and supervision the "Intern" will receive so that the total hours of annual Support/Mentoring and Supervision equal to 144 hours plus 45 additional hours specific to the needs of English Learners.

c. The plan shall be approved by the CSU East Bay "Intern" Coordinator. The following are suggested mentoring activities that may be included in the plan, in addition to those mentioned above:

1. Observation of others teaching
2. Supervision of the "Intern"
3. Conferences, in person
4. Email or telephone conferences
5. Grade level/department meetings
6. Instructional planning
7. Logistical help before or after school (bulletin boards, seating arrangements)
8. Participation in District or Regional conferences
9. Review and discuss test results
10. Editing work-related writing (letters to parents, announcement, etc.)
11. Completion of interactive journal (Intern and either US or EPM)
12. Mentoring activities specific to Special Education interns such as the development of IEPs and conferences with general education teachers

d. "Interns" are expected to attend all CSU East Bay classes; they may not attend District-sponsored activities or engage in extra paid assignments that interfere with class attendance.

7.0 "Intern" Contract with the Teacher Education Department at CSU East Bay

a. Each "Intern" will sign a contract agreeing to terms and responsibilities that are congruent with this MOU.
b. The "Intern" Contract will include the names of the CSU East Bay University Supervisor (US) and the Employer Provided Mentor (EPM)
c. By signing the contract the "intern" acknowledges that the internship may be revoked if the terms are not met.

7.1 Individual "Intern" Profile

a. CSU East Bay will maintain a computer-based Individual "Intern" Profile (IIP) for each Intern, summarizing the type and quantity of *Support/Mentoring and Supervision each Intern receives*
b. *CSU East Bay, the District*, and the "Intern" will all provide information, as requested, to the CSU East Bay "Intern" Coordinator.
c. "Intern" will register and provide all information online as required by the "Intern" Contract and this MOU.

7.2 "Intern" Support Record

a. Each CSU East Bay "intern" will complete an online "Intern" Support Record using "My Internship Journal" that documents the support received from CSU East Bay and District personnel.
b. The "Intern" Coordinator will monitor completion of the "Intern" Support Records using "My Internship Journal" for each "intern".

7.3 Oversight by Accreditation Coordinator

a. The CSU East Bay Accreditation Coordinator, working with the CSU East Bay Intern Coordinator, shall make recommendations to the CSU East Bay Chair of the Department of Teacher Education, the Chair of the Department of Educational Psychology and the CSU East Bay Dean of the College of Education and Allied Studies regarding the performance of the CSU East Bay University Supervisors and the performance of the District in meeting all requirements included in this MOU.

b. The Accreditation Coordinator is responsible for reporting compliance with the "Intern" Support requirements to CTC.

7.4 Oversight by CSU East Bay Dean

The CSU East Bay Dean of the College of Education and Allied Studies shall notify appropriate District administrators if CSU East Bay has concerns about the performance of District personnel.

7.5 Oversight by District Administrator
Appropriate District administrators shall notify the CSU East Bay Dean of the College of Education and Allied Studies if there are concerns about the performance of CSU East Bay personnel.

8.0 Term of the Agreement; Amending the Agreement; Termination of the Agreement

8.1 This Agreement shall be in effect beginning with the 2021 - 2022 school year and shall be continuous and be in place for each subsequent academic year until it is either amended or terminated by either party pursuant to sections 8.2 and 8.3 below.

8.2 Either the District or CSU East Bay may request that the other party meet to consider amendments to this Agreement at any time during the initial term or any subsequent renewals, in writing signed by both parties.|

8.3 This Agreement may be terminated at any time by amending the termination date by written instrument signed by both parties in compliance with Section 9.0. General Provisions of this agreement or upon 30 day's advance written notice by one party to the other, provided, however, that in no event shall termination take effect with respect to currently enrolled interns, who shall be permitted to complete their training for any semester in which termination would otherwise occur.

8.4 CSU East Bay may request that the other party meet to consider amendments to this Agreement at any time during the initial term or any subsequent renewals, in writing signed by both parties.

8.5 This Agreement shall be effective as of **September 23, 2021** and shall remain in effect for five (5) years, terminating on **July 31, 2026**.

9.0 General Provisions

9.1 General Indemnity: The District and the CSU East Bay agree to indemnify, defend and hold harmless each other from any and all liability for any personal injury, damages, wrongful death or other losses and costs, including but not limited to reasonable attorney fees and defense costs, arising out of the negligence or willful misconduct of their respective officers, employees, agents or volunteers in the performance of this Agreement. This paragraph will survive expiration or termination of this Agreement.

9.2 Insurance Requirements Each party agrees to maintain commercial general liability coverage of at least $2,000,000 per occurrence, $4,000,000 aggregate and to provide evidence of coverage upon request. Insurance must be placed with insurers with a current A.M. Best rating of at least A: VII.

9.3 Workers' Compensation insurance coverage as required by the State of California.

9.4 District or CSU East Bay shall require University students assigned to the District pursuant to this MOU to comply with Education Code Section 45125.1, to a background check, paper screening, and Livescan clearance from Department of Justice and Federal Bureau of Investigation.

9.5 District or CSU East Bay shall require University students assigned to the District pursuant to this MOU to comply with Education Code Section 49406 to University students to provide evidence of negative tuberculosis test performed within 60 days of "Intern's" start date.

9.6 All parties shall agree that no person, patient, client, staff or student shall, on the basis of religion, race, color, national origin, ancestry, ethnic group identification, sex, physical handicap, mental disability, medical condition, marital status, age (over 40) or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under this agreement.

9.7 Mandatory Instruction and Reporting: Before a "Intern" is assigned to the District for placement, the CSU East Bay shall instruct such student on the applicable state and federal laws regarding unlawful discrimination (California Education Code sections 200-283 and Title IX, Section 504, Title VI) and mandated reporting of child abuse (Penal Code sections 11164-11174.35).

9.8 The District and CSU East Bay will meet upon request or as necessary to resolve any potential conflicts and to facilitate a mutually beneficial experience for all involved.

9.9 Provide the student with general and professional liability insurance in the amount of $1,000,000 per occurrence, $3,000,000 general aggregate. This insurance only applies if both parties have signed this Agreement.

9.10 Nothing contained in this Agreement confers on either party the right to use the other party's name without prior written permission, or constitutes an endorsement of any commercial product or service by the CSU East Bay.

9.11 This Agreement may not be altered unless both parties agree in writing. The parties agree to follow all applicable Federal, State and Local laws and regulations, including but not limited to laws prohibiting discrimination and harassment.

Notices required under this Agreement shall be sent to the parties by certified or registered mail, return receipt requested, postage prepaid, at the addresses set forth below:|

District:
South San Francisco Unified School District
Human Resources and Student Services
Jay Spaulding Ed, D
Assistant Superintendent of HR
398 B Street
S.San Francisco, CA 94080
650.877.8725
jspaulding@ssfusd.org

CSU East Bay:
Program Issues
College of Education & Allied Studies
Eric Engdahl, Department Chair
Hayward, CA 94542
510-885-4599 | eric.engdahl@csueastbay.edu

Contract Issues:
College of Education & Allied Studies
Robert Williams, Dean

Hayward, CA 94542
510-885-7439 | Robert.williams@csueastbay.edu

IN WITNESS WHEREOF, this agreement has been executed by and on behalf of the parties hereto, the day and year first above written.

The District is aware of and informed about the hazards currently known to be associated with the novel coronavirus referred to as "COVID-19". The District is familiar with and informed about the Centers for Disease Control and Prevention (CDC) current guidelines regarding COVID-19 as well as applicable federal, state and local governmental directives regarding COVID-19. The District, to the best of its knowledge and belief, is in compliance with those current CDC guidelines and applicable governmental directives. If the current CDC guidelines or applicable government directives are modified, changed or updated, the District will take steps to comply with the modified, changed or updated guidelines or directives. If at any time the District becomes aware that it is not in compliance with CDC guidelines or an applicable governmental directive, it will notify the University of that fact.
California State University, East Bay agrees to the terms and conditions described in this document:

By_____ By _____
Authorized Signature Date Authorized Signature Date

Robert Williams, Eric Engdahl,
Dean, College of Education & Allied Studies Department Chair-Teacher Education Dept

South San Francisco Unified School District agrees to the terms and conditions described in this document.

By: _____
Signature, District Representative Date

_____
Printed Name & Title

By: _____
Signature, Teachers' Association Representative (if applicable Date

_____
Printed Name & Title

By: _____
Signature, School Board Certification (if applicable) Date

_____
Printed Name & Title

Appendix A

"Intern" Support: A Shared Commitment to Excellence in Teaching
196 Hours of Support per School Year

CSU East Bay Support: University Supervisor (US), Intern Coordinator	District Support: Employer Provided Mentor (EPM)	Shared Responsibility
<u>Regular Ed/Special Ed: US Observations and Conferences</u> • 8 observations of the "Intern" teaching and follow-up conferences (2 hours each) <u>EL: US Observations and Conferences</u> • 4 observations of the "Intern" teaching EL and follow-up conferences (2 hours each) **Total 24 hours** **(1 hour per week)**	<u>Regular Ed/Special Ed: EPM Support, Mentoring and Supervision</u> • **26 hours** of support, mentoring, and supervision within the school day <u>EL: EPM Support and Supervision</u> • **10 hours** of support, mentoring, and supervision related to English Learners during the school day (May include observations of EL in other classrooms) **Total 36 hours** **(1 hour per week)**	<u>"Intern", US, EPM Meetings</u> • The "intern", the US and the EPM shall meet in person at least three times per semester (6 meetings, 1 hour each) to discuss the "Intern's" progress. • During the first meeting the "intern", the US and the EPM will develop an Individualized "Intern" Plan (IIP), describing the support, mentoring and supervision the "intern" will receive The plan shall be approved by the CSU East Bay "Intern" Coordinator. **Total 6 hours**
<u>Seminars</u> • Candidates will attend online and face-to-face fieldwork or other seminars focusing on problem solving with students, curriculum, and instruction for regular education and EL students (minimum of two semester units) **Total 30 hours** <u>"Intern" Coordinator</u> • The "Intern" Coordinator will communicate with interns by email and/or phone and will monitor their completion of the "Intern" Support Record using the "app" "My Internship Journal" **Total 10 hours**	<u>District or School-Sponsored Professional Development, Meetings</u> • "Interns" will attend a minimum of 90 hours of district and school site-sponsored professional development and meetings including new teacher orientation, grade level, department meetings, faculty meetings, and professional development seminars. Candidate-initiated observations are also included. **Total 90 hours**	

Appendix B

The District and CSU East Bay will exchange the following contact information required in the "Intern" Support, Mentoring and Supervision of the Memorandum of Understanding in the MOU.

I. California State University, East Bay

A. Program Director Contact Information

Name:	Robert Williams
Title	Dean
Department:	College of Education & Allied Studies
Contact	Sarah Arnett
Telephone Number:	510-885-2272
Email:	sarah.arnett@csueastbay.edu
Mailing Address:	25800 Carlos Bee Blvd, AE-235, Hayward, CA 94542

B. Intern Program Coordinator:

Name:	Eric Engdahl
Title	Department Chair
Department:	Teacher Education Department
Telephone Number:	510-885-4599
Email:	eric.engdahl@csueastbay.edu
Mailing Address:	25800 Carlos Bee Blvd, AE-246, Hayward, CA 94542

II. __ South San Francisco Unified School District

A. Program Director Contact Information:

Name:	Jay Spaulding
Title	Assistant Superintendent
Department:	Human Resources & Student Services
Telephone Number:	6508778725
Email:	jspaulding@ssfusd.org
Mailing Address:	398 B St. South San Francisco, CA 94080

B. Program Coordinator:

Name:	
Title	
Department:	
Telephone Number:	
Email:	
Mailing Address:	

TO THE BOARD OF TRUSTEES FROM THE SUPERINTENDENT

It is recommended that the following Classified Personnel items be approved:

EMPLOYMENT

Stookey, Melissa, Purchasing Technician – Nutrition Services, District Office, 7.5 hours per day, Range 40B, Step 5, effective August 30, 2021.

Chowdhury, Waziuddin Director of Facilities and Safety, District Office, 7.5 hours per day, Range 21N, Step 6, effective September 7, 2021.

Moran, Maureen, Nutrition Services Assistant I, Alta Loma Middle School, 2 hours per day, Range 25H, Step 5, effective September 10, 2021.

Gorriceta, Pablo III Lino, Nutrition Services Assistant I, El Camino Central Kitchen, 7.5 hours per day, Range 25H, Step 2, effective September 21, 2021.

Demartini, Robert, Paraprofessional II – Special Education, Adult Education, 6 hours per day, Range 29, Step 5, effective September 22, 2021.

Robinson, Jillian, Paraprofessional II – Special Education, Junipero Serra Elementary School, 6 hours per day, Range 29, Step 5, effective September 28, 2021.

RESIGNATION

Singh, Denise, Budget Technician, District Office, 7.5 hours per day, Range 42, Step 4, effective September 10, 2021.

Sharma, Rajiv, Budget Technician, District Office, 7.5 hours per day, Range 42, Step 4, effective October 1, 2021.

Debost, Francoise, Director of Nutrition Services, District Office, 7.5 hours per day, Range 21N, Step 6, effective October 8, 2021.

DEMOTION IN LIEU OF LAYOFF

EIN 6324, Paraprofessional II – Special Education, Westborough Middle School, 6.0 hours per day, Range 29, Step 5, to Paraprofessional I – Special Education, Westborough Middle School, 6.0 hours per day, Range 26, Step 5, effective September 10, 2021

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Ted O, Assistant Superintendent – Business Services

DATE: October 7, 2021

RE: Acceptance of Gifts

BACKGROUND:

The District has received the attached list of cash and in-kind gifts during the month of September 2021.

FISCAL IMPLICATIONS:

The gifts will benefit the District Office or school site that has been requested by the donors.

RECOMMENDATION:

Staff recommends that the Board of Trustees accepts the gifts on behalf of the District.

TO THE BOARD OF TRUSTEES FROM THE SUPERINTENDENT – ACCEPTANCE OF GIFTS FOR SEPTEMBER 2021.

It is recommended that the South San Francisco Unified School District Board of Trustees accept the following gifts for the District:

$10,000 – Non-monetary donation of 516 Kindergarten Kits (colored pencils, crayons, markers, pencil case, erasers, glue and more) valued roughly at $10,000 from Rotary Club of South San Francisco to the South San Francisco Unified School District elementary schools.

$300 from Anonymous donor via PG&E Employee & Matching Donations to Monte Verde Elementary School in support of academic excellence, for use under the principal's discretion.

$200 from Mr. Stephen Kwong via PG&E Employee & Matching Donations to Monte Verde Elementary School in support of academic excellence, for use under the principal's discretion.

$200 from Mr. and Mrs. Lyndon Lim to El Camino High School in support of academic excellence, for use under the principal's discretion.

$100 from Mr. and Mrs. Florentino Lavilla to El Camino High School in support of academic excellence, for use under the principal's discretion.

$100 from Kathy Rudy to El Camino High School in support of football activities.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Ted O, Assistant Superintendent – Business Services

DATE: October 7, 2021

RE: Approval of 2021-22 Fundraisers

BACKGROUND:

Each year, the Board of Trustees approves all fund-raisers to be held on behalf of the schools and students of the District. 2021-22 will be a unique year due to the COVID-19 pandemic. The approval of these school fundraisers is only valid if the school returns to the traditional in-person learning model or done online.

The following fund-raisers are being submitted for approval:

El Camino High School

Class of 2022	Purple Kow Fundraiser – Selling boba drinks from Purple Kow during the varsity football game. Commencing Friday, September 24, 2021 from 6:30 p.m. to 8:30 p.m.
Freshman Class Office	Donut Fundraiser – Selling donuts at the Homecoming Dance in the El Camino Courtyard. Commencing Saturday, October 23, 2021.
Class of 2024	Homecoming Pizza Fundraiser – Selling pizza during the Homecoming Dance in the El Camino Courtyard. Commencing Saturday, October 23, 2021.

FISCAL IMPLICATIONS:

All funds from approved fund raisers are accounted for in the School Site Associated Student Body (ASB).

RECOMMENDATION:

Staff recommends that the Board of Trustees approve the fundraisers listed above.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Ted O, Assistant Superintendent – Business Services

DATE: October 7, 2021

RE: Professional Services Agreements Under $25,000

BACKGROUND:

The following Professional Service Agreements are being submitted for approval:

District Office – Superintendent

Not to exceed $25,000	Worksite Labs (WSL) – Providing COVID-19 Testing and Contact Tracing services in alignment with the San Mateo County Superintendent's current contact tracing requirements and protocols. Commencing through 2021-22 school year.

District Office – Ed Services

$6,000	Elliot Y. Merenbloom – Specializes in providing districts with innovative school schedules to meet identified needs and stay in compliance with contractual language. Merenbloom Consulting will help with redesigning our Middle School class schedules. Commencing October 2021 through June 2022.
$17,026	Magali Yanez – Providing direct instruction in a small group to foster and develop literacy skills for students who are below the 35th percentile rank, grades K-4. Commencing October 2021 through June 2022.
$750	San Mateo County Office of Education (SMCOE) – Providing SSFUSD staff 2 Workshops: The Art of Self

Care and Lead with Your Humanity. Commencing November 1, 2021.

Ponderosa Elementary School

$3,600 Soul Shoppe – Providing four (4) grade level Livestream Lessons to support social emotional learning. Commencing throughout the 2021-22 school year.

Sunshine Gardens Elementary School

$6,050 Soul Shoppe – Providing Tools of the Heart Digital Course with four (4) Livestream Lessons to support social emotional learning. Commencing throughout the 2021-22 school year.

FISCAL IMPLICATIONS:

Listed above.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the professional services agreements as presented.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Jay Spaulding, Ed. D., Assistant Superintendent, Human Resources and Student Services

DATE: October 7, 2020

RE: Quarterly Report on Williams Uniform Complaints – July 1, 2020 through September 30, 2021

BACKGROUND:

The passage of legislation in the wake of the Williams Case Settlement (Education Code Section 35186) requires all school districts in California to prepare a report summarizing data on the nature and resolution of all Williams Uniform Complaints received by the district in the past three months. Districts must submit these reports even if there have been no complaints received during that time period. The information is to be reported publicly at a governing board meeting and submitted to the County Superintendent of Schools in April, July, October, and January.

No complaints were filed this quarter.

FISCAL IMPLICATIONS:

None

STAFF RECOMMENDATION:

For information only.

SAN MATEO COUNTY OFFICE OF EDUCATION

Excellence and Equity in Education

Quarterly Report – *Williams* Uniform Complaints
[Education Code § 35186]

District: South San Francisco Unified School District

Name & Title of Preparer: Jay Spaulding, Assistant Superintendent, Human Resources

Quarter Reported: (check one)

X 1st Quarter: July 2021 through September 2021 – Due October 2021
☐ 2nd Quarter: October 2021 through December 2021 – Due January 2022
☐ 3rd Quarter: January 2022 through March 2022 – Due April 2022
☐ 4th Quarter: April 2022 through June 2022 – Due July 2022

Date for information to be reported publicly at governing board meeting: October 7, 2021.

Please check the box that applies:

X No complaints were filed with any school in the district during the quarter indicated above.

☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints. **Copies of the complaint and the district's written response will be submitted along with this report.**

General Subject Area	Number of Complaints Received	Number of Complaints Resolved	Number of Complaints Unresolved
Instructional Materials and Textbooks	N/A	N/A	N/A
Facility Conditions	N/A	N/A	N/A
Teacher Vacancy or Misassignment	N/A	N/A	N/A
TOTAL	N/A	N/A	N/A

Shawnterra Moore _____

Name & Signature of Superintendent

Date: _____

Sign and date the report ***after*** it is presented at your board meeting. Please submit the executed report to Systems for District Improvement via email at sdi@smcoe.org.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Jay Spaulding, Ed. D., Assistant Superintendent, Human Resources and Student Services

DATE: October 7, 2021

RE: SSFCTA Additional Sunshine Proposal

BACKGROUND:

Prior to commencing negotiations, California law (Government Code section 3547) requires that a school district and the exclusive employee representative present their respective initial proposals at a public meeting. We are negotiating a successor agreement outlined in the South San Francisco California Teachers Association (SSFCTA) collective bargaining agreement in which both parties agree to reopen for negotiations. The SSFCTA is submitting an additional item to sunshine in a public hearing. Following the presentation, a public hearing will be conducted to provide an opportunity for members of the public to comment on SSFCTA's proposal. During these negotiations, the District's proposals and its responses to SSFCTA's proposals shall be guided by the District's commitments to student learning and achievement, fiscal responsibility, and the long-term stability of the District.

FISCAL IMPLICATIONS:

TBD

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the SSFCTA's additional proposal to the SSFUSD.

To: Dr. Shawnterra Moore, Superintendent, SSFUSD

From: Danny Yanow, President, SSFCTA

Date: September 28, 2021

Re: Sunshine Statement for Successor Negotiations 2021 - 2024

In accordance with Government Code section 3547, the Association has prepared the following Sunshine statement to be able to negotiate additional compensation for our Children's Center Unit Members. We are prepared to meet our obligation under the law by presenting this document at the October 7, 2021, Board of Trustees meeting. The Association looks forward to continuing formal negotiations with the District.

Article 7 Compensation and Benefits- Proposal for Children's Center

- 7% across the board increase to the Children's Center salary schedules. This proposal is an additional increase above any other increases that may be negotiated for under current negotiations between SSFUSD and SSFCTA resulting in increases to all certificated salary schedules.

Questions regarding this document may be referred to Danny Yanow, SSFCTA President at 650-872-1002.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Resolution #21-51

NATIVE AMERICAN AND ALASKA NATIVE HERITAGE MONTH

NOVEMBER 1 – NOVEMBER 30, 2021

*WHEREAS, the month of November was designated as American Indian Heritage Month by Presidential Proclamation in 1990 and has subsequently been referred to as "**Native American Indian and Alaska Native Heritage Month"**; and*

WHEREAS, the month of November was chosen as it marks the conclusion of the traditional harvest season and was a time of giving thanks and celebrating for Native Americans; and

WHEREAS, the purpose of National Native American and Alaska Native Heritage Month is to recognize the original inhabitants of the lands which now constitute the United States and the important role that they have played in the history of our country and to acknowledge the injustices they have suffered and the challenges they strive to overcome; and

WHEREAS, in the 2020 Census, the Native American and Native Alaska population accounts for 9.7 million people throughout all fifty states which represents an 86.5% increase from the 2010 Census, with the largest number of Native Americans residing in California; and

WHEREAS, in the 2020 Census, the Native American and Native Alaska population accounts for 9.7 million people throughout all fifty states which represents an 86.5% increase from 2010 Census, with the largest number of Native Americans residing in California; and

WHEREAS, in a Land Acknowledgement Statement read at each Board meeting, the South San Francisco Unified School District's Board of Trustees recognizes the District is located on the unceded ancestral homeland of the Ramaytush Ohlone peoples, the original inhabitants of the San Francisco Peninsula; and

WHEREAS, California Education Code Section 51204.5 specifically calls for instruction in the social sciences to include the study of the role and contributions of Native Americans, to the economic, political, and social development of California and the nation, with particular emphasis on portraying the role of this group in contemporary society; and

*NOW, THEREFORE, BE IT RESOLVED that the South San Francisco Unified School District Board of Trustees hereby recognizes and wishes to honor Native Americans during **Native American Indian and Alaska Native Heritage Month.***

REGULARLY PASSED AND ADOPTED this 7th day of October 2021.

AYES in Favor of Said Resolution

_____ ATTEST:

_____ _____

Secretary/Clerk of the Board

_____

_____

Superintendent of Schools

_____

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

DATE: October 7, 2021

RE: New Board Policy – *2ND Reading*

BACKGROUND:

The following new Board Policy was reviewed at a 1st reading on January 14, 2021 to keep the District in compliance with Education Code and State laws. It is being brought back for an approval at this meeting.

1. BP 5121 - Grades/Evaluation of Student Achievement

FISCAL IMPLICATIONS:

None

RECOMMENDATION:

It is recommended that, following a second reading, the South San Francisco Unified School District Board of Trustees, approve this new Board Policy to bring the District into compliance with Education Code and State laws.

PROPOSED
Second Reading
10/7/2022

South San Francisco USD
Board Policy
Grades/Evaluation Of Student Achievement

BP5121

Students

The Governing Board believes that grades may serve as one of multiple factors that serve a valuable instructional purpose by helping students and parents/guardians understand performance expectations and may identify areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate of the student's academic performance.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5 125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall establish a uniform standards-based grading system that shall be applied to all students in that course and grade level. Teachers shall inform students and parents/guardians how academic performance will be evaluated in the classroom prior to the start of the academic semester/quarter and or year.

(£ 0410 - Nondiscrimination in District Programs and Activities)

A teacher shall base a student's grades solely on the quality of the student's academic work and their mastery of course content based on district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods, including, but not limited to, tests, projects, portfolios, and/or class discussion as appropriate. Other elements that are not a direct measure of knowledge and understanding of course content, such as attendance, effort, student conduct, and work habits, shall not be factored into the academic grade but may be reported separately.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)

Whenever a student misses an assignment or assessment due to either an excused or unexcused absence, shall be given full credit for subsequent satisfactory completion of the assignment or assessment.

(cf. 6154 - Homework/Makeup Work)

A teacher may assign a failing grade to a student who has six or more unexcused absences during the grading periods. This does not apply during unforeseen force majeure circumstances, crises, or major catastrophe events and/or health pandemics.

(cf. 5 113 - Absences and Excuses)
(cf. 5 1 13. I - Chronic Absence and Truancy)

Students in grades K-5 shall receive progress reports at the end of each grading period rather than letter grades.

At all grade levels, report cards may include reports of student progress on specific academic standards applicable to the course and grade level.

When reporting student performance to parents/guardians, teachers may add narrative descriptions, observational notes, and/or samples of classroom work describe student progress in specific skills and subcategories of achievement.

A report card for a student with a disability may contain information about their disability, including whether that student received special education or related services, provided that the report card informs parents/guardians about their child's progress or level of achievement in specific classes, course content, or curriculum. However, transcripts that may be used to inform postsecondary institutions or prospective employees of the students' academic achievements shall not contain information disclosing the student's disability.

(cf. 5125 - Student Records)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

A grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy, or administrative regulation. (Education Code 49066)

(cf. 5125.3 - Challenging Student Records)

Under direction from the Governing Board, the Superintendent or designee shall determine the methodology to be used in calculating students' grade point average (GPA), including the courses to be included within the GPA and whether extra grade weighting shall be applied to Advanced Placement, International Baccalaureate, honors, and/or concurrent postsecondary courses. This determination should be made with consideration of the current state of events happening or that may be affecting students' performance in the District.

CURRENT

Board Policy

Grades/Evaluation Of Student Achievement

BP 5121
Students

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians understand performance expectations and identifying the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's academic performance.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall establish a uniform standards based grading system that shall be applied to all students in that course and grade level. Teachers shall inform students and parents/guardians how academic performance will be evaluated in the classroom.

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

A teacher shall base a student's grades solely on the quality of the student's academic work and his/her mastery of course content based on district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods, including, but not limited to, tests, projects, portfolios, and/or class discussion as appropriate. Other elements that are not a direct measure of knowledge and understanding of course content, such as attendance, effort, student conduct, and work habits, shall not be factored into the academic grade but may be reported separately.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)

Whenever a student misses an assignment or assessment due to either an excused or unexcused absence, he/she shall be given full credit for subsequent satisfactory completion of the assignment or assessment.

(cf. 6154 - Homework/Makeup Work)
A teacher may assign a failing grade to a student who has six or more unexcused absences during the grading period.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

Students in grades K-3 shall receive progress reports at the end of each grading period rather than letter grades.

At all grade levels, report cards may include reports of student progress on specific academic

standards applicable to the course and grade level.

When reporting student performance to parents/guardians, teachers may add narrative descriptions, observational notes, and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

A report card for a student with a disability may contain information about his/her disability, including whether that student received special education or related services, provided that the report card informs parents/guardians about their child's progress or level of achievement in specific classes, course content, or curriculum. However, transcripts that may be used to inform postsecondary institutions or prospective employers of the student's academic achievements shall not contain information disclosing the student's disability.

(cf. 5125 - Student Records)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

A grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy, or administrative regulation. (Education Code 49066)

(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall determine the methodology to be used in calculating students' grade point average (GPA), including the courses to be included within the GPA and whether extra grade weighting shall be applied to Advanced Placement, International Baccalaureate, honors, and/or concurrent postsecondary courses.

(cf. 6141.4 - International Baccalaureate Program)
(cf. 6141.5 - Advanced Placement)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6172.1 - Concurrent Enrollment in College Classes)
Legal Reference:
EDUCATION CODE
48070 Promotion and retention
48205 Excused absences
48800-48802 Enrollment of gifted students in community college
48904-48904.3 Withholding grades, diplomas, or transcripts
49066 Grades; finalization; physical education class
49067 Mandated regulations regarding student's achievement
49069.5 Students in foster care, grades and credits
51242 Exemption from physical education based on participation in interscholastic athletics
69432.9 Cal Grant program; notification of grade point average
76000-76002 Enrollment in community college
CODE OF REGULATIONS, TITLE 5
10060 Criteria for reporting physical education achievement, high schools
30008 Definition of high school grade point average for student aid eligibility
UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA)
6101-6251 School-to-Work Opportunities Act of 1994
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act

COURT DECISIONS
Owasso Independent School District v. Falvo, (2002) 534 U.S. 426
Las Virgenes Educators Association v. Las Virgenes Unified School District, (2001) 86 Cal.App.4th 1
Swany v. San Ramon Valley Unified School District, (1989) 720 F.Supp. 764
Johnson v. Santa Monica-Malibu Unified School District Board of Education, (1986) 179 Cal.App.3d 593

Management Resources:
CSBA PUBLICATIONS
Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016
U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS CORRESPONDENCE
Report Cards and Transcripts for Students with Disabilities, October 17, 2008
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Student Aid Commission: http://www.csac.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
adopted: December 14, 2017 South San Francisco, California

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

DATE: October 7, 2021

RE: New and Updated Board Policies - *1ST Reading*

BACKGROUND:

The following Board Policies are new or been updated to keep the District in compliance with Education Code and State laws. These Board Policies are the last ones to be approved for the 2019-2020 fiscal year.

1. BP 0430 - Comprehensive Local Plan for Special Education
2. BP 0470 - COVID-19 Mitigation Plan
3. BP 1312.2 - Uniform Complaint Procedures
4. BP 1340 - Access to District Records
5. BP 4112.9, 4212.9, 4312.9 - Employee Notifications
6. BP 4113 - Certificated Personnel Assignment
7. BP 4119.42, 4219.42, 4319.42 - Exposure Control Plan for Bloodborne Pathogens
8. BP 4119.43, 4219.43, 4319.43 - Universal Precautions
9. BP 4151, 4251, 4351 - Employee Compensation
10. BP 5141.5 - Mental Health
11. BP 5145.3 - Nondiscrimination/harassment
12. BP 6020 - Parent Involvement
13. BP 6115 - Ceremonies and Observances

FISCAL IMPLICATIONS:

None

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees discuss, consider any possible changes, and approve with the second reading waived.

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans BP 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

The Governing Board **recognizes its obligation** to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district.

(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

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

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

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

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

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

the Board and the other members of the SELPA, and shall be submitted to the Superintendent of Public Instruction. (Education Code 56195.1)

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

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

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

Legal Reference: (see next page)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE
56000-56001 Education for individuals with exceptional needs
56020-56035 Definitions
56040-56046 General provisions
56048-56050 Surrogate parents
56055 Foster parents
56060-56063 Substitute teachers
56170-56177 Children enrolled in private schools
56190-56194 Community advisory committees
56195-56195.10 Local plans
56205-56208 Local plan requirements
56213 Special education local plan areas with small or sparse populations
56240-56245 Staff development
56300-56385 Identification and referral, assessment, instructional planning
56440-56447.1 Programs for individuals between the ages of three and five years
56500-56508 Procedural safeguards, including due process rights
56520-56524 Behavioral interventions
56600-56606 Evaluation, audits and information
56836-56836.05 Administration of local plan
GOVERNMENT CODE
7579.5 Surrogate parent, appointment, qualifications, liability
95000-95029 California Early Intervention Services Act
WELFARE AND INSTITUTIONS CODE
361 Limitations on parental control
726 Limitations on parental control
CODE OF REGULATIONS, TITLE 5
3000-3089 Regulations governing special education
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.10-99.22 Inspection, review and procedures for amending education records
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
300.1-300.818 Assistance to states for the education of children with disabilities, including:
300.500-300.520 Due process procedures for parents and children
303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:

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

(7/03 11/06) 5/20

Policy Reference UPDATE Service
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Current

Board Policy

Comprehensive Local Plan For Special Education

BP 0430
Philosophy, Goals, Objectives and Comprehensive Plans

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

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

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

(cf. 1220 - Citizen Advisory Committees)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)

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

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

Legal Reference:

EDUCATION CODE
56000-56001 Education for individuals with exceptional needs
56020-56035 Definitions
56040-56046 General provisions
56048-56050 Surrogate parents
56055 Foster parents
56060-56063 Substitute teachers
56170-56177 Children enrolled in private schools
56190-56194 Community advisory committees
56195-56195.10 Local plans
56205-56208 Local plan requirements
56213 Special education local plan areas with small or sparse populations
56240-56245 Staff development
56300-56385 Identification and referral, assessment, instructional planning
56440-56447.1 Programs for individuals between the ages of three and five years
56500-56508 Procedural safeguards, including due process rights
56520-56524 Behavioral interventions
56600-56606 Evaluation, audits and information
56836-56836.05 Administration of local plan
GOVERNMENT CODE
7579.5 Surrogate parent, appointment, qualifications, liability
95000-95029 California Early Intervention Services Act
WELFARE AND INSTITUTIONS CODE
361 Limitations on parental control
726 Limitations on parental control
CODE OF REGULATIONS, TITLE 5
3000-3089 Regulations governing special education
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.10-99.22 Inspection, review and procedures for amending education records
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
300.1-300.818 Assistance to states for the education of children with disabilities, including:
300.500-300.520 Due process procedures for parents and children
303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:
WEB SITES
California Department of Education, Special Education: http://www.cde.ca.gov/sp/se
U.S. Department of Education, Office of Special Education Programs:

http://www.ed.gov/about/offices/list/osers/osep

First Reading
NEW
10/7/2021

Philosophy, Goals, Objectives, and Comprehensive Plans BP 0470(a)
COVID-19 MITIGATION PLAN

The following policy establishes actions that will be taken by the district to provide a safe learning and working environment during the novel coronavirus (COVID-19) pandemic, and shall supersede any conflicting language in existing district policies or administrative regulations until the Governing Board determines that the need for this policy no longer exists. The Board acknowledges that, due to the evolving nature of the global pandemic, federal, state, and local orders impacting district operations are subject to change without notice. In the event that any federal, state, or local order may conflict with this policy, the order shall govern.

(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 5141.22 - Infectious Diseases)
(cf. 9310 - Board Policies)

The Board may also adopt resolutions or take other actions as needed to respond to such orders or provide further direction during the pandemic.

The Board recognizes that students and staff have the right to a safe campus that protects their physical and psychological health and well-being. School campuses shall only be open when deemed safe for in-person instruction. The Board's decision to reopen school campuses for in-person classes, before or after school programs, child care centers, and/or preschool programs shall be made in consultation with state and local health officials available health data and stats, the county office of education, and neighboring school districts. The district shall evaluate its capacity to implement safety precautions and to conduct full or partial school operations, and shall consider student, parent/guardian, and community input.

(cf. 0400 - Comprehensive Plans)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Prior to the return to on-campus in-person teaching and learning, the Superintendent or designee shall provide to students, parents/guardians, and staff in appropriate language and methods(hard-copy, electronically) current information about COVID-19, including its symptoms, how it is transmitted, how to prevent transmission, the current recommendations from the state and local departments of public health, and any other information and/or resources to prepare for a safe return to on-campus teaching and learning. The Superintendent or designee shall also provide information on the processes and protocols the District will follow to minimize the health risks associated with COVID-19, including, but not limited to, physically separating individuals (social distancing), limits on large gatherings, the provision of personal protective equipment (PPE) such as masks and gloves, and the sanitization of facilities. In addition, provide information if available regarding tracing, tracking of those that have been infected.

COVID-19 MITIGATION PLAN (continued)

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6020 - Parent Involvement)

Student Support

The Board recognizes that the consequences of the COVID-19 pandemic, including fear for one's health safety, the economic crisis, the loss of school-based relationships, and disruptions in student learning, impact all students but may have a disproportionate effect on the youngest students, English language learners, students with disabilities, those students most vulnerable to basic needs insecurity or child abuse and neglect, and other at-risk students.

(cf. 0415- Equity)

As school campuses reopen, teachers and staff shall provide a caring and nurturing educational environment for students. The District may provide instruction on social-emotional well-being to all students, including information on how to deal with stress and anxiety in healthy ways and the importance of emotional well-being for academic success.

(cf. 6142.8 - Comprehensive Health Education)

Teachers and Staff shall pay careful attention to students' increased mental health concerns. Mental Health Counseling, other support services, and/or referrals to other agencies shall be available to assist students in dealing with the social and emotional effects of COVID-19, such as stress, anxiety, depression, grief, social isolation, and post-traumatic stress disorder.

(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

As needed, the district may provide referrals of students and families to basic needs assistance or social services, and may assess students for eligibility for the free and reduced-price meal program or assistance under the McKinney-Vento Homeless Assistance Act.

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall ensure that teachers and staff understand their obligations as mandated reporters to report suspected child abuse or neglect, regardless of whether the student is on campus or participating in distance learning.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

The Superintendent or designee may provide information to teachers and staff and parents/guardians regarding how to provide mental health support to students. The

COVID-19 MITIGATION PLAN (continued)

Superintendent or designee may also provide mental health counseling to teachers and staff who are experiencing emotional difficulties as a result of COVID-19. This should be done in their proper language and via mean available(electronic and non-electronic means).

Instruction/Schedules

The district shall offer a combination of on-campus instruction and distance learning to meet the needs of all students. When deemed appropriate and recommended by the Board

(cf. 6157 - Distance Learning)
(cf. 6158 - Independent Study)

The Superintendent or designee shall work with school principals, teachers, other staff, students, and parents/guardians to recommend to the Board a schedule of on-campus instruction for each school. If all students cannot attend on-campus instruction for the entire school day due to space limitations as a result of social distancing requirements, the Superintendent or designee shall consider arrangements for rotating groups of students, such as on a daily or weekly basis, and/or shall provide on-campus instruction to students with the greatest need for in-person supervision.

(cf. 6111 - School Calendar)
(cf. 6112 - School Day)

Priority for on-campus instruction shall be given to the lowest performing students, students with disabilities, elementary level students, students at risk of child abuse and neglect, homeless students, foster youth, and English learners. To the extent practicable, the district shall also consider the needs of essential workers, as designated in the Governor's executive orders, for child care during normal school hours.

(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

On-campus instruction may be prioritized for subjects that are difficult to deliver through distance learning, such as laboratory science, art, or career technical education.

For distance learning, lessons may be delivered through live video sessions, pre-recorded lectures, or other technology-based distance learning platforms and/or the district may supplement on-campus instruction with home assignments. As much as possible, distance learning shall be provided through small-group synchronous learning. Distance learning should meet minimal interaction hours between Student and Teachers as recommended by the CDE.

Appropriate training shall be provided to teachers and other instructional staff involved in distance learning, including training on how to use any technology or platform approved for distance learning by the school and opportunities for the sharing of best practices among

COVID-19 MITIGATION PLAN (continued)

instructional staff. Available training resources may also be provided to students and parents/guardians when necessary, in the appropriate language.

Evaluation of Academic Progress Following Campus Closure

Upon return to on-campus in-person instruction following an extended campus closure, the Superintendent or designee shall evaluate the impact of the campus closure on students' academic progress. Such evaluation may:

1. Address student-specific needs arising from the transition back into in-person on-campus instruction

2. Consider whether or not a student has experienced a regression of skills and/or lack of progress

3. If regression and/or a lack of progress is present, identify opportunities for recovery, including supplemental educational services and/or new or different support services, including tutoring resources

(cf. 6179 - Supplemental Instruction)

For students with disabilities, the evaluation of academic progress shall also be used to determine whether an additional or revised individualized education program (IEP) or Section 504 plan is needed for the student to be academically successful when returning to on-campus instruction. The Superintendent or designee may prioritize urgent student need in scheduling initial and triennial assessments and annual IEP meetings. The Superintendent or designee shall ensure district compliance with all procedural timelines for IEPs and Section 504 plans as required, unless amended by executive order.

(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

Grading

For each grading period, student progress shall be reported in accordance with BP/AR 5121 - Grades/Evaluation of Student Achievement. However, in the event that school campuses are closed for an extended period of time during any grading period, the Board may, upon recommendation by the Superintendent or designee, adopt one or more alternative grading policies which may vary by grade level or type of course. Options for such grading include, but are not limited to:

1. Assignment of final grades based on the student's grades when the campus shutdown occurred, with opportunities to increase the final grade based on progress through distance learning or other assignments and assessments

COVID-19 MITIGATION PLAN (continued)

2. Assignment of pass/no pass and Incomplete (I) grades for all courses at grades 6-12

3. Grading based on students' understanding of applicable course content through assessments, projects, portfolios, or other appropriate means, specifically for grades TK-5

(cf. 5121 - Grades/Evaluation of Student Achievement)

Health Screening of Students

To the extent feasible, students shall be screened for COVID-19 symptoms before boarding a school bus and/or upon arrival at school each day. The Superintendent or designee shall work with local health officials to determine the appropriate means of screening, which may include temperature checks with a no-touch thermometer. Questionnaire available in other languages.

If the screening indicates a fever or other COVID-19 symptoms, or if the student exhibits symptoms at any time during the school day, the student shall be placed in a supervised isolation area until the student's parent/guardian is contacted and the student can be transported home or to a health care facility. School staff may provide the parent/guardian with referrals to school or community health centers for further testing, that are free of change.

(cf. 5141 - Health Care and Emergencies)
(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - School Health Services)

Student Absence and Attendance

The Board recognizes that COVID-19 will continue to impact the attendance of students following the reopening of school campuses. The Superintendent or designee shall notify students and parents/guardians of expectations regarding school attendance in various ways and languages other than English. Such notification shall direct any student who becomes positive for the virus or lives with someone who has been diagnosed with COVID-19 to stay home in accordance with state and local health directives so as to curtail the spread of the disease.

Students who are infected with COVID-19 shall be excluded from on-campus or distance learning instruction until a medical provider states in writing that the student is no longer contagious. (Education Code 49451; Health and Safety Code 120230; 5 CCR 202)

Students who are identified as being in a high-risk population for serious complications from COVID-19 because of a medical condition may request assessment and accommodations

COVID-19 MITIGATION PLAN (continued)

under Section 504 and/or an alternative instructional method that allows the student to continue receiving instruction off campus.

When a student is absent, the student's parent/guardian shall notify the school of the reason for the absence.

(cf. 5113 - Absences and Excuses)

If a student would otherwise be required to attend on-campus instruction but is kept home by the parents/guardians due to concerns for the welfare of their child, the principal or designee shall work with the student and parent/guardian to find alternative means of instruction, which may include distance or blended learning, independent study, printed class assignments, or other reasonable means. This absence should be considered an excused absence.

(cf. 6154 - Homework/Makeup Work)

The Superintendent or designee shall maintain enrollment and student attendance data, including the participation of students in distance learning, and shall report data in accordance with state requirements.

The district employee designated as the attendance supervisor pursuant to Education Code 48240 shall track patterns of student absence throughout the district and regularly report such information to the Superintendent. When a student who is participating in distance learning repeatedly fails to check in with the teacher when required, the teacher and/or attendance supervisor shall attempt to contact the student or parent/guardian to resolve the issues leading to the absence. Each principal should provide to the Superintendent or designee a report on how many students aren't able to be reached per site, this report should be shared with the Board.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.11 - Attendance Supervision)

Social Distancing

In order to maintain a campus environment that allows for social distancing, the district shall assess the capacity of school facilities, including classrooms, cafeterias, multi-purpose rooms, gyms, and outdoor areas, locker rooms, fields, bullpens and determine the means by which the facilities can best be utilized considering space and time alternatives. To the extent reasonably possible, the district may:

1. Within classrooms, space desks at least six feet apart and position them in a way that limits students facing each other

COVID-19 MITIGATION PLAN (continued)

2. Stagger students in areas of high traffic, such as when students are using lockers, lining up for class, or passing between classes

3. Mark six-foot boundaries within classrooms, common areas, outdoor spaces, and places where students are likely to gather so that students and staff are more readily aware of and can more easily abide by social distancing requirements

4. Utilize restroom stalls and sinks in a manner that allows for social distancing, such as limiting the number of students and/or staff who may use the restroom at a time, blocking off every other stall or sink from use, and/or marking six-foot boundaries

5. Minimize the mixing of students from different classrooms in common spaces, such as in cafeterias and libraries

6. Conduct recess and physical education classes in a manner that allows for social distancing and minimizes the use of physical education equipment

7. Assess the capacity of school buses and develop a plan for bus routes and bus seating consistent with social distancing objectives

(cf. 3540 - Transportation)
(cf. 3543 - Transportation Safety and Emergencies)

8. Encourage students to walk, bicycle, or travel by private vehicle to reduce the number of students traveling on school buses. Schools may provide designated areas with proper distancing for bicycles to be stored during the school day, and may mark spaces for private vehicle drop-off and pick-up zones.

(cf. 5142.2 - Safe Routes to School Program)

Large gatherings, such as assemblies, rallies, field trips, extracurricular activities graduation ceremonies, senior trips junior and senior prom, and athletic events, shall be suspended until the Board determines, consistent with guidance from state and local health officials, that it is safe to resume such activities. The Superintendent or designee may grant an exception if an activity can be arranged to take place in phases or per class, or modified in a manner that would keep participants from violating social distancing recommendations. When deciding whether an activity may resume, the Superintendent or designee may consider the size of the group that participates, the extent to which the students and other attendees have physical contact, whether the activity can be modified to avoid physical contact, if shared equipment is required for the activity, and if social distancing can be maintained.

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6153 - School-Sponsored Trips)

COVID-19 MITIGATION PLAN (continued)

Personal Protective Equipment and Hygiene Practices

The Board encourages students, staff, and visitors to wear PPE while on school campuses or school buses, especially in high-traffic areas and/or when social distancing is not possible. If the use of PPE in schools is required by state or local health officials, the district shall provide PPE to students and staff who do not bring their own personal PPE. Students and staff shall be provided instruction in the proper use, removal, disposal, and cleaning of PPE.

Face coverings and masks shall not be required for children younger than two years, or for anyone who has trouble breathing or is incapacitated or otherwise unable to remove the covering without assistance. Reasonable accommodations shall be made for anyone who is unable to wear a face covering for medical reasons.

The Board also encourages students and staff to practice good hygiene, such as appropriate covering of coughs and sneezes and regular hand washing of at least 20 seconds, including before eating and after blowing one's nose, coughing, or sneezing. The district shall provide adequate time and opportunity for students to wash hands, and shall make paper towels with soap and hand sanitizer available in areas where handwashing is less accessible. Signage regarding healthy hygiene practices and how to stop the spread of COVID-19 may be posted in and around school facilities.

Sanitization of Facilities and Equipment

School facilities, school buses, and shared equipment such as desks, tables, sports/playground equipment, computers, door handles, light switches, and other frequently used equipment and supplies shall be cleaned and disinfected daily with appropriate cleaning agents specific to clean this virus. Disinfectants and cleaning agents shall be stored properly and in a manner not accessible to students.

(cf. 3510 - Green School Operations)
(cf. 3514.1 - Hazardous Substances)
(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall ensure that ventilation systems are operating properly and that air flow and ventilation within district facilities is increased, to the extent possible, by opening windows and doors and using fans and air conditioning. Garbage shall be removed daily and disposed of safely. This information on ventilation systems should be provided and shared to parents/guardians, teachers and the Board.

Food Services

The Superintendent or designee shall ensure that students have access to clean drinking water other than through a drinking fountain, and food which is procured, stored, and served in a manner that reduces the likelihood of COVID-19 transmission and follows state and national guidelines for nutrition.

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

COVID-19 MITIGATION PLAN (continued)

For meals that are consumed on school grounds, the Superintendent or designee shall ensure that students will be able to maintain proper social distancing while eating. In order to do so, the Superintendent or designee may consider the consumption of meals in classrooms, gyms, the outdoors, and/or other district grounds. No salad bars, buffets or unpackaged non-serving food should be served or offered.

Meal service shall also be available to students participating in distance learning, which may include and/or entirely consist of a "grab and go" service or delivery.

Due to the changing financial circumstances of many families as a result of COVID-19, the Superintendent or designee shall regularly provide information to students and parents/guardians regarding the free and reduced-price meal program, eligibility, and how to apply for the program.

(cf. 3553 - Free and Reduced Price Meals)

Staff

Prior to reopening campuses, the Superintendent or designee shall review staff assignments and, upon request, may reassign employees to reduce exposure to the virus, especially for high-risk staff. When feasible for the position, employees may be granted a remote work assignment.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4113 - Assignment)
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)
(cf. 4113.5/4213.5/4313.5 - Working Remotely)

In the event that employees are unable to perform their duties due to partial or full closure of campuses, the Board shall compensate employees as permitted by law.

(cf. 4151/4251/4351 - Employee Compensation)

Any employee who contracts the virus, shows symptoms of possible infection, or is caring for someone who has been diagnosed with the virus shall self-quarantine for the period of time recommended by health authorities in order to prevent the spread of the disease to students or other staff.

An employee may use personal illness and injury leave and/or family care and medical leave, as applicable, if the employee is unable to work or telework because the employee is ill or needs to take care of a spouse, parent/guardian, or child with COVID-19 or other serious health condition. (Education Code 44978, 45191; Government Code 12945.1-12945.2; Labor Code 245-249; 29 USC 2601-2654)

COVID-19 MITIGATION PLAN (continued)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

Until December 31, 2020, an eligible employee may take paid sick leave for up to 80 hours, or the number of hours that a part-time employee works on average over a two-week period, if the employee is unable to work or telework because the employee is: (29 USC 2601)

1. Subject to a federal, state, or local quarantine or isolation order related to COVID-19

2. Advised by a health care provider to self-quarantine due to concerns related to COVID-19

3 Experiencing symptoms of COVID-19 and seeking a medical diagnosis

4. Caring for an individual who is subject to a federal, state, or local quarantine or isolation order or has been advised by a health care provider to self-quarantine

5. Caring for the employee's child whose school or child care provider is closed or unavailable for reasons related to COVID-19

6. Experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services

Employees shall be paid their regular rate of pay for leave taken pursuant to items #1-3 above, or two-thirds their regular rate of pay for leave taken pursuant to items #4-6 above, within the limits specified in law. (29 USC 2601)

For the purpose specified in item #5 above, eligible employees who have been employed by the district for at least 30 calendar days shall be granted extended leave for up to 12 work weeks upon request. The first 10 days of such leave shall be unpaid unless the employee uses accrued vacation leave, personal leave, sick leave, or paid sick leave granted pursuant to 29 USC 2601. After the first 10 days, the district shall pay not less than two-thirds of the employee's regular pay for the number of hours per week the employee normally works, with a maximum of $200 per day and $10,000 for the total period. Eligibility for extended leave for this purpose is subject to the employee's eligibility for leave pursuant to the Family and Medical Leave Act. (29 USC 2601, 2620)

The district shall post, in conspicuous places where employee notices are customarily posted, a notice prepared by the U.S. Department of Labor regarding the requirements of 29 USC 2601 and 2620. (29 USC 2601)

COVID-19 MITIGATION PLAN (continued)

Follow-Up with Infected Persons/Contact Tracing

The Superintendent or designee shall work with county health officials to track confirmed cases of students and staff with COVID-19, including, but not limited to, following up with students, their parents/guardians, and staff who exhibit symptoms while at school and those who report an absence or miss work due to illness. The Superintendent or designee shall report confirmed cases to local health authorities.

If a student, family member of a student, or staff member has tested positive for COVID-19, the district shall assist local health officials in conducting contact-tracing to identify potentially exposed individuals and ask them to self-quarantine, which may include not participating in on-campus instruction. While maintaining the privacy of the infected person, the district shall inform other students and staff with whom the infected person may have had contact in school.

Nondiscrimination

The Board prohibits discrimination based on actual or perceived medical condition or disability status. (Government Code 11135)

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

Individual students and staff shall not be identified as being COVID-positive, nor shall students be shamed, treated differently, or denied access to a free and appropriate public education because of their COVID-19 status or medical condition. Staff shall not disclose confidential or privileged information, including the medical history or health information of students and staff. (Education Code 49450)

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

The Superintendent or designee shall investigate any reports of harassment, intimidation, and bullying targeted at any student based on COVID status, exposure, or high-risk status.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)

Community Relations

The Superintendent or designee shall use a variety of methods and other languages than just English to regularly communicate with students, parents/guardians, and the community regarding district operations, school schedules, and steps the district is taking to promote the health and safety of students.

COVID-19 MITIGATION PLAN (continued)

In addition, the members of the Board have a responsibility as community leaders to communicate matters of public interest in a manner that is consistent with Board policies and bylaws regarding public statements.

(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 9010 - Public Statements)

The district shall continue to collaborate with local health officials and agencies, community organizations, and other stakeholders to ensure that district operations reflect current recommendations and best practices for keeping students, staff, and visitors safe during the COVID-19 state of emergency. The Superintendent or designee shall keep informed about resources and services available in the community to assist students and families in need.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)

While the Board recognizes the rights of parents/guardians to participate in the education of their children and the critical importance of parental involvement in the educational process, all visitors and volunteers are encouraged to respect guidelines regarding social distancing and large gatherings. School visitors and volunteers shall be limited in number and expected to observe all district protocols for COVID-19. The Superintendent or designee may place signage around the school advising that visitors and volunteers may be required to use PPE while on school sites and interacting with school personnel, and may keep a supply of such equipment available for their use.

(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

Use of school facilities by persons or organizations for community purposes involving large gatherings shall be suspended until the Board determines, consistent with guidance from state and local health officials, that it is safe to resume such activities. The Superintendent or designee may only grant an exception if the number of participants in the activity will be limited and the person or organization follows the processes and protocols established by the district to minimize the health risks associated with COVID-19.

(cf. 1330 - Use of School Facilities)

Potential Reclosure of Campus

The district shall monitor student and staff absences and data provided by local health officials to determine if there is a risk of resurgence of COVID-19 and a need to reclose

COVID-19 MITIGATION PLAN (continued)

school campuses for the protection of students, staff, and the community. The Superintendent or designee shall develop plans and procedures for alternative methods of operations to the extent possible in the event that reclosure becomes necessary.

If any person diagnosed with COVID-19 is known to have been in district building(s), the Superintendent or designee shall immediately notify local health officials to determine a course of action. The building should be closed until cleaning and disinfecting of the building can be completed and the district can consult with local health officials to determine, based on up-to-date information about the specific cases in the community, whether an extended closure is needed to stop or slow further spread of COVID-19.

If local health officials report that there has been no community transmission of COVID-19, or minimal to moderate transmission in the community, school campuses may not necessarily be closed, but the district shall continue to take all preventative measures described in this policy.

If local health officials report substantial community transmission of COVID-19, campus closures of more than two weeks may be necessary, and the Superintendent or designee shall cancel group activities and events during that period. Campuses shall not reopen until recommended by local health officials.

Legal Reference: (see next page)

COVID-19 MITIGATION PLAN (continued)

Legal Reference:

EDUCATION CODE
44978 Sick leave for certificated employees
45191 Leave of absence for illness and injury, classified employees
48205 Excused absences
48213 Prior parent notification of exclusion; exemption
48240 Supervisors of attendance
49451 Exemption from physical exam; exclusion from attendance
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12945.1-12945.2 California Family Rights Act
HEALTH AND SAFETY CODE
120230 Exclusion from attendance
LABOR CODE
245-249 Healthy Workplaces, Healthy Families Act of 2014
CODE OF REGULATIONS, TITLE 2
11087-11098 California Family Rights Act
CODE OF REGULATIONS, TITLE 5
202 Exclusion from attendance
306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes
UNITED STATES CODE, TITLE 29
2601-2654 Family and Medical Leave Act of 1993, as amended, especially:
2601 Paid sick leave
2620 Public health emergency leave
UNITED STATES CODE, TITLE 42
1760 Note National School Lunch program waivers addressing COVID-19
CODE OF FEDERAL REGULATIONS, TITLE 29
825.100-825.702 Family and Medical Leave Act of 1993

Management Resources: (see next page)

COVID-19 MITIGATION PLAN (continued)

Management Resources:

CSBA PUBLICATIONS
Sample School Board Resolution on Grading During Emergency School Closures
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
FAQs for 2019 Novel Coronavirus
FAQs on Grading and Graduation Requirements
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
CDPH Guidance for the Prevention of COVID-19 Transmission for Gathering, March 16, 2020
School Guidance on Novel Coronavirus or COVID-19, March 7, 2020
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Considerations for Schools, rev. May 19, 2020
Interim Guidance for Schools and Day Camps, May 2020
Interim Guidance for Administrators of U.S. K-12 Schools and Child Care Programs to Plan, Prepare, and Respond to Coronavirus Disease 2019 (COVID-19), March 25, 2020
OFFICE OF THE GOVERNOR PUBLICATIONS
Executive Order N-30-20, March 17, 2020
Executive Order N-26-20, March 13, 2020
OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS
Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations, Memorandum M-20-17, March 19, 2020
U.S. DEPARTMENT OF LABOR POSTERS
Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Department of Public Health: https://www.cdph.ca.gov
Centers for Disease Control and Prevention: https://www.cdc.gov/coronavirus/2019-ncov
Office of the Governor: https://www.gov.ca.gov
Office of Management and Budget: https://www.whitehouse.gov/omb
U.S. Department of Labor: https://www.dol.gov
World Health Organization: https://www.who.int

Policy adopted: CSBA MANUAL MAINTENANCE SERVICE June 2020

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy
Community Relations BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

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

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

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

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

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

UNIFORM COMPLAINT PROCEDURES (continued)
Complaints Subject to UCP

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

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

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; California State Preschool Programs; and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition,** sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

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

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

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

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

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

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

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 0420 - School Plans/Site Councils)

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

(cf. 6173.1 - Education for Foster Youth)

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

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

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military familyas defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)

11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: **Education Code 51222, as amended by SB 75 (Ch. 51, Statutes of 2019), extends the UCP to complaints alleging noncompliance with the physical education instructional minutes requirement for grades 7-12.**

12. Any complaint alleging district noncompliance with the physical education instructional minutes requirement (Education Code 51210, **51222,** 51223)

(cf. 6142.7 - Physical Education and Activity)

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

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

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

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

15. Any other complaint as specified in district policy

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

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process **for resolving a** complaint **in a manner** that is acceptable to all parties. **An** ADR **process** such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

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

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

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

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

(cf. 3580 - District Records)

Non-UCP Complaints

Note: 5 CCR 4611 details complaint issues that are not subject to UCP. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints.

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

UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

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

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

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

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

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49014 Student fees
49060-49079 Student records, especially:
49069.5 Records of foster youth
49490-49590 Child nutrition programs
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51222 Physical education, secondary schools
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content

Legal Reference: (continued)

EDUCATION CODE (continued)
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52300-52462 Career technical education
52500-52616.24 Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNIFORM COMPLAINT PROCEDURES (continued)

UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I Improving the Academic Achievement of the Disadvantaged
6801-7014 Title III language instruction for limited English proficient and immigrant students
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin

Legal Reference: (continued)
CODE OF FEDERAL REGULATIONS, TITLE 34 (continued)
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Uniform Complaint Procedure 2020-21 Program Instrument
Sample UCP Board Policies and Procedures
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter, September 22, 2017
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Family Policy Compliance Office: https://www2.ed.gov/policy/gen/guid/fpco
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/ocr
U.S. Department of Justice: http://www.justice.gov

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CURRENT

Board Policy

Uniform Complaint Procedures

BP 1312.3
Community Relations

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

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

1.Any complaint alleging district violation of applicable state or federal law or regulations governing Adult Education Programs, After School Education And Safety Programs, Agricultural Vocational Education, American Indian Education Centers and Early Childhood Education Program Assessments, Career Technical And Technical Education And Training Programs, Career Technical Education (federal), Child Care And Development Programs, Child Nutrition Programs, Consolidated Categorical Aid Programs, English Learner Programs, Every Student Succeeds Act/No child Left Behind (Titles I-VII), Migrant Education, Regional occupational Centers and Programs, Special Education Programs, State Preschool, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2.Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded

directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

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

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

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

(cf. 3260 - Fees and Charges)
(cf. 3320 - Claims and Actions Against the District)

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

(cf. 0460 - Local Control and Accountability Plan)

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

(cf. 6173.1 - Education for Foster Youth)

7.Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

8.Any complaint, by or on behalf of a former juvenile court school student who transfers into the

district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

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

9.Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

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

(cf. 6142.7 - Physical Education and Activity)

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

12. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

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

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

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

(cf. 3580 - District Records)

Non-UCP Complaints

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

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

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

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

4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49490-49590 Child nutrition programs
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, and former juvenile court school students; course credits; graduation requirements
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6577 Title I basic programs
6801-7014 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
CODE OF FEDERAL REGULATIONS, TITLE 34
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Bullying of Students with Disabilities, August 2013
Dear Colleague Letter: Sexual Violence, April 2011
Dear Colleague Letter: Harassment and Bullying, October 2010
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Family Policy Compliance Office: http://familypolicy.ed.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/ocr
U.S. Department of Justice: http://www.justice.gov

Policy adopted: March 8, 2018

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample

Board Policy

Community Relations BP 1340(a)

ACCESS TO DISTRICT RECORDS

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

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

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3580 - District Records)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.5 - Student Assessment)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session)

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

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other

ACCESS TO DISTRICT RECORDS (continued)

electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

(cf. 4040 - Employee Use of Technology)
(cf. 9012 - Board Member Electronic Communications)

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

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

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

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

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

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

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Legal Reference:

EDUCATION CODE
234.7 Student protections relating to immigration and citizenship status
35145 Public meetings
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports
41020 Requirement for annual audit
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections
44839 Medical certificates; periodic medical examination
49060-49079 Student records
49091.10 Parental review of curriculum and instruction
GOVERNMENT CODE
3547 Proposals relating to representation
6250-6270 California Public Records Act
6275-6276.48 ***California Public Records Act; o~~O~~****ther exemptions from disclosure*
8310.3 California Religious Freedom Act
53262 Employment contracts
54957.2 Minute book record of closed sessions
54957.5 Agendas and other writings distributed for discussion or consideration
81008 Political Reform Act, public records; inspection and reproduction
CALIFORNIA CONSTITUTION
Article 1, Section 3 Right of access to governmental information
CODE OF REGULATIONS, TITLE 5
430-438 Individual student records
COURT DECISIONS
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381
Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324
Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
ATTORNEY GENERAL OPINIONS
71 Ops.Cal.Atty.Gen. 235 (1988)
64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Management Resources:

CSBA PUBLICATIONS
Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
*Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues**, April 2018***
California Department of Justice Guidelines for Access to Public Records, October 2017
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
*The People's Business: A Guide to the California Public Records Act, ~~2008~~ **rev. April 2017***
WEB SITES
CSBA: http://www.csba.org
California Office of the Attorney General: https://oag.ca.gov
Institute for Local Government: http://www.cacities.org
State Bar of California: http://www.calbar.ca.gov

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CURRENT

Board Policy
Access To District Records

BP 1340
Community Relations

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

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.5 - Student Assessment)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

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

Legal Reference:
EDUCATION CODE
35145 Public meetings
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports
41020 Requirement for annual audit
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination
49060-49079 Pupil records
49091.10 Parental review of curriculum and instruction
52850 Applicability of article (School-Based Program Coordination Plan availability)
GOVERNMENT CODE
3547 Proposals relating to representation
6250-6270 California Public Records Act
6275-6276.48 Other exemptions from disclosure
53262 Employment contracts
54957.2 Minute book record of closed sessions
54957.5 Agendas and other writings distributed for discussion or consideration
81008 Political Reform Act, public records; inspection and reproduction
CALIFORNIA CONSTITUTION
Article 1, Section 3 Right of access to governmental information
CODE OF REGULATIONS, TITLE 5
430-438 Individual pupil records
COURT DECISIONS
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381
Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324
Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
ATTORNEY GENERAL OPINIONS
71 Ops.Cal.Atty.Gen. 235 (1988)
64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:
ATTORNEY GENERAL PUBLICATIONS
Summary of the California Public Records Act, 2004
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
The People's Business: A Guide to the California Public Records Act, 2008
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://www.caag.state.ca.us
Institute for Local Government: http://www.cacities.org/index.jsp?zone=ilsg
State Bar of California: http://www.calbar.ca.gov

Policy adopted: November 18, 2010

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy

All Personnel BP 4112.9(a)
4212.9
EMPLOYEE NOTIFICATIONS 4312.9

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

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

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

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

Legal Reference continued: (see next page)

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

EDUCATION CODE (continued)
44951 Continuation in position unless notified, administrative or supervisory personnel
44954 Nonreelection of temporary employees
44955 Reduction in number of employees
45113 Notification of charges, classified employees
45117 Notice of layoff, classified employees
45169 Employee salary data, classified employees
45192 Industrial and accident leave
45195 Additional leave
46162 Notice of public hearing on block schedule
49013 Complaints regarding student fees
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
CIVIL CODE
1798.29 District records, breach of security
GOVERNMENT CODE
1126 Incompatible activities of employees
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
21029 Retirement credit for period of military service
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information
HEALTH AND SAFETY CODE
1797.196 Automated external defibrillators; notification of use and locations
104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
245-249 Healthy Workplaces, Healthy Families Act of 2014
1034 Lactation accommodation
2800.2 Notification of availability of continuation health coverage
2810.7 Notice to participate in flexible spending account
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility
PENAL CODE
11105 Access to criminal history information
11105.2 Subsequent arrest notification
11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
UNEMPLOYMENT INSURANCE CODE
2613 Disability insurance; notice of rights and benefits

Legal Reference continued: (see next page)

EMPLOYEE NOTIFICATIONS (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 2
11023 Nondiscrimination in employment
11049 Notice of right to request pregnancy disability leave or transfer
11091 California Family Rights Act, designation notice
11096 Notice of right to request family care leave
CODE OF REGULATIONS, TITLE 5
4622 Uniform complaint procedures
80303 Reports of change in employment status, alleged misconduct
CODE OF REGULATIONS, TITLE 8
3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
5191 Chemical hygiene plan
5194 Hazard communication program
CODE OF REGULATIONS, TITLE 13
1234 Reports regarding school buses and bus drivers
2480 Vehicle idling, limitations
UNITED STATES CODE, TITLE 38
4334 Uniformed Services Employment and Reemployment Rights Act, notice requirement
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 29
825.300 Family and Medical Leave Act; notice requirement
CODE OF FEDERAL REGULATIONS, TITLE 34
84.205-84.210 Drug-free workplace statement
104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans
CODE OF FEDERAL REGULATIONS, TITLE 49
382.113 Controlled substance and alcohol use and testing notifications
382.303 Post-accident information, procedures, and instructions
382.601 Controlled substance and alcohol use and testing notifications

(2/95 7/12) 5/20

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CURRENT

Board Policy
Employee Notifications

BP 4112.9
Personnel

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

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

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

Legal Reference:
EDUCATION CODE
231.5 Sexual harassment policy
17612 Notification of pesticide use
22455.5 STRS information to potential members
22461 Postretirement compensation limitation
35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
35171 Notice of regulations pertaining to certificated employee evaluations
37616 Notice of public hearing on year-round schedule
44031 Personnel file contents, inspection
44663-44664 Evaluation of certificated employees
44842 Reemployment notices, certificated employees
44896 Transfer of administrator or supervisor to teaching position
44916 Written statement of employment status
44929.21 Reelection or nonreelection of probationary employee after second year
44934 Notice of disciplinary action for cause
44938 Notice of unprofessional conduct and opportunity to correct
44940.5-44941 Notification of suspension and intent to dismiss
44948.3-44948.5 Dismissal of probationary employees
44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel
44954 Nonreelection of temporary employees
44955 Reduction in number of employees
45113 Notification of charges, classified employees
45117 Notice of layoff, classified employees
45169 Employee salary data, classified employees
45192 Industrial and accident leave
45195 Additional leave
46162 Notice of public hearing on block schedule
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
GOVERNMENT CODE
1126 Incompatible activities of employees
3100-3109 Oath or affirmation of allegiance
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information
HEALTH AND SAFETY CODE
104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
2800.2 Notification of availability of continuation health coverage
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility
PENAL CODE
11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
UNEMPLOYMENT INSURANCE CODE
2613 Disability insurance; notice of rights and benefits
CODE OF REGULATIONS, TITLE 2
7288.0 Sexual harassment training, provision of district policy
CODE OF REGULATIONS, TITLE 5
4622 Uniform complaint procedures
80303 Reports of change in employment status, alleged misconduct
CODE OF REGULATIONS, TITLE 8
3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
5193 California bloodborne pathogens standard
UNITED STATES CODE, TITLE 38
4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 29
825.300 Family and Medical Leave Act; notice requirement
CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans
CODE OF FEDERAL REGULATIONS, TITLE 49
382.601 Controlled substance and alcohol use and testing notifications

Policy adopted: March 28, 2013

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

CURRENT

Board Policy
Employee Notifications

BP 4212.9
Personnel

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

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

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

Legal Reference:
EDUCATION CODE
231.5 Sexual harassment policy
17612 Notification of pesticide use
22455.5 STRS information to potential members
22461 Postretirement compensation limitation
35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
35171 Notice of regulations pertaining to certificated employee evaluations
37616 Notice of public hearing on year-round schedule
44031 Personnel file contents, inspection
44663-44664 Evaluation of certificated employees
44842 Reemployment notices, certificated employees
44896 Transfer of administrator or supervisor to teaching position
44916 Written statement of employment status
44929.21 Reelection or nonreelection of probationary employee after second year
44934 Notice of disciplinary action for cause
44938 Notice of unprofessional conduct and opportunity to correct
44940.5-44941 Notification of suspension and intent to dismiss
44948.3-44948.5 Dismissal of probationary employees
44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel
44954 Nonreelection of temporary employees
44955 Reduction in number of employees
45113 Notification of charges, classified employees
45117 Notice of layoff, classified employees
45169 Employee salary data, classified employees
45192 Industrial and accident leave
45195 Additional leave
46162 Notice of public hearing on block schedule
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
GOVERNMENT CODE
1126 Incompatible activities of employees
3100-3109 Oath or affirmation of allegiance
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information
HEALTH AND SAFETY CODE
104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
2800.2 Notification of availability of continuation health coverage
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility
PENAL CODE
11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
UNEMPLOYMENT INSURANCE CODE
2613 Disability insurance; notice of rights and benefits
CODE OF REGULATIONS, TITLE 2
7288.0 Sexual harassment training, provision of district policy
CODE OF REGULATIONS, TITLE 5
4622 Uniform complaint procedures
80303 Reports of change in employment status, alleged misconduct
CODE OF REGULATIONS, TITLE 8
3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
5193 California bloodborne pathogens standard
UNITED STATES CODE, TITLE 38
4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 29
825.300 Family and Medical Leave Act; notice requirement
CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans
CODE OF FEDERAL REGULATIONS, TITLE 49
382.601 Controlled substance and alcohol use and testing notifications

Policy adopted: March 28, 2013

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

CURRENT

Board Policy
Employee Notifications

BP 4312.9
Personnel

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

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

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

Legal Reference:
EDUCATION CODE
231.5 Sexual harassment policy
17612 Notification of pesticide use
22455.5 STRS information to potential members
22461 Postretirement compensation limitation
35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
35171 Notice of regulations pertaining to certificated employee evaluations
37616 Notice of public hearing on year-round schedule
44031 Personnel file contents, inspection
44663-44664 Evaluation of certificated employees
44842 Reemployment notices, certificated employees
44896 Transfer of administrator or supervisor to teaching position
44916 Written statement of employment status
44929.21 Reelection or nonreelection of probationary employee after second year
44934 Notice of disciplinary action for cause
44938 Notice of unprofessional conduct and opportunity to correct
44940.5-44941 Notification of suspension and intent to dismiss
44948.3-44948.5 Dismissal of probationary employees
44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel
44954 Nonreelection of temporary employees
44955 Reduction in number of employees
45113 Notification of charges, classified employees
45117 Notice of layoff, classified employees
45169 Employee salary data, classified employees
45192 Industrial and accident leave
45195 Additional leave
46162 Notice of public hearing on block schedule
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
GOVERNMENT CODE
1126 Incompatible activities of employees
3100-3109 Oath or affirmation of allegiance
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information
HEALTH AND SAFETY CODE
104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
2800.2 Notification of availability of continuation health coverage
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility
PENAL CODE
11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
UNEMPLOYMENT INSURANCE CODE
2613 Disability insurance; notice of rights and benefits
CODE OF REGULATIONS, TITLE 2
7288.0 Sexual harassment training, provision of district policy
CODE OF REGULATIONS, TITLE 5
4622 Uniform complaint procedures
80303 Reports of change in employment status, alleged misconduct
CODE OF REGULATIONS, TITLE 8
3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
5193 California bloodborne pathogens standard
UNITED STATES CODE, TITLE 38
4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 29
825.300 Family and Medical Leave Act; notice requirement
CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans
CODE OF FEDERAL REGULATIONS, TITLE 49
382.601 Controlled substance and alcohol use and testing notifications

Policy adopted: March 28, 2013

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy
Certificated Personnel BP 4113(a)
ASSIGNMENT

Note: Education Code 35035 gives the Superintendent or designee the authority to assign personnel subject to Governing Board approval. The following **optional** policy may be revised to reflect district practice.
Staff assignments must be reported to the California Department of Education through the California Longitudinal Pupil Achievement Data Systems (CALPADS) Professional Assignment Information Form.

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

(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

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

(cf. 4141/4241 - Collective Bargaining Agreement)
Assignment to Courses/Classes

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

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

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

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

ASSIGNMENT (continued)

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

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

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

(cf. 3580 - District Records)

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

Vacancies and Misassignments

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

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

ASSIGNMENT (continued)

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

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

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

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

(cf. 0420.41 - Charter School Oversight)

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

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

(cf. 0510 - School Accountability Report Card)

Equitable Distribution of Qualified and Experienced Teachers

ASSIGNMENT (continued)

Note: The following section may be revised to reflect district practice. **For districts that receive federal Title I funding, 20 USC 6312 requires** that the Title I local educational agency (LEA) plan include a description of how the district will identify and address, any disparities that result in low-income or minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers. **These specific** Title I planning requirements **are fulfilled** through the local control and accountability plan and the consolidated application reporting system.

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

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

(cf. 0460 - Local Control and Accountability Plan)
(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4114 - Transfers)
(cf. 4131 - Staff Development)
(cf. 4131.1 - Teacher Support and Guidance)
(cf. 6171 - Title I Programs)

Legal Reference: (see next page)

ASSIGNMENT (continued)

Legal Reference:

EDUCATION CODE
33126 School accountability report card
35035 Additional powers and duties of superintendent
35186 Complaint process
37616 Assignment of teachers to year-round schools
44225.6 Commission report to the legislature re: teachers
44250-44277 Credentials and assignments of teachers
44314 Subject matter programs, approved subjects
44824 Assignment of teachers to weekend classes
44955 Reduction in number of employees
GOVERNMENT CODE
3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5
80003-80005 Credential authorizations
80020-80020.5 Additional assignment authorizations
80335 Performance of unauthorized professional services
80339-80339.6 Unauthorized certificated employee assignment
UNITED STATES CODE, TITLE 20
6311 State plan
6312 Local educational agency plans
6601-6651 Teacher and Principal Training and Recruiting Fund

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California State Plan to Ensure Equitable Access to Excellent Educators
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
Administrator's Assignment Manual - Updates and Revisions, May 2014
The Administrator's Assignment Manual, rev. September 2007
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016
Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Commission on Teacher Credentialing: http://www.ctc.ca.gov
U.S. Department of Education: http://www.ed.gov

(3/09 7/16) 5/20

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CURRENT

Board Policy
Assignment

BP 4113
Personnel

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

(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4112.22 - Staff Teaching English Language Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

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

(cf. 4141/4241 - Collective Bargaining Agreement)

Assignment to Courses/Classes

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

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

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

(cf. 3580 - District Records)

The Superintendent or designee shall periodically report to the Board on teacher assignments and

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Equitable Distribution of Qualified Teachers

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

(cf. 0520.2 - Title I Program Improvement Schools)

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

(cf. 0460 - Local Control and Accountability Plan)
(cf. 4111 - Recruitment and Selection)
(cf. 4114 - Transfers)
(cf. 4131 - Staff Development)
(cf. 4131.1 - Teacher Support and Guidance)
(cf. 6171 - Title I Programs)

Legal Reference:
EDUCATION CODE
33126 School accountability report card
35035 Additional powers and duties of superintendent
35186 Complaint process
37616 Assignment of teachers to year-round schools
44225.6 Commission report to the legislature re: teachers
44250-44277 Credentials and assignments of teachers
44314 Subject matter programs, approved subjects
44824 Assignment of teachers to weekend classes
44955 Reduction in number of employees
GOVERNMENT CODE
3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5

80003-80005 Credential authorizations
80020-80020.5 Additional assignment authorizations
80335 Performance of unauthorized professional services
80339-80339.6 Unauthorized certificated employee assignment
UNITED STATES CODE, TITLE 20
6311 State plan
6312 Local educational agency plans
6601-6651 Teacher and Principal Training and Recruiting Fund

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California State Plan to Ensure Equitable Access to Excellent Educators
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
Administrator's Assignment Manual - Updates and Revisions, May 2014
The Administrator's Assignment Manual, rev. September 2007
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, May 4, 2016
Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Commission on Teacher Credentialing: http://www.ctc.ca.gov
U.S. Department of Education: http://www.ed.gov

Policy adopted: November 16, 2017

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy

All Personnel

BP 4119.42(a)
4219.42
4319.42

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

Note: Pursuant 29 CFR 1910.1030 and 8 CCR 5193, districts must identify employees who have occupational exposure to bloodborne pathogens and must establish a written exposure control plan to eliminate or minimize employee exposure to these pathogens. **Because safety conditions of employment are within the scope of bargaining pursuant to Government Code 3543.2, the** district may want to consult legal counsel regarding whether components of its exposure control plan are subject to collective bargaining.

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

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

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

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

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

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

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS (continued)

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

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

Legal Reference:

GOVERNMENT CODE
3543.2 Scope of bargaining
LABOR CODE
142.3 Authority of Cal/OSHA to adopt standards
144.7 Requirement to amend standards
6401.7 Injury and illness prevention program
CODE OF REGULATIONS, TITLE 8
3203 Injury and illness prevention program
3204 Access to employee exposure and medical records
5193 California bloodborne pathogens standards
CODE OF FEDERAL REGULATIONS, TITLE 29
1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Frequently Asked Questions About the Bloodborne Pathogens Standard
A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001
Exposure Control Plan for Bloodborne Pathogens, 2001
WEB SITES
~~*OSHA: http://www.osha.gov*~~
~~*Cal/OSHA*~~ ***California Department of Industrial Relations, Occupational Safety and Health****:*
http://www.dir.ca.gov/occupational_safety.html
Centers for Disease Control and Prevention: http://www.cdc.gov
U.S. Department of Labor, Occupational Safety and Health Administration: http://www.osha.gov

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CURRENT

Board Policy

Exposure Control Plan For Bloodborne Pathogens

BP 4119.42
Personnel

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

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

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

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

Legal Reference:
LABOR CODE
142.3 Authority of Cal/OSHA to adopt standards
144.7 Requirement to amend standards
CODE OF REGULATIONS, TITLE 8
3204 Access to employee exposure and medical records
5193 California bloodborne pathogens standards
CODE OF FEDERAL REGULATIONS, TITLE 29
1910.1030 OSHA bloodborne pathogens standards

Management Resources:
CDE ADVISORIES
1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings
WEB SITES
OSHA: http://www.osha.gov
Cal/OSHA: http://www.dir.ca.gov/occupational_safety.html
Centers for Disease Control and Prevention: http://www.cdc.gov

Policy adopted: November 18, 2010

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy
All Personnel BP 4119.43(a)
4219.43
UNIVERSAL PRECAUTIONS 4319.43

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

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

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

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

Note: Health and Safety Code ~~120875~~ **120880** requires districts to provide information regarding AIDS and hepatitis B, as specified below**, including that the cost of a hepatitis B vaccination may be covered by the employees' health benefit plan. For employees who are identified as having occupational exposure to bloodborne pathogens, the cost of a hepatitis B vaccination must be borne by the district pursuant to 8 CCR 5193 and 29 CFR 1910.1030; see AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens.**

Districts may also wish to provide information to employees about the hepatitis C virus **and other bloodborne pathogens that may be controlled through the use of universal precautions**. The following paragraph should be modified to reflect any additional information provided to employees.

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

UNIVERSAL PRECAUTIONS (continued)

plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by **CDE**. (Health and Safety Code 120875, 120880)

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

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

Information regarding universal precautions may be included in employee handbooks.

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

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

Legal Reference:

GOVERNMENT CODE
3543.2 Scope of bargaining
HEALTH AND SAFETY CODE
117600-118360 Handling and disposal of regulated waste
120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B
120880 Information to employees of school district
LABOR CODE
6401.7 Injury and illness prevention program
CODE OF REGULATIONS, TITLE 8
3203 Injury and illness prevention program
5193 California bloodborne pathogens standard
CODE OF FEDERAL REGULATIONS, TITLE 29
1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Hepatitis B Questions and Answers for the Public
WEB SITES
American Federation of Teachers: https://www.aft.org
California Department of Industrial Relations, Occupational Safety and Health*: http://www.dir.ca.gov/occupational_safety.html*
California Department of Public Health: https://www.cdph.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
U.S. Department of Labor, Occupational Safety and Health Administration: http://www.osha.go

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CURRENT

Board Policy
Universal Precautions

BP 4119.43
Personnel

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

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

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

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

Legal Reference:
HEALTH AND SAFETY CODE
117600-118360 Handling and disposal of regulated waste
120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B
120880 Information to employees of school district
CODE OF REGULATIONS, TITLE 8
5193 California bloodborne pathogens standard
CODE OF FEDERAL REGULATIONS, TITLE 29
1910.1030 OSHA bloodborne pathogens standards

Management Resources:
CDE PROGRAM ADVISORIES
1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings
WEB SITES
Centers for Disease Control and Prevention: http://www.cdc.gov

CURRENT

Board Policy
Universal Precautions

BP 4219.43
Personnel

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

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

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

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

Legal Reference:
HEALTH AND SAFETY CODE
117600-118360 Handling and disposal of regulated waste
120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B
120880 Information to employees of school district
CODE OF REGULATIONS, TITLE 8
5193 California bloodborne pathogens standard
CODE OF FEDERAL REGULATIONS, TITLE 29
1910.1030 OSHA bloodborne pathogens standards

Management Resources:
CDE PROGRAM ADVISORIES
1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings
WEB SITES

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

Policy adopted: November 18, 2010

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

CURRENT

Board Policy
Universal Precautions

BP 4319.43
Personnel

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the district.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

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

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

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

Legal Reference:
HEALTH AND SAFETY CODE
117600-118360 Handling and disposal of regulated waste
120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B
120880 Information to employees of school district
CODE OF REGULATIONS, TITLE 8
5193 California bloodborne pathogens standard
CODE OF FEDERAL REGULATIONS, TITLE 29
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WEB SITES

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

Policy adopted: November 18, 2010

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy
All Personnel BP 4151(a)
4251
EMPLOYEE COMPENSATION 4351

Note: Districts that include provisions related to employee compensation in their collective bargaining agreements should modify or delete the following **optional** policy accordingly.

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Note: Education Code 45023 and 45162 require the Governing Board to adopt salary schedules for certificated and classified employees, respectively. For districts operating under a merit system, Education Code 45268 specifies that the personnel commission will recommend a salary schedule for classified employees to the Board for approval and that the Board may not amend the schedule without first giving the commission an opportunity to respond to the amendments.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, 45268)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

EMPLOYEE COMPENSATION (continued)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4312.1 - Contracts)

Note: Pursuant to Education Code 45038, certificated employees may be paid once every two weeks, twice a month, or once every four weeks. The Board may also choose to pay certificated employees, or one or more individual employees, in 10, 11, or 12 equal payments over the year. Education Code 45039 provides that, if the Board arranges to pay certificated employees in 12 equal payments for the year, it may pay each monthly installment at the end of each calendar month, whether or not the employees are engaged in teaching during the month. Education Code 45165 addresses salary payments for classified employees who are employed 9-11 months per year.

Education Code 45048 and 45165 provide specific timelines for issuing salary payments depending on the frequency of payments. If payments are not made in a timely manner, the district is required to pay the employee interest on the unpaid amount.

The following paragraph may be revised to reflect the payroll schedule determined by the Board.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

Note: According to Office of Management and Budget Memorandum M-20-17, during extraordinary circumstances such as a pandemic which interrupts district operations, employees paid with federal grant funds can continue to be paid out of federal grant funds as long as other similarly situated employees paid with nonfederal funds are continuing to get compensated. The following optional paragraph establishes such emergency contingencies so that the Board may continue to provide employee compensation during such times.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

Note: Pursuant to 29 CFR 516.4, districts are required to post a notice of the minimum wage provisions of the Fair Labor Standards Act (FLSA) (29 USC 201-219) in a conspicuous place at all work sites. The poster that must be used by state and local governments is available on the web site of the U.S. Department of Labor's Wage and Hour Division.

EMPLOYEE COMPENSATION (continued)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

Note: Pursuant to the FLSA (29 CFR 553.20) and **Education Code 45128**, employees who are not specifically exempted by law**, including classified employees in both merit and non-merit system districts,** must receive overtime pay **or compensatory time off** at a rate not less than one and one-half times their regular rate of pay for hours worked in excess of **eight hours in any one day and in excess of** 40 hours per **calendar** week. **However, if the Board has established a work day of less than eight hours but at least seven hours, and a work week of less than 40 hours but at least 35 hours, all time worked in excess of the established work schedule must be deemed overtime**

Pursuant to Education Code 45130, districts are not required to pay overtime for any classified positions established by the Board, or by the personnel commission in a merit system district, as supervisory, administrative, or executive. In approving positions for exclusion from the overtime provisions, the Board or personnel commission must certify in writing that the duties, flexibility of hours, salary, benefit structure, and authority of the positions are of such a nature that they should be set apart from those positions which are subject to the overtime provisions. See BP/AR 4300 - Administrative and Supervisory Personnel. However, Education Code 45130 requires that, if a classified employee in an exempt position is required to work on a holiday designated in law or by the Board, the employee must be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay.

Overtime pay requirements are also not applicable to school administrators or teachers in elementary or secondary schools under specific exemptions in 29 USC 213 and 29 CFR 541.303. Pursuant to 29 CFR 541.303 and 541.600, teachers do not need to meet the salary level requirement to be exempt from overtime rules. 29 CFR 541.204 provides that**,** to be exempt from overtime rules, administrators must either meet the salary level requirement or be compensated on a salary basis that is at least equal to the entrance salary for teachers in the administrator's school.

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, **teachers, school administrators, and other** employees **in positions established by the Board as** executive, administrative, or professional **shall be exempt from overtime rules Education Code 45128, 45130;** 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

(cf. 4300 - Administrative and Supervisory Personnel)

EMPLOYEE COMPENSATION (continued)

Note: The following **optional** paragraph is for use by districts that allow employees to take compensatory time off in lieu of overtime compensation as authorized by 29 USC 207 and 29 CFR 553.20-553.25. Time off in lieu of overtime compensation is allowed only if provided for in a collective bargaining agreement or other agreement and must be provided at the rate of at least one and one-half hours for each hour of overtime work.

Pursuant to 29 CFR 553.21, an employee must be allowed to use earned compensatory time within a "reasonable period" after making the request. 29 CFR 553.25 provides that a "reasonable period" is determined on a case-by-case basis by considering customary work practices such as the normal work schedule, anticipated peak workloads based on past experience, emergency requirements for staff and services, and the availability of qualified substitute staff. **Education Code 45129 provides that the compensatory time off must be used within 12 calendar months.**

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within ~~a reasonable period~~ **12 calendar months** after making the request if the use of the compensatory time does not unduly disrupt district operations. (**Education Code 45129;** 29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

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

Legal Reference:
EDUCATION CODE
45022-45061.5 Salaries, especially:
45023 Availability of salary schedule
45028 Salary schedule for certificated employees
45127-45133.5 Classified employees; work week; overtime provisions
45160-45169 Salaries for classified employees
45268 Salary schedule for classified service in merit system districts
GOVERNMENT CODE
3540-3549 Meeting and negotiating, especially:
3543.2 Scope of representation
3543.7 Duty to meet and negotiate in good faith

Legal Reference continued: (see next page)

EMPLOYEE COMPENSATION (continued)

Legal Reference: (continued)

LABOR CODE
226 Employee access to payroll records
232 Disclosure of wages
CODE OF REGULATIONS, TITLE 8
11040 Wages and hours; definitions of administrative, executive, and professional employees
UNITED STATES CODE, TITLE 26
409A Deferred compensation plans
UNITED STATES CODE, TITLE 29
201-219 Fair Labor Standards Act, especially:
203 Definitions
207 Overtime
213 Exemptions from minimum wage and overtime requirements
CODE OF FEDERAL REGULATIONS, TITLE 26
1.409A-1 Definitions and covered plans
CODE OF FEDERAL REGULATIONS, TITLE 29
516.4 Notice of minimum wage and overtime provisions
516.5-516.6 Records
541.0-541.710 Exemptions for executive, administrative, and professional employees
553.1-553.51 Fair Labor Standards Act; applicability to public agencies
COURT DECISIONS
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS
Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations, Memorandum M-20-17, March 19, 2020
WEB SITES
CSBA: http://www.csba.org
Internal Revenue Service: http://www.irs.gov
School Services of California, Inc.: http://www.sscal.com
U.S. Department of Labor, Wage and Hour Division: https://www.dol.gov/whd

(10/16 12/19) 5/20

Policy Reference UPDATE Service
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CURRENT

South San Francisco USD

Board Policy

Employee Compensation

BP 4151
Personnel

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4312.1 - Contracts)

The Board shall determine the frequency and schedule of salary payments, including whether

payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

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

Legal Reference:
EDUCATION CODE
45022-45061.5 Salaries, especially:
45023 Availability of salary schedule
45028 Salary schedule for certificated employees
45160-45169 Salaries for classified employees
45268 Salary schedule for classified service in merit system districts
GOVERNMENT CODE
3540-3549 Meeting and negotiating, especially:
3543.2 Scope of representation
3543.7 Duty to meet and negotiate in good faith
LABOR CODE
226 Employee access to payroll records
232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules
UNITED STATES CODE, TITLE 26
409A Deferred compensation plans
UNITED STATES CODE, TITLE 29
201-219 Fair Labor Standards Act, especially:
203 Definitions
207 Overtime
213 Exemptions from minimum wage and overtime requirements
CODE OF FEDERAL REGULATIONS, TITLE 26
1.409A-1 Definitions and covered plans
CODE OF FEDERAL REGULATIONS, TITLE 29
516.4 Notice of minimum wage and overtime provisions
516.5-516.6 Records
541.0-541.710 Exemptions for executive, administrative, and professional employees
553.1-553.51 Fair Labor Standards Act; applicability to public agencies
COURT DECISIONS
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:
WEB SITES
CSBA: http://www.csba.org
Internal Revenue Service: http://www.irs.gov
School Services of California, Inc.: http://www.sscal.com
U.S. Department of Labor, Wage and Hour Division: https://www.dol.gov/whd

Policy adopted: February 22, 2018

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

Current

South San Francisco USD

Board Policy

Employee Compensation

BP 4251
Personnel

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4312.1 - Contracts)

The Board shall determine the frequency and schedule of salary payments, including whether

payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

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

Legal Reference:
EDUCATION CODE
45022-45061.5 Salaries, especially:
45023 Availability of salary schedule
45028 Salary schedule for certificated employees
45160-45169 Salaries for classified employees
45268 Salary schedule for classified service in merit system districts
GOVERNMENT CODE
3540-3549 Meeting and negotiating, especially:
3543.2 Scope of representation
3543.7 Duty to meet and negotiate in good faith
LABOR CODE
226 Employee access to payroll records
232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules
UNITED STATES CODE, TITLE 26
409A Deferred compensation plans
UNITED STATES CODE, TITLE 29
201-219 Fair Labor Standards Act, especially:
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CODE OF FEDERAL REGULATIONS, TITLE 26
1.409A-1 Definitions and covered plans
CODE OF FEDERAL REGULATIONS, TITLE 29
516.4 Notice of minimum wage and overtime provisions
516.5-516.6 Records
541.0-541.710 Exemptions for executive, administrative, and professional employees
553.1-553.51 Fair Labor Standards Act; applicability to public agencies
COURT DECISIONS
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:
WEB SITES
CSBA: http://www.csba.org
Internal Revenue Service: http://www.irs.gov
School Services of California, Inc.: http://www.sscal.com
U.S. Department of Labor, Wage and Hour Division: https://www.dol.gov/whd

Policy adopted: February 22, 2018

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

Current

South San Francisco USD

Board Policy

Employee Compensation

BP 4351
Personnel

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4312.1 - Contracts)

The Board shall determine the frequency and schedule of salary payments, including whether

payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

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

Legal Reference:
EDUCATION CODE
45022-45061.5 Salaries, especially:
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45028 Salary schedule for certificated employees
45160-45169 Salaries for classified employees
45268 Salary schedule for classified service in merit system districts
GOVERNMENT CODE
3540-3549 Meeting and negotiating, especially:
3543.2 Scope of representation
3543.7 Duty to meet and negotiate in good faith
LABOR CODE
226 Employee access to payroll records
232 Disclosure of wages

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UNITED STATES CODE, TITLE 26
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Management Resources:
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U.S. Department of Labor, Wage and Hour Division: https://www.dol.gov/whd

Policy adopted: February 22, 2018

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
NEW
10/21/21

CSBA Sample
Board Policy
Students BP 5141.5(a)
MENTAL HEALTH

Note: Education Code 215 requires all governing boards to adopt a policy on student suicide prevention, intervention, and postvention (i.e., intervention conducted after a suicide) with specified components; see BP/AR 5141.52 - Suicide Prevention. The following optional policy is intended to address broader mental health issues facing students and may be revised to reflect district practice.

The Governing Board recognizes that students' emotional well-being and mental health contribute to their ability to perform to their full academic and personal potential. The Superintendent or designee shall develop strategies and services to build students' resiliency skills, help students cope with life challenges, and reduce the stigma associated with mental illness.

The Superintendent or designee shall consult and collaborate with school-employed mental health professionals, the county mental health department, psychologists and other health professionals, social workers, and/or community organizations to strengthen local mental health services and develop and implement an integrated plan to support student mental health.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

To the extent possible, the district shall focus on preventive strategies which increase students' connectedness to school, create a support network of peers and trusted adults, and provide techniques for conflict resolution. The district shall investigate and resolve any complaint of bullying, intimidation, harassment, or discrimination in accordance with law and district policy.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Note: The state's content standards for health education include voluntary standards pertaining to mental, emotional, and social health at selected elementary and secondary grades and suicide prevention instruction at grade 7 or 8 and in high school.

MENTAL HEALTH (continued)

The district shall provide instruction to students that promotes their healthy mental, emotional, and social development. Health education courses shall be aligned with the

state content standards and curriculum framework and shall include, but not be limited to, instruction related to identifying signs of depression and self-destructive behaviors, developing coping skills, and identifying resources that may provide assistance.

(cf. 6142.8 - Comprehensive Health Education)

The Superintendent or designee shall provide school staff with information and training to recognize the early signs of an emerging mental health condition, identify risk factors and warning signs of suicidal intent, respond to students who have been impacted by traumatic stress, and link students with effective services and supports. Such information may also be provided to parents/guardians and families.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5141.52 - Suicide Prevention)

The Superintendent or designee shall develop a protocol for identifying and assessing students who may be suffering from an anxiety disorder, depression, eating disorder, or other severe or disabling mental illness. The Superintendent or designee may establish districtwide or school-site crisis intervention team(s) to respond to mental health concerns in the school setting.

A school counselor, school psychologist, or school social worker may provide mental health counseling to students in accordance with the specialization(s) authorized on the individual's credential. As needed, students and their parents/guardians may be provided referrals to mental health services in the community and/or to mental health services at or near district schools.

(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to 28 CFR 35.108, a student should be evaluated in accordance with Section 504 of the Rehabilitation Act (29 USC 794) if the student has a disability, including a mental impairment, that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. See BP/AR 6164.6 - Identification and Education Under Section 504. Districts also have an affirmative, ongoing duty to actively and systematically seek out, identify, locate, and evaluate all children with disabilities who may be in need of special education and related services (Education Code 56171, 56300-56385; 20 USC 1412; 34 CFR 300.111). See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

MENTAL HEALTH (continued)

If a student has an emotional or mental illness that limits a major life activity, has a record of such impairment, or is regarded as having such impairment, or may need special education and related services, the student shall be referred for an evaluation for purposes of determining whether any educational or related services are required in accordance with Section 504 of the Rehabilitation Act or the federal Individuals with

Disabilities Education Act, as applicable. (Education Code 56301-56302; 29 USC 794; 28 CFR 35.108)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

Note: In addition to using district funds for mental health programs or services, districts may apply for grant funds administered by the county mental health agency or other sources.

The Mental Health Services Act, established by Proposition 63 in 2004, provides funding, personnel, and other resources to support county mental health programs, including, but not limited to, prevention and early intervention programs. Funding may be allocated for outreach to families and others to recognize the early signs of potentially severe and disabling mental illnesses, access and linkage to medically necessary care for children with severe mental illness, reduction in stigma and discrimination against people with mental illness, and strategies to reduce negative outcomes that may result from untreated mental illness.

Welfare and Institutions Code 5886, as added by SB 75 (Ch. 51, Statutes of 2019), establishes the Mental Health Student Services Act, a competitive grant program to award funds to county mental health or behavioral health departments for the purpose of creating mental health partnerships with school districts, charter schools, and county offices of education.

The Superintendent or designee shall explore potential funding sources for district programs and services that support student's mental health. In accordance with local plans and priorities, the district may apply to the county for grants for prevention and early intervention activities that are designed to prevent mental illness from becoming severe and disabling and to improve timely access for underserved populations.

Legal Reference:

EDUCATION CODE
215-216 Student suicide prevention
234.6 Posting suicide prevention policy on web site
32280-32289.5 Comprehensive safety plan
49060-49079 Student records
49600 Responsibilities of school counselors
49602 Confidentiality of student information
49604 Suicide prevention training for school counselors
56171 Duty to identify and assess children in private schools who need special education services
56300-56385 Identification, referral, and assessment for special education
WELFARE AND INSTITUTIONS CODE
5698 Emotionally disturbed youth; legislative intent

MENTAL HEALTH (continued)

Legal Reference: (continued)

EDUCATION CODE
5840-5840.8 Prevention and early intervention programs
5850-5886 Children's Mental Health Services Act
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Nondiscrimination on the basis of disability
CODE OF FEDERAL REGULATIONS, TITLE 34
34 CFR 300.1-300.818 Individuals with Disabilities Education Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008
Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009
NATIONAL CHILD TRAUMATIC STRESS NETWORK PUBLICATIONS
Child Trauma Toolkit for Educators, 2008
WEB SITES
American Association of Suicidology: http://www.suicidology.org
American Foundation for Suicide Prevention: https://afsp.org
American Psychological Association: http://www.apa.org
American School Counselor Association: https://www.schoolcounselor.org
California Department of Education, Mental Health: http://www.cde.ca.gov/ls/cg/mh
California Department of Health Care Services, Mental Health Services: http://www.dhcs.ca.gov/services/MH
Centers for Disease Control and Prevention, Mental Health: http://www.cdc.gov/mentalhealth
National Association of School Psychologists: https://www.nasponline.org
National Child Traumatic Stress Network: https://www.nctsn.org
National Council for Behavioral Health, Mental Health First Aid: https://www.mentalhealthfirstaid.org
National Institute for Mental Health: http://www.nimh.nih.gov
Suicide Prevention Lifeline: https://suicidepreventionlifeline.org
Suicide Prevention Resource Center: https://www.sprc.org/about-suicide
U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: http://www.samhsa.gov

Policy Reference UPDATE Service
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First Reading PROPOSED 10/21/21

CSBA Sample
Board Policy
Students BP 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** policy reflects various provisions of state and federal law which prohibit discrimination against students in educational programs and activities based on certain actual or perceived characteristics of an individual, including Education Code 220, which prohibits discrimination based on **disability,** race, nationality, immigration status, ethnicity, gender, gender identity, gender expression, ~~,~~ sexual orientation, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55; Government Code 11135, which prohibits discrimination based on all the foregoing characteristics and on **sex, color, ancestry,** age, **medical condition, marital status,** ~~disability,~~ and an individual's genetic information; Title VI (42 USC 2000d-2000e-17), which prohibits discrimination based on race, color, or national origin; Title IX (20 USC 1681-1688), which prohibits discrimination based on sex, gender, gender identity, pregnancy, and parental status; the Age Discrimination Act of 1975 (42 USC 6101-6107), which prohibits discrimination based on age; and Title II (20 USC 12101-12213) and Section 504 (29 USC 794), which prohibit discrimination based on disability. Education Code 260 gives the Governing Board primary responsibility for ensuring that district programs and activities are free from discrimination based on age or any of ~~these~~ **the** characteristics **listed in Education Code 220**. See also BP 0410 - Nondiscrimination in District Programs and Activities.

Moreover, this sample Board policy and the accompanying administrative regulation reflect the statutory right of a transgender student to participate in sex-segregated educational programs and use facilities consistent with **one's** gender identity as specified in Education Code 221.5, and best practices based on existing state and federal law. Districts with questions about the rights of transgender and gender-nonconforming students should consult legal counsel as appropriate. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination.

Education Code 234.1 **mandates** that districts adopt policy prohibiting discrimination **which applies to all acts related to** school activity ~~related to~~ **or** school attendance **occurring within a school** or under the authority of the district, including discriminatory harassment, intimidation, and bullying, based on the foregoing characteristics. The California Department of Education (CDE), through its Federal Program Monitoring process, reviews districts' uniform complaint procedures (UCP) and other anti-discrimination policies and practices to ensure compliance with these requirements. In addition, the U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the administrative enforcement of federal laws and regulations prohibiting discrimination on the basis of race, color, national origin, sex, disability, and age in programs and activities that receive federal financial assistance from the department, and requires the adoption of nondiscrimination policies and complaint procedures.

OCR has clarified in several publications that conduct that occurs off campus may have an adverse effect on a student at school (i.e., create a "hostile environment" for the student). When that happens, the district has an obligation to investigate and to take steps to protect the student.

This policy shall apply to all acts **constituting unlawful discrimination or harassment** related to school activity or to school attendance occurring within a district school, and to

NONDISCRIMINATION/HARASSMENT (continued)

acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Governing Board desires to provide a safe school environment that allows all students equal access **to** and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, **medical condition,** sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also **occurs when** prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Note: In addition to the types of prohibited student conduct described above, **unlawful discrimination** includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services. See BP 0410 - Nondiscrimination in District Programs and Activities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

NONDISCRIMINATION/HARASSMENT (continued)

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Note: Pursuant to Education Code 234.1 and 34 CFR ~~106.8~~ **106.9**, a district is required to ~~adopt and~~ publicize its nondiscrimination policies to the school community. **In addition, Education Code 234.6, as added by AB 34 (Ch. 282, Statutes of 2019), requires the district, starting in the 2020-21 school year, to make readily accessible on its web site its nondiscrimination, sexual harassment, suicide prevention, and other specified policies and information related to specified state and federal laws and resources. For further information regarding specific posting requirements, see "Measures to Prevent Discrimination" in the accompanying administrative regulation.**

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. **In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.**

Note: In its October 2010 Dear Colleague Letter: Harassment and Bullying, OCR identifies training of the school community as one of the key measures for minimizing discriminatory and harassing behavior in school. See the accompanying administrative regulation for specific measures to prevent discrimination and facilitate students' access to the educational program. The following paragraph may be modified to reflect district practice.

The Superintendent or designee shall provide training and**/or** information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. **The Superintendent or designee** shall report **the** findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

NONDISCRIMINATION/HARASSMENT (continued)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Note: Policies related to discrimination must be consistent with the First Amendment right to free speech. Education Code 48950 prohibits a district from subjecting a high school student to disciplinary sanctions solely on the basis of speech or other communication that would be constitutionally protected if engaged in outside of campus. However, Education Code 48950 also specifies that the law does not prohibit discipline for harassment, threats, or intimidation unless constitutionally protected. Whether such speech might be entitled to constitutional protection would be determined on a case-by-case basis, with consideration for the specific words used and the circumstances involved. The district should consult legal counsel as necessary.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
49060-49079 Student records
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
432 Student record
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Prohibition of discrimination based on age
COURT DECISIONS
Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS
Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, ***March 2017***
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, *April 2018*
FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, *2006*
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Examples of Policies and Emerging Practices for Supporting Transgender Students, *May 2016*
Dear Colleague Letter: Title IX Coordinators, *April 2015*
Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, (2013) OCR 09-12-1020, DOJ 169-12C-70
Dear Colleague Letter: Harassment and Bullying, *October 2010*
Notice of Non-Discrimination, *Fact Sheet, August 2010*
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Office of the Attorney General: http://oag.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
First Amendment Center: http://www.firstamendmentcenter.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

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CURRENT

Board Policy
Nondiscrimination/Harassment

BP 5145.3
Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
432 Student record
4600-4670 Uniform complaint procedures
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UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Prohibition of discrimination based on age
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U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
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Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, Fact Sheet, August 2010
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
California Office of the Attorney General: http://oag.ca.gov
First Amendment Center: http://www.firstamendmentcenter.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy adopted: August 16, 2018

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy

Instruction BP 6020(a)

PARENT INVOLVEMENT

Note: **Education Code 11503 and** 20 USC 6318 **mandates** each district receiving federal Title I, Part A, funds to have a written parent/guardian and family engagement policy developed jointly with and agreed upon by parents/guardians and family members of participating students. Education Code 11504 **mandates** districts to adopt a policy on parent/guardian involvement applicable to each school that does not receive Title I funds. The following policy and accompanying administrative regulation contain language satisfying both mandates and should be revised to reflect district practice.

In addition, Education Code 51101 mandates policy for all districts addressing the manner in which parents/guardians, school staff, and students may share responsibility for continuing the intellectual, physical, emotional, and social development and well-being of students; see BP/AR 5020 - Parent Rights and Responsibilities for language fulfilling this mandate.

For best practices in implementing parent/guardian and family engagement programs, see the California Department of Education's Family Engagement Framework: A Tool for California School Districts.

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall **work** with parents/guardians and family members **to jointly develop and agree upon policy and strategies to** meaningful**ly** involve~~d~~ **parents/guardians and family members** in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

The district's local control and accountability plan **(LCAP)** shall include goals and strategies for parent/guardian involvement **and family engagement**, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian

PARENT INVOLVEMENT (continued)

participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

(cf. 0500 - Accountability)

Title I Schools

Note: The following section is for use by districts that receive Title I funds. 20 USC 6318 **mandates** that such districts develop, jointly with parents/guardians and family members of participating students, policy which establishes expectations and objectives for meaningful parent/guardian and family involvement and describes how the district will address specified components. See the accompanying administrative regulation for the required components and optional strategies for addressing each component.

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

Note: The following paragraph is for use by districts that receive more than $500,000 in Title I, Part A funding. Pursuant to 20 USC 6318, the Governing Board must reserve at least one percent of the district's Title I funding to carry out parent/guardian and family engagement activities, provided that one percent of the allocation received by the district totals more than $5,000

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities **and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631**. The

PARENT INVOLVEMENT (continued)

participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities. (20 USC 6318)

(cf. 3100 - Budget)

Note: 20 USC 6318 identifies allowable uses of the Title I funds reserved for parent/guardian and family engagement, as provided below. These uses are consistent with the activities that must be addressed in the district's parent/guardian and family engagement policy, as described in the accompanying administrative regulation.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members

2. Support for programs that reach parents/guardians and family members at home, in the community, and at school

3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members

4. Collaboration**, or the provision of subgrants to schools to enable collaboration,** with community-based or other organizations or employers with a record of success in improving and increasing parent**/guardian** and family engagement

5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

Note: The following paragraph is for use by districts that receive funds under federal Title IV, Part E (20 USC 7241-7246).

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

PARENT INVOLVEMENT (continued)

Note: Pursuant to 20 USC 6318, the district's parent/guardian and family engagement policy must be incorporated into the district's Title I LEA plan. In California, all the requirements of the LEA plan are addressed in an addendum to the ~~local control and accountability plan (~~LCAP~~)~~. See BP 0460 - Local Control and Accountability Plan.

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's **LCAP** in accordance with 20 USC 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

Non-Title I Schools

Note: The following section is for use by districts that do not receive any Title I funds or that have one or more individual schools that do not receive Title I funds. Education Code 11504 **mandates** the Board to adopt a policy on parent/guardian involvement, applicable to each school that does not receive Title I funds, that is consistent with the purposes and goals in Education Code 11502. See the accompanying administrative regulation for information about these goals and sample strategies for addressing each goal.

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference: (see next page)

PARENT INVOLVEMENT (continued)

Legal Reference:

EDUCATION CODE
*11500-~~11506~~ **11505** Programs to encourage parent involvement*
48985 Notices in languages other than English
51101 Parent rights and responsibilities
52060-52077 Local control and accountability plan
54444.1-54444.2 Parent advisory councils, services to migrant children
56190-56194 Community advisory committee, special education
64001 School plan for student achievement, consolidated application programs
LABOR CODE
230.8 Time off to visit child's school
CODE OF REGULATIONS, TITLE 5
18275 Child care and development programs, parent involvement and education
UNITED STATES CODE, TITLE 20
6311 State plan
6312 Local educational agency plan
6314 Schoolwide programs
6318 Parent and family engagement
6631 Teacher and school leader incentive program, purposes and definitions
7241-7246 Family engagement in education programs
CODE OF FEDERAL REGULATIONS, TITLE 28
35.104 Definitions, auxiliary aids and services
35.160 Communications

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Title I School-Level Parental Involvement Policy
Family Engagement Framework: A Tool for California School Districts, 2014
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Family, School, Community Partnerships: http://www.cde.ca.gov/ls/pf
California Parent Center: http://parent.sdsu.edu
California State PTA: http://www.capta.org
National Coalition for Parent Involvement in Education: http://www.ncpie.org
National PTA: http://www.pta.org
Parent Information and Resource Centers: http://www.pirc-info.net
Parents as Teachers National Center: http://www.parentsasteachers.org
U.S. Department of Education: http://www.ed.gov

(8/06 10/17) 5/20

Policy Reference UPDATE Service
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Current

South San Francisco USD

Board Policy

Parent Involvement

BP 6020
Instruction

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

(cf. 0500 - Accountability)

Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that

parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318. (20 USC 6318)

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. (20 USC 6318)

(cf. 3100 - Budget)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318.

Comparability of Services

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools:

1. The Board shall adopt and implement a districtwide salary schedule

2.The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.

3.Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.

4.All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.

5.The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds

expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:
EDUCATION CODE
11500-11506 Programs to encourage parent involvement
48985 Notices in languages other than English
51101 Parent rights and responsibilities
64001 Single plan for student achievement
LABOR CODE
230.8 Time off to visit child's school
UNITED STATES CODE, TITLE 20
6311 Parental notice of teacher qualifications and student achievement
6312 Local educational agency plan
6314 Schoolwide programs
6316 School improvement
6318 Parent involvement
CODE OF FEDERAL REGULATIONS, TITLE 28
35.104 Definitions, auxiliary aids and services
35.160 Communications

Management Resources:
CSBA PUBLICATIONS
Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006
STATE BOARD OF EDUCATION POLICIES
89-01 Parent Involvement in the Education of Their Children, rev. 1994
U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE
Parental Involvement: Title I, Part A, April 23, 2004

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Family, School, Community Partnerships: http://www.cde.ca.gov/ls/pf
California Parent Center: http://parent.sdsu.edu
California State PTA: http://www.capta.org
National Coalition for Parent Involvement in Education: http://www.ncpie.org
National PTA: http://www.pta.org
No Child Left Behind: http://www.ed.gov/nclb
Parent Information and Resource Centers: http://www.pirc-info.net
Parents as Teachers National Center: http://www.parentsasteachers.org
U.S. Department of Education: http://www.ed.gov

Policy adopted: February 27, 2014

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

First Reading
PROPOSED
10/21/21

CSBA Sample
Board Policy

Instruction BP 6115(a)

CEREMONIES AND OBSERVANCES

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)

Note: Education Code 37220 lists holidays on which district schools must be closed. See the accompanying administrative regulation. Pursuant to Education Code 37220, the Governing Board may designate any other day as a holiday.

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

(cf. 6144 - Controversial Issues)

Legal Reference: (see next page)

CEREMONIES AND OBSERVANCES (continued)

Legal Reference:

EDUCATION CODE
*37220-37222.**20** Holidays and commemorative events*
44015.1 Week of the School Administrator
*45203 Paid holidays**, classified employees***
*45460 Classified **School** Employee Week*
*52720-**52730** **Patriotic exercises and instruction***
GOVERNMENT CODE
430-439 Display of flags
3540-3549.3 Meeting and negotiating
UNITED STATES CODE, TITLE 4
6 Time and occasion for display of flag
7 Position and manner of display of flag
UNITED STATES CODE, TITLE 36
106 Constitution Day and Citizenship Day
106 Note Educational program on the U.S. Constitution
COURT DECISIONS
Newdow v. Rio Linda Union School District, 597 F.3d 1007, 1012 (9th Cir. 2010)
West Virginia State Board of Education et al v. Barnette et al (1943) 319 U.S. 624 ~~(1943)~~

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Department of Education, History/Social Science Instructional Materials: http://www.cde.ca.gov/ci/hs/im

(11/99 11/08) 5/20

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CURRENT

Board Policy
Ceremonies And Observances

BP 6115
Instruction

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society.

(cf. 6111 - School Calendar)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Learning Through Community Service)

Legal Reference:
EDUCATION CODE
37220-37223 Saturdays and holidays
44015.1 Week of the School Administrator
45203 Paid holidays
45460 Classified Employee Week
52720 Daily performance of patriotic exercises in public schools
52730 Patriotic exercises, daily instruction
GOVERNMENT CODE
430-439 Display of flags
3540-3549.3 Meeting and negotiating
UNITED STATES CODE, TITLE 4
6 Time and occasion for display of flag
7 Position and manner of display of flag
UNITED STATES CODE, TITLE 36
106 Note Constitution Day and Citizenship Day
COURT DECISIONS
West Virginia State Board of Education et al v. Barnette et al, 319 U.S. 624 (1943)

Management Resources:
CSBA PUBLICATIONS
Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER
70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)
WEB SITES
CSBA: http://www.csba.org
California Department of Education, History/Social Science Instructional Materials: http://www.cde.ca.gov/ci/hs/im

Policy adopted: November 18, 2010

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
South San Francisco, California

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

DATE: October 7, 2021

RE: Authorization to Respond to Grand Jury Report: "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools."

BACKGROUND:

The 2020-21 Grand Jury filed a report, entitled "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools" in August 2021. The report includes findings and a recommendation for districts and other agencies in our County on how they should undertake strategies to recruit, hire, and retail educators who mirror the racial and ethnic diversity of their students. The District's responses to the findings and recommendation are being presented to the Board of Trustees, which must approve these responses. This needs to be done no later than November 5, 2021.

FISCAL IMPLICATIONS:

Not applicable at this time.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the SSFUSD response to the Grand Jury regarding "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools."

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

SUPERINTENDENT
Shawnterra Moore, Ed.D.

BOARD OF TRUSTEES
John C. Baker
Chialin Hsieh
Daina R. Lujan
Patricia A. Murray
Mina A. Richardson

October 8, 2021

Via Email (grandjury@sanmateocourt.org)
The Honorable Amarra A. Lee
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to the 2020-2021 Grand Jury Report entitled "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools."

Dear Judge Lee:

The South San Francisco Unified School District (the "District") has received and reviewed the 2020-2021 Grand Jury Report entitled "Building a Racially & Ethnically Diverse Teaching Workforce: A Challenge for Our Schools." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds below pursuant to section 933.05 of the California Penal Code.

FINDINGS

1. *In San Mateo County, the ethnic diversity of teachers does not closely mirror that of the students they teach. A countywide demographic report, generated by the San Mateo County Office of Education, including teacher/student ethnicity, would be of value to all school districts in their recruitment efforts.*

   With respect to the statement that "[i]n San Mateo County, the ethnic diversity of teachers does not closely mirror that of the students they teach[,]" the District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

With respect to the statement that "[a] countywide demographic report, generated by the San Mateo County Office of Education, including teacher/student ethnicity, would be of value to all school districts in their recruitment efforts, the District agrees with this Finding.

2. *Teachers frequently leave schools in San Mateo County for higher pay in other districts, to the detriment of the students being taught.*

   The District agrees with this Finding.

3. *School districts in San Mateo County compete nationally for a limited pool of teacher candidates; those diminishing candidate pools result in limited-teacher diversity.*

   The District agrees with this Finding.

4. *Cost of living and housing affordability in San Mateo County are two major barriers which continue to impede our school districts' ability to attract, recruit, and retain a diverse teacher workforce.*

   The District agrees with this Finding.

5. *Public-school districts in the County are not permitted by State law to consider race, sex, color, ethnicity, or national origin in hiring. It is common practice for districts to interview all candidates who meet the qualifications for an open teaching position, further complicating hiring to meet diversity goals.*

   The District agrees with this Finding.

6. *The San Mateo County Office of Education has an opportunity to articulate and guide an educational vision for the entire County to the benefit of school districts and without direct involvement in individual school district staffing and policy decisions.*

   The District agrees with this Finding.

7. *Teacher residency and internship programs take time to produce results but school districts could benefit by increased participation in these programs.*

   The District agrees with this Finding.

8. *School districts invest varying degrees of effort into the process of recruiting a diverse teaching pool. While some rely on traditional strategies, others have found creative solutions to increase diversity in the teaching workforce.*

   The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

9. *The San Mateo County School Boards Association Equity Network, created in 2019-20, has been, for much of its existence, restricted to meeting online due to the pandemic. As a result, the group has had limited opportunities to work collaboratively to help build capacity for thoughtful, equity-driven decisions. Consequently, as of January 2021, their ability to both identify and deliver on stated outcomes has been limited.*

   The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

10. *School district superintendents and human resource personnel in San Mateo County agree that students of color benefit from having educators who look like them but are not always certain how to recruit or retain teachers of color.*

    The District agrees with this finding.

11. *A majority of school district strategic plans and other aspirational documents do not address teacher diversity nor are those plans easily accessible by the community.*

    The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

RECOMMENDATIONS

1. *By June 30, 2022, school districts should include a commitment to teacher diversity in strategic plan, goals and/or objectives, using the strategic plan developed by the San Mateo County Office of Education as a guide. These aspirational documents should be publicly and prominently displayed on their websites.*

The District implemented this Recommendation on May 29, 2021 in its Board Priorities Study Session Presentation where the priorities for SSFUSD are to center our work in educational equity and excellence so that we can make systematic shifts in our systems that will serve all students well. The priority, specific to this Grand Jury request, is to refocus our recruitment and hiring efforts to be more intentional and equitable in where we recruit, in how we articulate our commitment to equity, diversity, and inclusion, and in how we align our interview questions to focus on our core beliefs and values of hiring highly qualified, diverse educators in our District. Information about the discussion and commitment is displayed on the District's public website at https://www.ssfusd.org/goals.

Please be advised that the District presented the Grand Jury Report to its Board of Trustees, and the District's Board approved these responses, on October 7, 2021.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Shawnterra Moore, Ed.D.
Superintendent
South San Francisco Unified School District

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

DATE: October 7, 2021

RE: Approval of Superintendent Contract Amendment

BACKGROUND:

Typically, after a positive evaluation, the Board of Trustees will consider an amendment to the employment agreement between the District and the Superintendent, Dr. Shawnterra Moore.

The Board has tasked the Superintendent with carrying out the goals of the school district and Board, including a continued focus on building coherent, equitable, and aligned systems across the district and, more specifically, this last year, to focus on implementing a distance learning plan that was inclusive of health and safety measures. Despite the extraordinary health and safety challenges that were presented, Dr. Moore, in collaboration with the Board, Cabinet, school and union leaders and staff, were able to work collaboratively to implement a strong distance learning program, and develop a plan comprised of protocols for returning to school. Despite the extraordinary challenges, Dr. Moore has been successful in keeping the students at the center of the work, during a global pandemic, and communicating regularly to elicit parent feedback and keep our community engaged. The following points are examples of positive strides and achievements that the District has made, in collaboration with others, under Dr. Moore's leadership:

- Establish common, coherent distance learning plan, inclusive of aligned teaching and learning expectations during the pandemic.
- Providing ongoing and regular communication updates both internally and externally to our community.
- Created multiple opportunities, virtually, to share information and to elicit feedback.
- Worked collaboratively with union leadership to anticipate challenges, to elicit feedback, and proactively address them related to health and safety or other items of interest.
- Proactively secured EPE and prioritized health and safety for students, staff, and community.

- Offered a robust summer school program to mitigate learning loss.
- Earned several Kent awards - Spruce (PBIS); ECHS (music program); SSFHS (BARR & SAP SEL programs) LC (targeted small group support program); and Parkway (Wellness Wednesday program).
- Made progress monitoring more closely district priorities and goals and made adjustments as needed particularly related to teaching and learning during a pandemic.
- Increased and monitored mental health supports and increased transparency in data reporting to measure our impact.
- Engaged and elicited student feedback related to a hot topic in our community.
- Initiated process and selected members for Equity, Diversity, and Inclusion Committee.
- Board Governance team focused on equity and the development of a new board policy, and equity statement and an equity definition for the district
- Established key priorities for the 21-22 school year focused on equity and access
- Successfully developed a plan to bring students and staff back on campus prior to the end of the school year
- Partnered with local agency to delve more deeply into increasing access to higher level courses at the high school levels.
- Continued to strengthen Special education programs and staffing
- Maintained fiscal solvency during the COVID-19 recession and did not have to do any staff layoffs.

The Superintendent's initial employment contract with the District was for a three-year term, from August 1, 2015 through June 30, 2018. The Board previously considered and approved an amendment to the Superintendent contract that established a four-year term, from July 1, 2019 through June 30, 2023. At this time, the superintendent is not requesting additional salary or benefits as part of this amendment. The only amendment at this time is to extend its term through June 30, 2025. The contract amendment will now be as follows:

- July 1, 2021 through June 30, 2025.

FISCAL IMPLICATIONS:

There are no fiscal implications for this amendment.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees consider and approve the contract amendment.

FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT FOR DISTRICT SUPERINTENDENT BETWEEN THE SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT AND SHAWNTERRA MOORE

This Fifth Amendment ("Amendment") to the Employment Agreement for District Superintendent ("Agreement") between the South San Francisco Unified School District ("Board" or "District") and Shawnterra Moore ("Superintendent," and, together with the District/Board, the "Parties"), is effective as of July 1, 2021.

RECITAL

The Parties entered into an Agreement effective as of July 1, 2015 for Superintendent services and the term of that Agreement was through June 30, 2018. Thereafter, the Parties entered into a new Agreement that replaced the 2015 Agreement, effective as of July 1, 2016 and the term of the Agreement was for three years, through June 30, 2019 ("2016 Agreement").

Thereafter, the Parties entered into an amendment to the 2016 Agreement, effective as of July 1, 2017, which, among other things, extended the term of the 2016 Agreement through June 30, 2020 and adjusted the Superintendent's compensation.

The Parties thereafter entered into a Second Amendment to the 2016 Agreement, effective as of July 1, 2018, which, among other things, extended the term of the 2016 Agreement through June 30, 2022 and adjusted the Superintendent's compensation.

The Parties thereafter entered into a Third Amendment to the 2016 Agreement, effective as of July 1, 2019, which, among other things, extended the term of the 2016 Agreement through June 30, 2023, and adjusted the Superintendent's duties and compensation ("Third Amendment").

The Parties thereafter entered into a Fourth Amendment to the 2016 Agreement, effective as of July 1, 2020, which, among other things, extended the term of the 2016 Agreement through June 30, 2024.

The Parties now desire to further amend the Agreement by way of this Fifth Amendment to extend its term through June 30, 2025. Now, therefore, for consideration, the value of which the Parties acknowledge, including the continued services of the Superintendent, the Parties now further amend the 2016 Agreement, as follows:

1. Section 1 ("Term") of the Agreement is hereby amended in its entirety to read as follows: "The Board hereby employs the Superintendent, and the Superintendent hereby accepts the position of District Superintendent, for a term commencing on July 1, 2021, and ending on June 30, 2025."

All other terms of the Agreement, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto, or their duly authorized representatives, have affixed their hands.

Dated: _____ SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

By: _____

Daina Lujan, President, Board of Trustees

I accept this offer of employment and agree to comply with all of the terms and fulfill all of the duties of employment as Superintendent of the South San Francisco Unified School District.

Dated: _____ _____

Shawnterra Moore, Superintendent

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Keith B. Irish – Assistant Superintendent of Educational Services and Categorical Programs

DATE: October 7, 2021

RE: Approval of the K-12 Strong Workforce Program Grant

BACKGROUND:

SMCOE has received a K-12 Strong Workforce Program grant from the Bay Area Community College Consortium and is responsible for distributing funds to each district within the San Mateo County. The K-12 Strong Workforce Program was created to support, and/or expand high-quality career technical education programs at the K-12 level.

The total amount awarded pursuant to this agreement is $206,972 and payment to the District shall be made in accordance with the terms and conditions of this agreement.

The agreement shall commence on January 1, 2021 and shall expire on June 30, 2023.

FISCAL IMPLICATIONS:

Advance payment of 70% of the total amount of this agreement will be paid within 45 days following full execution of the agreement.

The District may request payment for reimbursable expenditures for the remaining 30% of the total amount of this agreement when actual expenditures and NOVA reported expenditures exceed the 70% advance payment. Payment(s) will be made, upon receipt of an invoice. Invoices shall be submitted on a form provided by the SMCOE and must be supported by detailed financial reports that itemize costs.

The District agrees to provide quarterly invoices for all performance under this agreement between January 1, 2021 and June 30, 2023.

The outcome of this grant will increase dual enrollment and strengthen partnerships between the districts and the San Mateo Community College District.

Funds Overview for Entire K12 SWP San Mateo County Grant:

Grant Amount	$1,183,138	2:1 match
Financial Contribution (Cash Match	$2,366,276	100%
Indirect (4%)	$45,502	

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the K12 Strong Workforce Program grant in effect January 1, 2021 through June 30, 2023.

AGREEMENT BETWEEN
SAN MATEO COUNTY OFFICE OF EDUCATION
AND SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
FOR K12 STRONG WORKFORCE PROGRAM

SAN MATEO COUNTY HIGH SCHOOLS + COLLEGES

CONSORTIUM: INCREASING EQUITY & ACCESS IN DUAL

ENROLLMENT

This agreement, dated **August 31, 2021,** is entered into between San Mateo County Office of Education ("SMCOE") and **South San Francisco Unified School District** ("District"), collectively referred to as "Parties" and individually as Party."

1. RECITALS

WHEREAS, SMCOE has received a K12 Strong Workforce Program (hereinafter referred to as "K12 SWP") grant from the Bay Area Community College Consortium (hereinafter referred to as "Regional Consortium") and is responsible for distributing funds to each district within the San Mateo County K12 SWP consortium, following certification by the District Signing Authority; and

WHEREAS, SMCOE is authorized to receive funding from K12 SWP, as appropriated under Education Code § 88827, for the K12 Strong Workforce Program to create, support, and/or expand high-quality career technical education programs at the K12 level; and

WHEREAS, the local school districts are entering into this Agreement to set the terms and conditions for their agency's award of the K12 Strong Workforce Program, and to be accountable for all deliverables identified in Exhibit A: Application and Scope of Work; and

NOW, THEREFORE, in exchange for the covenants set forth below, the Parties agree as follow:

2. AWARD AMOUNT

The total amount awarded pursuant to this Agreement is $206,972 and payment to the District shall be made in accordance with the terms and conditions of this Agreement and as determined by the amount approved as identified in Exhibit B: Budget.

District certifies that grant funds received and the matching funds contributed by the District and its partners shall be used solely for the purpose of supporting the program or programs for which the grant is awarded.

3. PERIOD OF PERFORMANCE

The period of performance for this Agreement shall commence on January 1, 2021 and shall expire on June 30, 2023, unless terminated earlier in accordance with the termination/cancellation provisions of this Agreement.

4. SCOPE OF WORK

District shall carry out the activities and achieve the performance outcomes as presented in the application and attached as Exhibit A: Application and Scope of Work.

5. MODIFICATIONS

District may request modifications to the work to be performed. All such requests must be submitted in writing to SMCOE CTE Coordinator prior to the modifications being made. The CTE Coordinator may require that a Grant Amendment be processed, if the Regional Consortium determines that a change would materially affect the project outcomes as described in Exhibit A, the terms of this Agreement or the terms included in the K12 SWP RFA — Appendix A: Program-Specific Legal Terms and Conditions available at k12swpRFA.baccc.net.

District may make changes to any budget category amounts up to 10% of the total award amount per line item as listed in Exhibit B: Budget without SMCOE approval so long as budget categories are not added or deleted, the total dollar amount of the Agreement is not affected, and the outcomes of the Agreement will not be materially affected. District may add or delete budget categories subject to the prior approval of the SMCOE, which may have to get approval from the Regional Consortium.

Amendments are required for budget changes when there are changes in the total dollar amount of the Agreement and/or outcomes of the Agreement is materially affected. The process for requesting and approving amendments are determined by the Regional Consortium. Budget changes or amendments are subject to applicable program limitations and require approval of the Regional Consortium. No extensions to the performance period will be granted.

6. INVOICING AND PAYMENT

Advance payment of 70% of the total amount of this Agreement will be paid within 45 days following full execution of the Agreement.

District may request payment for reimbursable expenditures for the remaining 30% of the total amount of this Agreement when actual expenditures and NOVA reported expenditures exceed the 70% advance payment. Payment(s) will be made, upon receipt of an invoice. Invoices shall be submitted on a form provided by the SMCOE and must be supported by financial detail reports that itemize costs. The SMCOE may request back-up documentation for expenditures, if required to adhere to compliance terms and standards. Payment of invoices is contingent upon completion and approval by the SMCOE of any reports due on or before the date of the submitted invoice.

District agrees to provide quarterly invoices for all performance under this Agreement between January 1, 2021 and June 30, 2023. Please use attached K12 Strong Workforce Program Expenditure Report when reporting quarterly expenditures.

The District is obligated to provide proportional dollar match according to the terms set forth in the K12 Strong Workforce Program REA (k12swpRFA.baccc.net). and as indicated in Exhibit B: Budget. Documentation of required match will be provided to the SMCOE in the manner and on the schedule posted on the BACCC K12 SWP website, k12swp.baccc.net.

7. REPORTING

K12 SWP funding is project based with project submissions and reporting expenditures in NOVA. The District agrees to adhere to the reporting schedule as posted on the BACCC K12 SWP website, k12swp.baccc.net. District will be provided 25 days notice of report due dates and any changes to the reporting schedule. Fiscal and narrative reports of project progress may be requested by the SMCOE at other times.

District shall prepare and submit outcomes data as required by the legislation §88828 (d) (8). District shall enter into and maintain a data sharing MOU with Cal-PASS Plus until an MOU is executed between CDE and the California Community College Chancellor's Office for information sharing on K12 data. By November 1 immediately following the fiscal year for which data are being reported.

District shall provide student-level data necessary to evaluate K12 SWP to CDE; beginning in 202021, submit all end-of-year data files, as applicable and required by K12 SWP leadership, into the Cal-PASS Plus system; and notify the SMCOE that the data has been reported. As per the legislation, failure to provide this data may result in termination of the grant.

8. SUBGRANTING AND SUBCONTRACTING

The District is responsible for the performance of any services provided through funds awarded under this grant by partners, consultants, or other organizations.

The District shall obtain approval from the SMCOE for additions or deletions to the subgrantees named in Exhibit A: Application and Scope of Work or for changes in the amount of funds awarded in Exhibit B: Budget.

The District is to be fully responsible to the Regional Consortium for the acts and omissions of its subgrantees, subcontractors, and of persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by the District. The District's obligation to pay its subgrantees and subcontractors is independent from the obligations of the SMCOE to make payments to the District. As a result, the SMCOE shall have no obligation to pay or enforce the payment of any money to a subgrantee or subcontractor.

9. RECORDS AND AUDITS

The State Controller will include the audit instructions necessary to enforce the requirements pertaining to the K12 component of the Strong Workforce Program in the audit guide required by Section 14502.1.

District must maintain records regarding use of program funds and progress made towards completing the performance outcomes listed in Exhibit A: Application and Scope of Work.

District shall maintain and make available expenditure data on career technical education programs for the purposes of verifying that the matching funds requirements as specified in the K12 Strong Workforce Program RFA (k12swpRFA.baccc.net) have been met.

Parties agree that the Fiscal Agent, the Chancellor's Office, the Bureau of State Audits, and any other appropriate state or federal oversight agency, or their designated representative(s), shall have the right to

review and copy any records and supporting documentation pertaining to the performance of this Agreement. District agrees to maintain such records for possible audit for a minimum of three (3) years after the final payment or until any audit findings have been resolved, unless a longer period of records retention is stipulated. District agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, District agrees to include a similar right of the Fiscal Agent, the Chancellor's Office, the Bureau of State Audits, any other appropriate state or federal oversight agency, or their designated representative(s) to audit records and interview staff in any subcontract related to performance of this Agreement.

10. TERMINATION

Either Party may terminate this Agreement, with or without cause upon thirty (30) days written notice served upon the other Party. Notice shall be deemed served on the date of mailing. Upon termination, or notice thereof, the Parties agree to cooperate with one another in the orderly transfer of contract responsibilities, records, and pertinent documents. District will be liable for and will repay to the SMCOE any amounts in excess of the amount owed by the SMCOE at the time the Agreement is terminated. The amount to be repaid by the District shall be that prorated portion of the full payment determined by comparing the work/services actually completed to the work/services required by the Agreement.

11. DISPUTES

All claims, disputes, and other matters in question between the Parties arising out of or relating to this Agreement or the breach thereof shall be addressed in the following manner. The Parties shall enter into good faith negotiations to reach an equitable settlement. Except as otherwise provided in this Agreement, any dispute concerning any question arising under this Agreement shall be decided by the Regional Consortium or the California Community College Chancellor's Office, based on prior written mutual agreement as to which of these two entities will resolve the dispute. If the Parties do not agree as to the dispute resolution entity, the Fiscal Agent will solely select and such selection will be binding on the District. In such a case, the decision shall be reduced to writing and a copy thereof shall be mailed or otherwise furnished to the District. The decision shall be final and conclusive unless within thirty (30) calendar days from the mailing or delivery of such copy, the Fiscal Agent receives from District a written request to appeal said decision. Pending final decision of the appeal. District shall act in accordance with the written decision of the Fiscal Agent or the Chancellor's Office, whichever is the final arbiter of the dispute. The handling of non-criminal complaints, including discrimination complaints, and complaints and reports of criminal fraud, waste and abuse shall be as prescribed by the State of California, and/or the Prime Sponsor, whichever is applicable, in accordance with applicable provisions of the Code of Federal Regulations.

12. INDEMNIFICATION

Each Party to this Agreement agrees to defend, indemnify, and hold harmless the other Parties, their officers, agents, employees and volunteers, from and against all loss, cost, and expense arising out of any liability or claim of liability, sustained or claimed to have been sustained, arising out of activities, or its performance or nonperformance of obligations under this Agreement, of the indemnifying authority, or those of any of its officers, agents, employees, or volunteers. The provisions of this Article do not apply to any damage or losses caused solely by the negligence or willful misconduct of the Parties seeking indemnification or any of its agents or employees. In the event of concurrent negligence of the District, its officers, officials, agents or employees, and the SMCOE, its officers, officials, agents or employees, then

the liability for any and all claims, suits or actions of every name, kind and description arising out of this Agreement shall be apportioned between the Parties under the established California rules of comparative negligence with each party bearing its own attorney's fees and costs.

13. INSURANCE

Acceptance of this Agreement constitutes that District is not covered under SMCOE's general liability-insurance and that District agrees, during the term of this Agreement, to maintain, at the District's sole expense, all necessary insurance for its officers, agents, and employees, including but not limited to worker's compensation (if required by law), liability, disability, and unemployment insurance. Certificates of insurance shall be provided to the SMCOE. Specifically, during the term of this agreement. District shall maintain in full force and effect the lands of insurance, containing the limits of liability set forth below:

A. Workers' Compensation: District shall comply with the workers' compensation law of the state wherein the services are to be rendered. Such policy shall provide coverage for all persons engaged in the activities described in this Agreement under the employ, supervision or control of the District, and is exempt from the requirement of naming the SMCOE as Additionally Insured.

B. General Liability: The policy shall contain a combined single limit of liability of not less than $2,000,000 per occurrence and not less than $5,000,000 in the aggregate.

C. Automobile Liability: If automotive vehicles are operated by District in District's performance of District's obligations under this agreement, District shall maintain an automobile liability policy which shall include coverage on all owned, non-owned and hired vehicles and shall have a minimum limit of liability of not less than $1,000,000 per occurrence.

Coverage shall be placed with an insurer having a Best's Key Rating of "A-" or better. District shall furnish the SMCOE with Certificates of Insurance evidencing such coverage. Such Certificate shall name Fiscal Agent as additional insureds, and provide that it can be cancelled only with thirty (30) days prior written notice to Fiscal Agent. If any of the foregoing coverages expire, change, or are canceled. District shall notify Fiscal Agent within thirty (30) days prior to the effective date of such expiration, change or cancellation.

The following sentence shall be included in the additional insured endorsements:
"Cabrillo Community College District, its Governing Board, as individuals and as an entity, its officers, directors, employees, and volunteers, are hereby named as additional insured, with respect to all work performed by or on behalf of the named insured under its contract with the Certificate Holder."

14. INDEPENDENT CONTRACTORS

For the purpose of this Agreement and all work and services specified herein, the parties shall be, and shall be deemed to be independent contractors and not agents or employees of the other party.

The District, in the performance of this Agreement, shall be and act as an independent contractor and not as an employee of the SMCOE. The District understands and agrees that it and all of its employees shall not be considered officers, employees or agents of the SMCOE, and are not entitled to benefits of any kind or nature normally provided to employees of the SMCOE and/or to which the SMCOE's employees

are normally entitled, including, but not limited to. State Unemployment Compensation or Workers' Compensation. The District assumes full responsibility for its acts and/or liabilities including those of its employees or agents as they relate to the services provided under this Agreement. The District shall assume full responsibility for withholding and payment of all: Federal, State, Local and applicable income taxes; workers' compensation; contributions, including but not limited to, unemployment insurance and social security with respect to the District's employees. The SMCOE will not withhold taxes, unemployment insurance or social security for the District's employees or independent subcontractors. The District agrees to indemnify and hold the SMCOE harmless from and against any and all liability arising from any failure of the District to withhold or pay any applicable tax, unemployment insurance or social security when due.

15. ASSURANCES

By signing this Agreement, the Parties certify they will comply with the terms and conditions outlined in the Strong Workforce Program established by Education Code §§ 88827-88833, and with the guidance documents provided by the California Community College Chancellor's Office, K12 Strong Workforce Program RFA (k12swpRFA.baccc.net). and other guidance published by the California Community College Chancellor's Office, currently posted on Strong Workforce Program websites and the Regional Consortium's website:

- https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Workforce-and-Economic-Development/K12-Strong-Workforce
- https://www.cccco.edu/-/media/CCCCO-Website/Files/Workforce-and-Economic-Development/K12-RFAs/2020-2021/K12-SWP-RFA-revised-9-8-2020.pdf?la=en&hash=72224B3B309434055C60589CAF27ABB703E76F7F

By signing this Agreement, the District certifies that it complies with state and federal requirements for Standards of Conduct, Workers' Compensation Insurance, Participation in Grant-Funded Activities, Non-Discrimination, Accessibility for Persons with Disabilities, Drug-Free Workplace Certification, Intellectual Property, and Debarment and Suspension, and will adhere to these legal standards and requirements in the performance of work related to this Agreement.

16. FEDERAL, STATE AND LOCAL TAXES

Except as may be otherwise provided in this Agreement, the District's award amount includes all applicable Federal, State, and local taxes and duties, and therefore. District shall be responsible for paying all such costs.

17. EQUAL OPPORTUNITY/NON-DISCRIMINATION

A. During the performance of this Agreement, District shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer and genetic characteristics), age (over 40), marital status, denial of family care leave, sexual orientation, gender, gender expression, political affiliation, position in a labor dispute, or any characteristic listed or defined in §11135 of the Government Code or any characteristic that is contained in the prohibition of hate crimes set forth in subdivision (1) of §422.6 of the California Penal Code, or any other status protected by law is strictly prohibited. District shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.

B. District shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code,

§§12900 et seq.) and the applicable regulations promulgated thereunder (Cal. Code Regs., tit. 2, §§7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code §12990 (a-f), set forth in chapter 5 of division 4 of title 2 of the California Code of Regulations are incorporated into this Agreement by reference and made a part hereof as if set forth in full.

C. District shall also comply with the provisions of Government Code §§11135-11139.8, and the regulations promulgated thereunder by the Board of Governors of the California Community Colleges (Cal. Code of Regulations, tide 5, §§59300 et seq.).

18. UNENFORCEABLE PROVISION

In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement remain in full force and effect and shall not be affected thereby.

19. WAIVER

Any waiver by Fiscal Agent of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term. Failure on the part of the Fiscal Agent to require full, exact, and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms of this Agreement, or stopping the Fiscal Agent from enforcing the terms of this Agreement.

20. COMPLIANCE WITH APPLICABLE LAWS

It is understood and agreed that this Agreement shall be governed by the laws of the State of California both as to the interpretation and performance; venue of any action brought with regard to this Agreement shall be in San Mateo County, State of California. District shall be subject to and shall comply with all Federal, State and local laws and regulations applicable with respect to its performance of services under this Agreement.

21. INTELLECTUAL PROPERTY

Any work product resulting from this Agreement falls under the Chancellor's Office Creative Commons Attribution license, which gives permission to the public to reproduce, distribute, perform, display or adapt the licensed materials for any purpose, so long as the user gives attribution to the author.

22. ORDER OF PRECEDENCE

Any inconsistency or conflict between provisions in this Agreement shall be resolved by giving precedence in the following order:

1. Process for requesting/approving budget/contract changes as posted on k12swp.baccc.net website.
2. The Agreement
3. K12 Strong Workforce Program RFA (k12swpRFA.net)
4. Exhibit A: Application and Scope of Work
5. Exhibit B: Budget

23. SIGNATURES

By signing below, the Parties agree to the terms and conditions set forth in this Agreement, which terms and conditions, upon such signatures, shall be incorporated into and become a part of the Agreement between District and the SMCOE, and are binding upon the Parties without any further action by the Parties.

SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS

By _____
Superintendent or Designee

SMCOE Contact:
Rubie Macaraeg
CTE & Workforce Development Coordinator
rmacaraeg@smcoe.org

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

By _____
Superintendent or Designee

District Contact:
Jennifer Rockett
CTE Coordinator
jrockett@ssfusd.org

Exhibit A: Application and Scope of Work

Scope of Work

San Mateo County High School Districts will launch, expand/redesign, develop and deliver extensive career pathways. The outcome of this grant will increase dual enrollment and strengthen partnerships between the districts and the San Mateo Community College District. In order to accomplish this, specific strategies for effective communication will be developed between the 6 SMC districts and 3 community colleges.

Funds Overview for Entire K12 SWP San Mateo County Grant:

Grant Amount	$1,183,138	2:1 Match
Financial Contribution (Cash Match)	$2,366,276	100%
Indirect (4%)	$45,502	

Budget by Category of Expenditure (Object Code) for Entire K12 SWP San Mateo County Grant:

1000 Instructional Salaries	2000 Non-Instructional Salaries	3000 Employee Benefits	4000 Supplies and Materials	5000 Other Operating Expenses and Services	6000 Capital Outlay	Totals
$402,150	$200,000	$150,700	$116,528	$268,258	$0	$1,183,138

Budget by Grant Cycle:

Agency	2021-2022	2022-2023	Total
Cabrillo Unified School District	$78,486	$78,486	$156,972
Jefferson Union High School District	$253,486	$103,486	$356,972
San Mateo Union High School District	$103,486	$103,486	$206,972
South San Francisco Unified School District	$103,486	$103,486	$206,972
Sequoia Union High School District	$103,444	$103,454	$206,898
San Mateo County Office of Education	$46,930	$1,425	$48,352
Total			$1,183,138

Statement of Work:
Estimated 5,000 students and 70 teachers and counselors across five districts.

Curriculum and Instruction

Description of Work	San Mateo County High School Districts (SMC) along with partner San Mateo County Community College Districts will continue to launch, expand/redesign, develop and deliver extensive career pathways. The outcome of this grant will increase dual enrollment and strengthen partnerships between the districts and the San Mateo Community College District, expanding access to college and liveable wage careers for disproportionately impacted students.

	Dual enrollment is an opportunity to address academic achievement gaps and issues of equity and diversity for all students. High Schools and San Mateo Community Colleges will work together to incorporate dual enrollment courses in each of the identified pathways. College courses selected will be part of a certificate and/or degree program and will include an industry recognized certification where available. A variety of dual enrollment models will be implemented to ensure sustainability, including online courses, courses taught by high school CTE teachers that meet college minimum qualifications, courses taught by a college instructor, and/or courses co-taught by a high school and college instructor. New dual enrollment programming partnerships will take place in the following CTE pathways and workforce sector areas: Engineering Technology, Computer Science, Data Science, Digital Arts and Media, Journalism/Public Relations, Construction Basics, Accounting, Education/Child Development, and Marketing. Expanded dual enrollment delivery will take place in the following pathways: Transportation, Health Care, Hospitality and Tourism Management, Biotechnology, Administration of Justice, and Business. Curriculum development and alignment will take part through powerful engagement and facilitation across pathway teams made up of high school partner teachers, CTE Coordinators and college faculty to design rigorous curriculum and culturally relevant pedagogy all while increasing value and appeal in dual enrollment course offerings.
Project Activities	Engage and recruit historically underserved students, and develop/employ scaffolds and integrated tutoring within dual enrollment to ensure underserved students have access to curriculum and can achieve success. College faculty and high school teachers will collaborate on academic calendars, curriculum design, alignment, and sequencing to ensure high school and college course coherence and requirements are met. Dual enrollment courses will be designed to prepare students for college and careers to thereby complete high school and to understand and meet college-level expectations both academically and socially. Courses will be rigorous, scaffolded, and include rigorous and relevant college-level coursework and experiences k. A variety of course structures and approaches will be developed and implemented to offer meaningful experiences that help students realize their strengths, identify and address any structural barriers, prepare for college, and learn to navigate and excel in the postsecondary environment. Textbooks, supplies and equipment will be provided to ensure dual enrollment curriculum is consistent with courses offered on the college campus and integrate core applied learning opportunities for students.

	A system and process for data collection focused on both student and program improvement will be developed. Where possible, high school teachers that meet minimum qualifications to teach dual enrollment courses will be employed to teach dual enrollment courses. When a high school teacher cannot be identified, the college will identify or hire, if needed, a college faculty member to teach or co-teach the course.
Partner Roles and Responsibilities	Colleges will host pathway and project team meetings designed to align and develop curriculum as part of dual enrollment program delivery and create seamless transitions and connections to college experiences upon high school graduation. CTE Coordinators will collaborate with Community Colleges by bringing high school faculty and staff to alignment and development meetings by pathway. Colleges will facilitate professional development that will advance the skills of K-12 partner teachers and community college faculty teaching in the following areas: anti-racist teaching and learning practices, CANVAS and core technology training and development that will increase the value of online teaching and learning while building core technology skills of students in the program. Professional development done in high school/community college teaching teams with industry representation will be the most impactful for having a relevant, current curriculum to not only engage students but also prepare students with current content needed by the local industries. Sharing of ideas and curricular resources is key to alignment with various community colleges, and also to ensure students are prepared with critical skills industry demands as careers evolve and transform in and across Silicon Valley and the Bay Region. High School and Community College Faculty will collaborate to ensure pathway/course alignment.

Post-Secondary Transition and Completion

Description of Work	Dual Enrollment is an area of on-going development between the community colleges and high school districts. We will continue to focus on expanding existing and implementing new Dual Enrollment pathways through counseling, professional development, and equity work for all students to progress towards postsecondary transitions and completion. Dual Enrollment completion will provide students with an established connection to local community colleges and create a foundation for college and career success. This work will be done in partnership with CTE Coordinators, County Office of Education, CTE teachers, counselors, the community colleges and industry partners. Attention will be given to access to CTE pathways and dual enrollment programs that connect to career opportunities with higher economic benefits for

	the underserved student population. High school districts will work to determine what practices exclude or marginalize students who do not complete or transition to postsecondary education by analyzing their pathway data with key stakeholders to find patterns pre-determined by race. Learnings from the Data Walkthrough will then be used to inform equity focused Professional Development with K-14 Counselors and CTE teachers. Professional Development will focus on building Foundational Racial Literacy skills that will assist high school districts in unpacking racial and gender patterns of enrollment and success by and across CTE pathways. Counseling services are also critical in connecting students with Dual Enrollment opportunities and forming the relationship between students and community colleges. Counseling professional development in dual enrollment and college and career development programs will expand counseling knowledge and the ability to provide high quality CTE driven counseling services to students. In addition to participation in equity professional development, counselors will also look at data to determine which post-secondary programs students are attending, explore how to link their pathways across high school and college, and understand how to better support students who are the furthest from opportunity in transitioning to college.
Project Activities	**Professional Development** - Professional development sessions for counselors and CTE teachers will be concentrated on the Districts' College and Career platforms (ie: Naviance, CCGI, SCOIR, and California CareerZone). The professional development will focus on how to use the college and career platform to drive student enrollment in dual enrolled courses based on student interest profiles. Professional development will also include information on dual enrollment opportunities and working with underserved populations. Counselors will work closely with district CTE pathways staff, community colleges, industry representatives and other identified key stakeholders to gain knowledge of specific pathway degrees and certificates available to students for postsecondary completion. **Equity Work and Professional Development** - A three-part racial literacy training for k-12 & exploring pathways by race will be provided by RSS consulting and CareerLadders Project (CLP) in collaboration with San Mateo Community Colleges. The training will include workshops in foundational racial literacy, pathway data walkthrough, and professional development with K-14 counselors. Participants will include CTE coordinators, CTE teachers, CTE counselors, and community college partners. **Increasing/Assisting Dual Enrollment** - Colleges will hold registration and enrollment training sessions for high school counselors, students and parents to assist with Community College onboarding and tracking of high school students. Expansive marketing and communication campaigns will be developed for dual enrollment students by the college to clearly communication post-secondary

	options and the value of dual enrollment to underserved populations and their families. Plan and develop a one-year and done dual enrollment program that includes core GE classes such as Math, English and Communication studies and includes a CTE guided pathway that connects to a degree or certificate program at the community college level, ultimately accelerating completion of the first year of college while in high school.
Partner Role & Responsibilities	Colleges will facilitate professional development that will advance the skills of K-14 partner teachers and community college faculty teaching in the following areas: CANVAS, internship opportunities, pathway/certification completion Colleges will facilitate pathway mapping meetings to ensure that we are serving high skill, high need, employable wage areas of employment unique to our geographic region. CTE Coordinators across the 5 San Mateo County districts will monitor and update their district's comprehensive local needs assessment (CLNA) by pathway, and survey their students one year after completion of high school. Surveys questions will include (but not be limited to): registration in apprenticeships or pre-apprenticeships programs, job training programs, community college certificates or degree, transfer to a four-year institution, employment and earnings. (CALPADS reporting) RSS Consulting would provide the Foundational Racial Literacy Workshop. CLP would lead the work in completing the pathways data walkthrough and the K14 Counseling professional development. Together, these strategies will strengthen schools' ability to provide successful student transition from high school to college.

Exhibit B: Budget

The link to each District's Budget can be found at:
https://docs.google.com/spreadsheets/d/1rpmgcpyiko6wVP3QoCcmU3WAENGQzEUD6fiDaQn18i8/edit?ts=60887aad#gid=50205261

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Keith B. Irish, Assistant Superintendent of Educational Services and Categorical Programs

DATE: October 7, 2021

RE: Approval of SSFUSD Local Performance Indicators Self-reflection for 2020 - 2021

BACKGROUND:

Local performance indicators are part of the LCAP process where districts annually self-assess their progress based on the eight state priorities. The 8 state priorities are:

- LCFF Priority 1: Basic Services (Conditions of Learning)
- LCFF Priority 2: Implementation of State Standards (Conditions of Learning)
- LCFF Priority 3: Parent Involvement (Engagement)
- LCFF Priority 4: Student Achievement (Pupil Outcomes)
- LCFF Priority 5: Student Engagement (Engagement)
- LCFF Priority 6: School Climate (Engagement)
- LCFF Priority 7: Course Access (Conditions of Learning)
- LCFF Priority 8: Student Outcomes (Pupil Outcomes)

Upon approval from the Board of Trustees, SSFUSD will be able to transfer this information into the State database and this information will be reported as part of the California Dashboard results that are usually released to the public in January 2022.

FISCAL IMPLICATIONS:

N/A

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the SSFUSD Local Performance Indicators Self-reflection document as presented.

Local Performance Indicator Self-Reflection

Local Educational Agency (LEA)	Contact Name and Title	Email and Phone
South San Francisco USD	Keith Irish Assistant Superintendent Educational Services	kirish@ssfusd.org 6508778709

Introduction

The State Board of Education (SBE) approved standards for the local indicators that support a local educational agency (LEA) in measuring and reporting progress within the appropriate priority area. The approved performance standards require a LEA to:

- Annually measure its progress in meeting the requirements of the specific LCFF priority.
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP.
- Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator.

Below are the approved standards and self-reflection tools that an LEA will use to report its progress on the local indicators.

Performance Standards

The performance standards for the local performance indicators are:

Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (LCFF Priority 1)

The LEA annually measures its progress in meeting the Williams settlement requirements at 100% at all of its school sites, as applicable, and promptly addresses any complaints or other deficiencies identified throughout the academic year, as applicable; the LEA then reports the results to its local governing board at a regularly scheduled meeting and to reports to stakeholders and the public through the Dashboard.

Implementation of State Academic Standards (LCFF Priority 2)

The LEA annually measures its progress implementing state academic standards; the LEA then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Parent and Family Engagement (LCFF Priority 3)

The LEA annually measures its progress in: (1) seeking input from parents in decision making and (2) promoting parental participation in programs; the LEA then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

School Climate (LCFF Priority 6)

The LEA administers a local climate survey at least every other year that provides a valid measure of perceptions of school safety and connectedness, such as the California Healthy Kids Survey, to students in at least one grade within the grade span(s) that the LEA serves (e.g., K-5, 6-8, 9-12), and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the Dashboard.

Access to a Broad Course of Study (LCFF Priority 7)

The LEA annually measures its progress in the extent to which students have access to, and are enrolled in, a broad course of study that includes the adopted courses of study specified in the California Education Code (EC) for Grades 1-6 and Grades 7-12, as applicable, including the programs and services developed and provided to unduplicated students and individuals with exceptional needs; the LEA then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Coordination of Services for Expelled Students-County Office of Education (COE) Only (LCFF Priority 9)

The county office of education (COE) annually measures its progress in coordinating instruction as required by California EC Section 48926; the COE then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Coordination of Services for Foster Youth-COE Only (LCFF Priority 10)

The COE annually measures its progress in coordinating services for foster youth; the COE then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Self-Reflection Tools

An LEA uses the self-reflection tools included within the Dashboard to report its progress on the local performance indicator to stakeholders and the public.

The self-reflection tools are embedded in the web-based Dashboard system and are also available in Word document format. In addition to using the self-reflection tools to report its progress on the local performance indicators to stakeholders and the public, an LEA may use the self-reflection tools as a resource when reporting results to its local governing board. The approved self-reflection tools are provided below.

Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (LCFF Priority 1)

LEAs will provide the information below:

- Number/percentage of misassignments of teachers of ELs, total teacher misassignments, and vacant teacher positions
- Number/percentage of students without access to their own copies of standards-aligned instructional materials for use at school and at home
- Number of identified instances where facilities do not meet the "good repair" standard (including deficiencies and extreme deficiencies)

Teachers	Number	Percent
Misassignments of Teachers of English Learners	0	0
Total Teacher Misassignments	9	2%
Vacant Teacher Positions	1	0%

Access to Instructional Materials	Number	Percent
Students Without Access to Own Copies of Standards-Aligned Instructional Materials for Use at School and at Home	0	0

Facility Conditions	Number
Identified Instances Where Facilities Do Not Meet The "Good Repair" Standard (Including Deficiencies and Extreme Deficiencies)	0

Implementation of State Academic Standards (LCFF Priority 2)

LEAs may provide a narrative summary of their progress in the implementation of state academic standards based on locally selected measures or tools (Option 1). Alternatively, LEAs may complete the optional reflection tool (Option 2).

OPTION 1: Narrative Summary (Limited to 3,000 characters)
In the narrative box provided on the Dashboard, identify the locally selected measures or tools that the LEA is using to track its progress in implementing the state academic standards adopted by the state board and briefly describe why the LEA chose the selected measures or tools.

Additionally, summarize the LEA's progress in implementing the academic standards adopted by the SBE, based on the locally selected measures or tools. The adopted academic standards are:

- English Language Arts (ELA)-Common Core State Standards for ELA
- English Language Development (ELD) (Aligned to Common Core State Standards for ELA)
- Mathematics-Common Core State Standards for Mathematics
- Next Generation Science Standards
- History-Social Science
- Career Technical Education
- Health Education Content Standards
- Physical Education Model Content Standards
- Visual and Performing Arts
- World Language

OPTION 2: Reflection Tool

Recently Adopted Academic Standards and/or Curriculum Frameworks

1. **Rate the LEA's progress in providing professional learning for teaching to the recently adopted academic standards and/or curriculum frameworks identified below.**

   Rating Scale (lowest to highest) -
   1 - Exploration and Research Phase
   2 - Beginning Development
   3 - Initial Implementation
   4 - Full Implementation
   5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA			3		
ELD (Aligned to ELA Standards)			3		
Mathematics – Common Core State Standards for Mathematics			3		
Next Generation Science Standards		2			
History-Social Science	1				

2. **Rate the LEA's progress in making instructional materials that are aligned to the recently adopted academic standards and/or curriculum frameworks identified below available in all classrooms where the subject is taught.**

   Rating Scale (lowest to highest) -
   1 - Exploration and Research Phase
   2 - Beginning Development
   3 - Initial Implementation
   4 - Full Implementation
   5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA			3		

Academic Standards	1	2	3	4	5
ELD (Aligned to ELA Standards)			3		
Mathematics – Common Core State Standards for Mathematics			3		
Next Generation Science Standards	1				
History-Social Science	1				

3. **Rate the LEA's progress in implementing policies or programs to support staff in identifying areas where they can improve in delivering instruction aligned to the recently adopted academic standards and/or curriculum frameworks identified below (e.g., collaborative time, focused classroom walkthroughs, teacher pairing).**

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA			3		
ELD (Aligned to ELA Standards)			3		
Mathematics – Common Core State Standards for Mathematics			3		
Next Generation Science Standards	1				
History-Social Science	1				

Recently Adopted Academic Standards and/or Curriculum Frameworks

4. **Rate the LEA's progress implementing each of the following academic standards adopted by the state board for all students.**

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
Career Technical Education	1				
Health Education Content Standards	1				
Physical Education Model Content Standards	1				
Visual and Performing Arts	1				
World Language	1				

Support for Teachers and Administrators

5. **Rate the LEA's success at engaging in the following activities with teachers and school administrators during the prior school year (including the summer preceding the prior school year).**

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
Identifying the professional learning needs of groups of teachers or staff as a whole			3		
Identifying the professional learning needs of individual teachers			3		
Providing support for teachers on the standards they have not yet mastered			3		

Optional Narrative (Limited to 1,500 characters)

6. **Provide any additional information in the text box provided in the Dashboard that the LEA believes is relevant to understanding its progress implementing the academic standards adopted by the state board.**

SSFUSD has been focusing on the creation and implementation of the scope and sequence for English language Arts, ELD and mathematics. The EDS team has created end of unit assessments and has shared all resources with staff. We're in the process of developing a walk through tool/evaluation rubric so we can monitor implementation. Once we transition to full implementation in 22-23, we will start the process all over again for Science and Social Science, Health, Physical Education, Visual performing Arts and World language.

Parent and Family Engagement (LCFF Priority 3)

This self-reflection tool is organized into three sections. Each section includes promising practices in family engagement:

1. Building Relationships between School Staff and Families
2. Building Partnerships for Student Outcomes
3. Seeking Input for Decision-making

LEAs use this self-reflection tool to reflect on its progress, successes, needs and areas of growth in family engagement policies, programs, and practices. This tool will enable an LEA to engage in continuous improvement and determine next steps to make improvements in the areas identified.

The results of the process should be used to inform the LCAP and the development process, to assess prior year goals, actions and services as well as to plan or modify future goals, actions, and services in the LCAP.

For each statement in the table below -

1. Identify the diverse stakeholders that need to participate in the self-reflection process in order to ensure input from all groups of families, staff and students in the LEA, including families of unduplicated students and families of individuals with exceptional needs as well as families of underrepresented students.

2. Engage stakeholders in determining what data and information will be considered to complete the self-reflection tool. LEAs should consider how the practices apply to families of all student groups, including families of unduplicated students and families of individuals with exceptional needs as well as families of underrepresented students.

3. Based on the analysis of data, identify the number which best indicates the LEA's current stage of implementation for each practice using the following rating scale (lowest to highest):

   1 - Exploration and Research Phase
   2 - Beginning Development
   3 - Initial Implementation
   4 - Full Implementation
   5 - Full Implementation and Sustainability

4. Write a brief response to the prompts following each of the three sections.

5. Use the information from the self-reflection process to inform the LCAP and the LCAP development process, as well as the development of other school and district plans.

Building Relationships

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Building Relationships	1	2	3	4	5
1. Rate the LEA's progress in developing the capacity of staff (i.e. administrators, teachers, and classified staff) to build trusting and respectful relationships with families.			3		
2. Rate the LEA's progress in creating welcoming environments for all families in the community.			3		
3. Rate the LEA's progress in supporting staff to learn about each family's strengths, cultures, languages, and goals for their children.			3		
4. Rate the LEA's progress in developing multiple opportunities for the LEA and school sites to engage in 2-way communication between families and educators using language that is understandable and accessible to families.			3		

Dashboard Narrative Box (Limited to 3,000 characters)
Briefly describe the LEA's current strengths and progress in this area, and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

One of our LCAP goals is focused on increasing student, parent and community engagement. SSFUSD has numerous district parent committees (AAPAC - African American Parent Advisory committee), DELAC (District English Learners Advisory Committee, SEPAC (Special Education Advisory Committee - started in 2018), student advisory Committee (started in 2021) and (DEI) Diversity Equity Inclusion Committee - started in 2021. At the site level we have numerous committees such as SSC (School Site Council) , ELAC (English learners Advisory Committee) and PTA (site and district). In addition, SSFUSD provides opportunities to obtain stakeholder input on district plans such as the LCAP and ESSER III plans. So, the number of committees at the site and district level in addition to the surveys provides numerous opportunities for stakeholders to give input. However, our numbers at our meetings tend to be low (less than 50) and for surveys our responses rate is less than 15%. Although we've making progress in this area we need to continue to think of additional opportunities for stakeholder engagement. Some of the ways were thinking we could improve engagement of underrepresented families is to create additional district/site parent committees, hire staff such as Community Liaisons, and the use of other digital communication platforms such as Remind to provide multiple ways to communicate with our families. Many of site leaders use shorter and more

frequent communication with their parent communities and with the continue use of virtual meetings we are seeing more parent engagement than in person. We will continue to use these strategies and reassess annually.

Building Partnerships for Student Outcomes

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Building Partnerships	1	2	3	4	5
1. Rate the LEA's progress in providing professional learning and support to teachers and principals to improve a school's capacity to partner with families.			3		
2. Rate the LEA's progress in providing families with information and resources to support student learning and development in the home.			3		
3. Rate the LEA's progress in implementing policies or programs for teachers to meet with families and students to discuss student progress and ways to work together to support improved student outcomes.			3		
4. Rate the LEA's progress in supporting families to understand and exercise their legal rights and advocate for their own students and all students.			3		

Dashboard Narrative Box (Limited to 3,000 characters)
Briefly describe the LEA's current strengths and progress in this area, and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

Due to school closures in March 2020, professional learning and support to our staff has been an area of focus. In addition, the EDS department and school sites has provided numerous workshops to support student/family use of technology devices, educational online platforms and programs. SSFUSD added an additional staff development day in August 2020 and due to the distance learning schedules students had an asynchronous Wednesday. The EDS department provided numerous trainings on Wednesdays and gave staff time to lesson plan as they converted lessons digitally and had to use numerous programs such as Nearpod, IXL, Screencastify, SeeSaw and Google classroom. Our technology TOSA and Director of Student performance conducted parent workshops on digital citizenship, and specific online programs. SSFUSD partnered with Paper company to provide online tutoring 24/7 for our students in grades 6 - 12. Distance learning made school districts look at current practices, policies and procedures and SSFUSD had to make numerous decisions and changes to practices, and procedures to be alignment with new state laws. An area of growth for SSFUSD is to support families to understand their legal rights. However, our Director of Special Education via the SEPAC presented workshops on this topic and created a website which houses numerous resources for parents that have a student that has an individual education plan. Although we've making progress in this area we need to continue to provide opportunities for stakeholder engagement. Some of the ways were thinking we could improve engagement of underrepresented families is to create additional district/site parent committees, hire staff such as Community Liaisons, and the use of other digital communication platforms such as Remind to provide multiple ways to communicate with our families. Many of site leaders use shorter and more frequent communication with their parent communities and with the continue use of virtual meetings we are seeing more parent engagement than in person. We will continue to use these strategies and reassess annually.

Seeking Input for Decision Making

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Seeking Input	1	2	3	4	5
1. Rate the LEA's progress in building the capacity of and supporting principals and staff to effectively engage families in advisory groups and with decision-making.			3		
2. Rate the LEA's progress in building the capacity of and supporting family members to effectively engage in advisory groups and decision-making.			3		
3. Rate the LEA's progress in providing all families with opportunities to provide input on policies and programs, and implementing strategies to reach and seek input from any underrepresented groups in the school community.			3		
4. Rate the LEA's progress in providing opportunities to have families, teachers, principals, and district administrators work together to plan, design, implement and evaluate family engagement activities at school and district levels.		2			

Dashboard Narrative Box (Limited to 3,000 characters)
Briefly describe the LEA's current strengths and progress in this area, and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

SSFUSD has created numerous documents and has provided training to site leaders to assist them in obtaining input from site committees such as School Site Council. During these meetings our staff builds a shared understanding so parents can provide input. We often include "input sessions" at most of our parent and district committee meetings. For those parents that were unable to attend we post the slide deck and often the recording of the meeting in case stakeholders want to watch the meeting. An area of growth for SSFUSD is to provide input opportunities on all district and site policies. Although we've making progress in this area we need to continue to provide opportunities for stakeholder engagement. Some of the ways were thinking we could improve engagement of underrepresented families is to create additional district/site parent committees, hire staff such as Community Liaisons, and the use of other digital communication platforms such as Remind to provide multiple ways to communicate with our families. Many of site leaders use shorter and more frequent communication with their parent communities and with the continued use of virtual meetings we are seeing more parent engagement than in person. We will continue to use these strategies and reassess annually.

School Climate (LCFF Priority 6)

LEAs will provide a narrative summary of the local administration and analysis of a local climate survey that captures a valid measure of student perceptions of school safety and connectedness in at least one grade within the grade span (e.g., K–5, 6– 8, 9–12) in a text box provided in the California School Dashboard (response limited to 3,000 characters). LEAs will have an opportunity to include differences among student groups, and for surveys that provide an overall score, such as the California Healthy Kids Survey, report the overall score for all students and student groups. This summary may also include an analysis of a subset of specific items on a local survey and additional data collection tools that are particularly relevant to school conditions and climate.

1. **DATA:** Reflect on the key learnings from the survey results and share what the LEA learned.

2. **MEANING:** What do the disaggregated results (if applicable) of the survey and other data collection methods reveal about schools in the LEA, such as areas of strength or growth, challenges, and barriers?

3. **USE:** What revisions, decisions, or actions has, or will, the LEA implement in response to the results for continuous improvement purposes? Why? If you have already implemented actions, did you see the results you were seeking?

In Spring 2021, SSFUSD administered the California Healthy Kids Survey (CHKS) to students in grades 5, 7, 9, and 11, as well as staff and parents. Due to Distance Learning, surveys were administered remotely and participation rates were lower than expected, especially at the 5th grade level where parent permission was required for students to participate. Because the majority of the students remained in 100% Distance Learning, some CHKS items related to school climate were not included in the survey and the focus was on relationships, communication, academic motivation and support.

84% of elementary students and 76% of secondary students agreed that adults at school care about them
87% of elementary students and 73% of secondary students agreed that adults at school have high expectations for all students
84% of elementary students and 61% of secondary students agreed that they were academically motivated during Distance Learning
82% of elementary students and 58% of secondary students agreed there are supports in place for their social emotional learning
87% of elementary students and 66% of secondary students agreed that students are treated with respect

Due to the challenges of administering the CHKS remotely during Distance Learning, participation rates were inconsistent so disaggregated results are not consistently available across grade levels or survey items. The range of responses for the items above were larger for secondary according to grade level: 9th graders in particular had lower responses to items about school supports, relationships, and connectedness perhaps because their entire high school experience at that point had been online.

The CHKS data reinforced SSFUSD's emphasis on school connectedness and relationships as students and staff transitioned back to in-person learning for the 2021-22 school year. Support for students' social emotional well being and mental health, also supported by the CHKS data as well as feedback from community input sessions, staff and student feedback, is also a continued focus with the addition of Wellness Counselors, District Counselor meetings, ongoing professional development related to social emotional learning, and the expansion of our mental health resource offerings including Care Solace, Daybreak, and partnerships with community organizations. The District will also be developing clearer communication of what social emotional and mental health supports are available to our students, families, and staff, based on CHKS data as well as community feedback.

Access to a Broad Course of Study (LCFF Priority 7)

LEAs provide a narrative summary of the extent to which all students have access to and are enrolled in a broad course of study by addressing, at a minimum, the following four prompts:

1. Briefly identify the locally selected measures or tools that the LEA is using to track the extent to which all students have access to, and are enrolled in, a broad course of study, based on grade spans, unduplicated student groups, and individuals with exceptional needs served. (response limited to 1,500 characters)

2. Using the locally selected measures or tools, summarize the extent to which all students have access to, and are enrolled in, a broad course of study. The summary should identify any differences across school sites and student groups in access to, and enrollment in, a broad course of study, and may describe progress over time in the extent to which all students have access to, and are enrolled in, a broad course of study. (response limited to 1,500 characters)

3. Given the results of the tool or locally selected measures, identify the barriers preventing the LEA from providing access to a broad course of study for all students. (response limited to 1,500 characters)

4. In response to the results of the tool or locally selected measures, what revisions, decisions, or new actions will the LEA implement, or has the LEA implemented, to ensure access to a broad course of study for all students? (response limited to 1,500 characters)

SSFUSD analyzes master schedules and student transcripts, state (CA dashboard) and federal data (Office of Civil Rights) and surveys to all stakeholders to determine if SSFUSD is "providing access to a broad course of study" for our students. In 2018 - 19, we analyzed our high school schedules which followed a traditional 6 period day. After examining numerous data points and setting up a high school task force committee, we made a recommendation for our high schools to change their schedule to a modified 7 period block which includes a "flex period." Flex periods are defined as:

- give teachers more time with students that need additional support or opportunities for extension activities (response to intervention & enrichment opportunities)
- give students access to opportunities they otherwise wouldn't have without staying after school (student choice)
- give students something to look forward to during the school day (social & emotional learning)
- SSFUSD can use this time for intervention support; SEL activities; make up work or get extra help from teacher; make up for missed tests; presentations from outside presenters, staff or counselors; time for students to meet with specific staff members so that students do not miss academic classes; provide opportunities for staff/students to build and create relationships

Flex periods provide opportunities that we all know are important but often struggle to fit into a traditional school schedule and try to do outside of regular school hours. While most commonly students go to different teachers for additional academic support, it is also common for students to participate in enrichment sessions, attend a review lesson on a topic, meet with an advisor, make up class assignments for days missed, participate in club meetings, take part in special events they earned (like PBIS related rewards), and partake in other extracurricular activities, like sports.

The change in bell schedule has assisted in the increase of our graduation rates at both high schools - SSFHS - 2018 (78.4%), 2019 (78.5%); ECHS - 2018 - (92.2%). 2019 - (94.8%). For the College career indicator we've seen increases as well: SSFHS - 2018 (31.6% - prepared), 2019 - (32.5% - prepared); ECHS - 2018 (28% - prepared), 2019 - (35.5% - prepared).

SSFUSD has decided to analyze our middle school bell schedules in 2021 - 2022. Our goals will be to provide opportunities for intervention and provide opportunities for students to take a broad course of study. The analysis of the middle school schedule is important since SSFUSD has been awarded a CTE grant as we continue to build pathways to assist our students in being college and career ready when they graduate from SSFUSD.

Some of the barriers we've encountered are the length of the school day and staffing shortages. We will continue to provide opportunities for input with our various committees and will use data to inform our decisions. We want to be sure increase opportunities and access for our under represented students as we continue to analyze our grading practices and placement criteria for high school courses.

We will need to continue to provide intervention courses to assist our students in meeting academic content standards. In particular we're analyzing our supports for our English Learners and student with disabilities and designing classes such as Controversial Issues in the Society that is a college prep course that focuses on assisting students with academic language. We added 6 sections at SSFHS and 1 section at ECHS for the 2021 - 2022.

Coordination of Services for Expelled Students – COE Only (LCFF Priority 9)

Assess the degree of implementation of the progress in coordinating instruction for expelled students in your county.

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Coordinating Instruction	1	2	3	4	5
1. Assessing status of triennial plan for providing educational services to all expelled students in the county, including:	[No response required]	[No response required]	[No response required]	[No response required]	[No response required]
a. Review of required outcome data.					
b. Identifying existing educational alternatives for expelled pupils, gaps in educational services to expelled pupils, and strategies for filling those service gaps.					
c. Identifying alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils.					
2. Coordinating on development and implementation of triennial plan with all LEAs within the county.					
3. Establishing ongoing collaboration and policy development for transparent referral process for LEAs within the county to the county office of education or other program options, including dissemination to all LEAs within the county a menu of available continuum of services for expelled students.					
4. Developing memorandum of understanding regarding the coordination of partial credit policies between district of residence and county office of education.					

Coordination of Services for Foster Youth – COE Only (LCFF Priority 10)

Assess the degree of implementation of coordinated service program components for foster youth in your county.

Rating Scale (lowest to highest) -
1 - Exploration and Research Phase
2 - Beginning Development
3 - Initial Implementation
4 - Full Implementation
5 - Full Implementation and Sustainability

Coordinating Services	1	2	3	4	5
1. Establishing ongoing collaboration and supporting policy development, including establishing formalized information sharing agreements with child welfare, probation, Local Education Agency (LEAs), the courts, and other organizations to support determining the proper educational placement of foster youth (e.g., school of origin versus current residence, comprehensive versus alternative school, and regular versus special education).					
2. Building capacity with LEA, probation, child welfare, and other organizations for purposes of implementing school-based support infrastructure for foster youth intended to improve educational outcomes (e.g., provide regular professional development with the Foster Youth Liaisons to facilitate adequate transportation services for foster youth).					
3. Providing information and assistance to LEAs regarding the educational needs of foster youth in order to improve educational outcomes.					
4. Providing direct educational services for foster youth in LEA or county-operated programs provided the school district has certified that specified services cannot be provided or funded using other sources, including, but not limited to, Local Control Funding Formula, federal, state or local funding.					
5. Establishing ongoing collaboration and supporting development of policies and procedures that facilitate expeditious transfer of records, transcripts, and other relevant educational information.					

Coordinating Services	1	2	3	4	5
6. Facilitating the coordination of post-secondary opportunities for youth by engaging with systems partners, including, but not limited to, child welfare transition planning and independent living services, community colleges or universities, career technical education, and workforce development providers.					
7. Developing strategies to prioritize the needs of foster youth in the community, using community-wide assessments that consider age group, geographical area, and identification of highest needs students based on academic needs and placement type.					
8. Engaging in the process of reviewing plan deliverables and of collecting and analyzing LEA and COE level outcome data for purposes of evaluating effectiveness of support services for foster youth and whether the investment in services contributes to improved educational outcomes for foster youth.					

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Keith B. Irish, Assistant Superintendent of Educational Services and Categorical Programs

DATE: October 7, 2021

RE: Approval of SSFUSD ESSER III Expenditure Plan for 2021-23

BACKGROUND:

In July 2021, SSFUSD was notified that we would be receiving funds from the third installment of the American Rescue Act, Education Stabilization Fund through the Coronavirus Aid Relief, and Economic Security (CARES) Act for the Elementary and Secondary School Emergency Relief Fund (ESSER). The District has been allocated $6,190,085 and can use these funds in the 2021-22 and 2022-23 school years. All funds must be spent by September 30, 2023.

Funds must be spent in the following categories:

- **Strategies for Continuous and Safe In-Person Learning**
  A description of how the LEA will use funds to continuously and safely operate schools for in-person learning in a way that reduces or prevents the spread of the COVID-19 virus.
- **Addressing the impact of Lost Instructional Time**
  A description of how the LEA will use funds to address the academic impact of lost instructional time.
- **Ensuring Interventions are Addressing Student Needs**
  The LEA is required to ensure its interventions will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students most impacted by the COVID–19 pandemic. The following is the LEA's plan for ensuring that the actions and expenditures in the plan are addressing the identified academic, social, emotional, and mental health needs of its students, and particularly those students most impacted by the COVID–19 pandemic.

School districts must spend at least 20% of the ESSER III allocation in addressing the impact of lost instructional time. In the SSFUSD ESSER III expenditure plan, the District proposes to spend about 37%, or about $2,288,000, to address the impact of lost instructional time.

FISCAL IMPLICATIONS:

SSFUSD has been allocated $6,190,285 and all goals, actions and services which will be spent from the ESSER III account.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the SSFUSD ESSER III Expenditure Plan for 2021-23 as presented.

ESSER III Expenditure Plan

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
South San Francisco USD	Keith B. Irish Assistant Superintendent Educational Services	kirish@ssfusd.org 6508778709

School districts, county offices of education, or charter schools, collectively known as LEAs, that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan Act, referred to as ESSER III funds, are required to develop a plan for how

they will use their ESSER III funds. In the plan, an LEA must explain how it intends to use its ESSER III funds to address students' academic, social, emotional, and mental health needs, as well as any opportunity gaps that existed before, and were worsened by, the COVID-19 pandemic. An LEA may also use its ESSER III funds in other ways, as detailed in the Fiscal Requirements section of the Instructions. In developing the plan, the LEA has flexibility to include community input and/or actions included in other planning documents, such as the Local Control and Accountability Plan (LCAP), provided that the input and actions are relevant to the LEA's Plan to support students.

For more information please see the Instructions.

October 7, 2021

Other LEA Plans Referenced in this Plan

Plan Title	Where the Plan May Be Accessed
SSFUSD LCAP 2021 - 2022	SSFUSD website https://ssfusd-ca.schoolloop.com/pf4/cms2/view_page?d=x&group_id=1521274963439&vdid=47i12ub16tk369aw
Expanded Learning Opportunities Grant	SSFUSD website https://ssfusd-ca.schoolloop.com/pf4/cms2/view_page?d=x&group_id=1521274963439&vdid=47i12ub16tk369aw
2020 - 2021 Local Continuity and Attendance Plan	SSFUSD website https://ssfusd-ca.schoolloop.com/pf4/cms2/view_page?d=x&group_id=1521274963439&vdid=47i12ub16tk369aw

Summary of Planned ESSER III Expenditures

Below is a summary of the ESSER III funds received by the LEA and how the LEA intends to expend these funds in support of students.

Total ESSER III funds received by the LEA

6,190,285

Plan Section	Total Planned ESSER III
Strategies for Continuous and Safe In-Person Learning	2,090,000
Addressing Lost Instructional Time (a minimum of 20 percent of the LEAs ESSER III funds)	2,288,000
Use of Any Remaining Funds	1,812,285

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Action

Total ESSER III funds included in this plan

6,090,285

October 7, 2021 Agenda Item 2.1

Community Engagement

An LEA's decisions about how to use its ESSER III funds will directly impact the students, families, and the local community. The following is a description of how the LEA meaningfully consulted with its community members in determining the prevention and mitigation strategies, strategies to address the academic impact of lost instructional time, and any other strategies or activities to be implemented by the LEA. In developing the plan, the LEA has flexibility to include input received from community members during the development of other LEA Plans, such as the LCAP, provided that the input is relevant to the development of the LEA's ESSER III Expenditure Plan.

For specific requirements, including a list of the community members that an LEA is required to consult with, please see the Community Engagement section of the Instructions.

A description of the efforts made by the LEA to meaningfully consult with its required community members and the opportunities provided by the LEA for public input in the development of the plan.

SSFUSD provided opportunities to give input on the ESSER III plan. SSFUSD conducted an ESSER III presentation on 9.15.21 where 58 stakeholders attended. SSFUSD discussed the purpose of ESSER funds, reviewed all previous one time funding from the federal and state, discussed allowable uses and then obtained input on how SSFUSD could support our students on the following: Strategies for a safe and continuous in person learning, how we could address the impact of lost instructional time and how we could ensure that interventions are addressing student needs. In addition, a survey was sent to all stakeholders giving them an opportunity to provide suggestions on the same prompts as previously mentioned. SSFUSD had 78 responses to the survey. In addition, SSFUSD had separate meetings with our parent committees (DELAC and SEPAC) in August and September 2021 where stakeholders had an opportunity to give input on the ESSER III plan. SSFUSD also reviewed previous input from stakeholders from the following 3 plans from the 2020 - 2021 school year: Local Continuity and Attendance Plan, Expanded Learning Opportunity Grant, and the LCAP.

A description of how the development of the plan was influenced by community input.

Community input influenced the ESSER III plan in the following manner. Community input on the strategies for a safe and continuous in person learning focused on a couple of items: weekly student and staff COVID - 19 testing, hire contact tracers to assist our schools when we have a case/close contact, purchase additional air purifiers, purchase additional cleaning and disinfecting supplies, hire additional custodians or provide overtime for cleaning as needed, the desire to explore different options for students to eat lunch outdoors and outdoor learning spaces on campuses, increase rates for substitutes internally and externally and the additional support for students that are in the Virtual Independent Study Program. Community input on how to address the impact of lost instructional time were as follows: 2022 Summer School Programs and the request to give each site an allocation so they can determine through the School Site Council process which programs or interventions are appropriate for their students. Some of the programs that were discussed are: Elevate math, IXL, individual or

small group tutoring, and homework center model. SSFUSD also received community input to provide continued internet connectivity for students, purchase additional technology devices (IPADS/Chromebooks), SEL TOSA and SEL curriculum implementation; fund Wellness Counselors for an additional year and also hire school based mental health therapists for our students with disabilities. There was much discussion and the request for SSFUSD to address the mental health needs with a focus on providing additional mental health support for counselors and programs such as Daybreak so students have multiple avenues to obtain support if needed.

October 7, 2021

Actions and Expenditures to Address Student Needs

The following is the LEA's plan for using its ESSER III funds to meet students' academic, social, emotional, and mental health needs, as well as how the LEA will address the opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic. In developing the plan, the LEA has the flexibility to include actions described in existing plans, including the LCAP and/or Expanded Learning Opportunity (ELO) Grant Plan, to the extent that the action(s) address the requirements of the ESSER III Expenditure Plan.
For specific requirements, please refer to the Actions and Expenditures to Address Student Needs section of the Instructions.

Strategies for Continuous and Safe In-Person Learning

A description of how the LEA will use funds to continuously and safely operate schools for in-person learning in a way that reduces or prevents the spread of the COVID-19 virus.

Total ESSER III funds being used to implement strategies for continuous and safe in-person learning

2,090,000

Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
Goal #1 - Find an organization to support our school staff with contact tracing	Contact Tracing	SSFUSD will partner with an organization for assistance with contact tracing in the event we have a case/close contact at any of our schools/programs.	125,000
Goal #2 - Support of students that are in the Virtual Independent Study program	Virtual Independent Study Program	SSFUSD staff will provide additional assistance with each Virtual Independent Study student weekly to support their learning.	700,000
Goal #3 - Ensure SSFUSD has cleaning	Cleaning and disinfecting supplies	Purchase additional cleaning and disinfecting supplies to assist in reducing the spread of the COVID - 19 virus.	40,000

Sept 2021 Action

Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
and disinfecting supplies during COVID			
Goal #4 - Purchase additional air purifiers	Air Purifiers	Purchase additional air purifiers for all schools/programs to assist in reducing the spread of the COVID - 19 virus.	75,000
Goal #5 - Provide outdoor eating/learning spaces at school sites	Outdoor eating/learning spaces	Provide an allocation to school sites to purchase outdoor eating/learning spaces for students.	100,000
Goal #6 - Higher rates for substitutes	Substitutes	Provide a increased daily or hourly rate for substitutes. This could be for SSFUSD staff or for substitutes outside of SSFUSD staff.	150,000
Goal # 7 - Provide continuity of instruction for students on short term independent study or extend the school day by 15 minutes	Continuity of Instruction/Extend school day by 15 minutes	Provide Continuity of instruction for students that are in quarantine status due to case/close contact or extend the school day by 15 minutes to provide additional academic, socio - emotional and behavioral supports for students in the spring 22 and/or 22- 23 school year.	900,000

Addressing the Impact of Lost Instructional Time

A description of how the LEA will use funds to address the academic impact of lost instructional time.

Total ESSER III funds being used to address the academic impact of lost instructional time

2,288,000

Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
Goal #1 - 2022 Summer School Program	2022 Summer School Program	Provide a 2022 Summer School Program for SSFUSD students	1,500,000

Updated 7.2022
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Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
Goal #2 - Before and After School programs/services	Before and After School programs/services	School sites will receive an allocation based on enrollment and unduplicated students (EL, SED, students with disabilities) to design programs, services before, during and after school to assist their students to address their academic, social emotional and behavioral needs	788,000

October 7, 2021

Use of Any Remaining Funds

A description of the how the LEA will use any remaining ESSER III funds, as applicable.

Total ESSER III funds being used to implement additional actions

1,812,285

Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
Goal #1 - Provide internet connectivity for students in need	Internet Connectivity (hotspots)	Provide hotspots for internet connectivity for students in need	381,285
Goal # 2 - Provide tech devices for students (Ipads and Chromebooks)	Provide tech devices for students	Provide tech devices (Ipads and Chromebooks) for all students in SSFUSD	350,000
Goal # 3 - Fund a SEL (Socio - Emotional Learning)TOSA (Teacher on Special Assignment) to develop SEL lessons to be implemented in grades TK - 12	SEL TOSA/curriculum	Provide funding a SEL TOSA to purchase SEL curriculum and develop a scope and sequence for staff to be implemented in grades TK - 12	123,000

Agenda Item 24 Action

Plan Alignment (if applicable)	Action Title	Action Description	Planned ESSER III Funded Expenditures
Goal # 4 - Fund 7 Wellness Counselors	Wellness Counselors	Provide funding for 7 Wellness Counselors to address mental health needs of our students	718,000
Goal # 5 - Fund 2 School based Mental Health Therapists	School based Mental Health Therapists	Provide funding for 2 school based mental health therapists to address mental health needs of our students with disabilities	240,000

October 7, 2021

Ensuring Interventions are Addressing Student Needs

The LEA is required to ensure its interventions will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students most impacted by the COVID–19 pandemic. The following is the LEA's plan for ensuring that the actions and expenditures in the plan are addressing the identified academic, social, emotional, and mental health needs of its students, and particularly those students most impacted by the COVID–19 pandemic.

Action Title(s)	How Progress will be Monitored	Frequency of Progress Monitoring
Goal #1 - Allocation to School Sites to address the impact of lost instructional time	School sites will create a School Site Council proposal that must be approved by the SSC. In the SSC proposal, school sites will need to do the following: link to SPA/LCAP goals, identify the student need, develop measurable outcomes which include metrics and frequency of monitoring. See SSC Proposal form: https://docs.google.com/document/d/1Sz5yWF6R2tQyKTvMlyzTXY8y48oqlsJcdGTiaRCD9Xo/edit	School sites will submit SSC proposals to SSC and EDS department for approval. School sites will monitor progress at least 2 times a year after the SSC proposal has been approved.

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ESSER III Expenditure Plan Instructions

Introduction

School districts, county offices of education (COEs), or charter schools, collectively known as local educational agencies (LEAs), that receive Elementary and Secondary School Emergency Relief (ESSER) funds under the American Rescue Plan (ARP) Act, referred to as ESSER III funds, are required to develop a plan for how they will use ESSER III funds to, at a minimum, address students' academic, social, emotional, and mental health needs, as well as the opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic.

The plan must be adopted by the local governing board or body of the LEA at a public meeting on or before October 29, 2021 and must be submitted for review and approval within five days of adoption. A school district must submit its ESSER III Expenditure Plan to its COE for review and approval; a COE must submit its plan to the California Department of Education for review and approval. A charter school must submit its plan to its chartering authority for review and to the COE of the county in which the charter school operates for review and approval.

In addition, consistent with the requirements of the ARP, Volume 86, *Federal Register*, page 21201, April 22, 2021, the ESSER III Expenditure Plan must be:

- Written in an understandable and uniform format;
- Written in a language that parents can understand, to the extent practicable;
    - If it is not practicable to provide written translations to a parent with limited English proficiency, the plan must be orally translated for parents
- Provided in an alternative format to a parent who is an individual with a disability as defined by the Americans with Disabilities Act, upon request; and
- Be made publicly available on the LEA's website.

For additional information regarding ESSER III funding please see the ARP Act Funding web page at https://www.cde.ca.gov/fg/cr/arpact.asp.

For technical assistance related to the completion of the ESSER III Expenditure Plan, please contact EDReliefFunds@cde.ca.gov.

Fiscal Requirements

- The LEA must use at least 20 percent (20%) of its ESSER III apportionment for expenditures related to addressing the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.
    - For purposes of this requirement, "evidence-based interventions" include practices or programs that have **evidence** to show that they are effective at producing results and improving outcomes when implemented. This kind of evidence has generally been produced through formal studies and research. There are four tiers, or levels, of evidence:

- **Tier 1 – Strong Evidence**: the effectiveness of the practices or programs is supported by one or more well-designed and well-implemented randomized control experimental studies.
- **Tier 2 – Moderate Evidence**: the effectiveness of the practices or programs is supported by one or more well-designed and well-implemented quasi-experimental studies.
- **Tier 3 – Promising Evidence**: the effectiveness of the practices or programs is supported by one or more well-designed and well-implemented correlational studies (with statistical controls for selection bias).
- **Tier 4 – Demonstrates a Rationale**: practices that have a well-defined logic model or theory of action, are supported by research, and have some effort underway by a State Educational Agency, LEA, or outside research organization to determine their effectiveness.

  - **For additional information please see the Evidence-Based Interventions Under the ESSA web page at** https://www.cde.ca.gov/re/es/evidence.asp**.**

- The LEA must use the remaining ESSER III funds consistent with section 2001(e)(2) of the ARP Act, including for:
  - Any activity authorized by the Elementary and Secondary Education Act (ESEA) of 1965;
  - Any activity authorized by the Individuals with Disabilities Education Act (IDEA);
  - Any activity authorized by the Adult Education and Family Literacy Act;
  - Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006;
  - Coordination of preparedness and response efforts of LEAs with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to COVID-19;
  - Activities to address the unique needs of low-income students, students with disabilities, English learners, racial and ethnic minorities, homeless students, and foster youth, including how outreach and service delivery will meet the needs of each population;
  - Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs;
  - Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases;
  - Purchasing supplies to sanitize and clean the facilities of an LEA, including buildings operated by such agency;
  - Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under IDEA, and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements;
  - Purchasing education technology (including hardware, software, and connectivity) for students who are served by the LEA that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment;
  - Providing mental health services and supports, including through the implementation of evidence-based full-service community schools;
  - Planning and implementing activities related to summer learning and supplemental after school programs, including providing classroom instruction or online learning during the summer months and addressing the needs of underserved students;

- Addressing learning loss among students, including underserved students, by:
  - Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiated instruction,
  - Implementing evidence-based activities to meet the comprehensive needs of students,
  - Providing information and assistance to parents and families of how they can effectively support students, including in a distance learning environment, and
  - Tracking student attendance and improving student engagement in distance education;

  Note: A definition of "underserved students" is provided in the Community Engagement section of the instructions.
- School facility repairs and improvements to enable operation of schools to reduce risks of virus transmission and exposure to environmental health hazards, and to support student health needs;
- Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and nonmechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door replacement;
- Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention (CDC) for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff;
- Other activities that are necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff of the LEA.

Other LEA Plans Referenced in this Plan

In developing the plan, the LEA has flexibility to include community input and/or actions included in other planning documents, such as the Local Control and Accountability Plan (LCAP) and/or the Expanded Learning Opportunities (ELO) Grant Plan, provided that the input and/or actions address the requirements of the ESSER III Expenditure Plan.

An LEA that chooses to utilize community input and/or actions from other planning documents must provide the name of the plan(s) referenced by the LEA and a description of where the plan(s) may be accessed by the public (such as a link to a web page or the street address of where the plan(s) are available) in the table. The LEA may add or delete rows from the table as necessary.

An LEA that chooses not to utilize community input and/or actions from other planning documents may provide a response of "Not Applicable" in the table.

Summary of Expenditures

The Summary of Expenditures table provides an overview of the ESSER III funding received by the LEA and how the LEA plans to use its ESSER III funds to support the strategies and interventions being implemented by the LEA.

Instructions

For the 'Total ESSER III funds received by the LEA,' provide the total amount of ESSER III funds received by the LEA.

In the Total Planned ESSER III Expenditures column of the table, provide the amount of ESSER III funds being used to implement the actions identified in the applicable plan sections.

For the 'Total ESSER III funds included in this plan,' provide the total amount of ESSER III funds being used to implement actions in the plan.

Community Engagement

Purpose and Requirements

An LEA's decisions about how to use its ESSER III funds will directly impact the students, families, and the local community, and thus the LEA's plan must be tailored to the specific needs faced by students and schools. These community members will have significant insight into what prevention and mitigation strategies should be pursued to keep students and staff safe, as well as how the various COVID–19 prevention and mitigation strategies impact teaching, learning, and day-to-day school experiences.

An LEA must engage in meaningful consultation with the following community members, as applicable to the LEA:

- Students;
- Families, including families that speak languages other than English;
- School and district administrators, including special education administrators;
- Teachers, principals, school leaders, other educators, school staff, and local bargaining units, as applicable.

"Meaningful consultation" with the community includes considering the perspectives and insights of each of the required community members in identifying the unique needs of the LEA, especially related to the effects of the COVID-19 pandemic. Comprehensive strategic planning will utilize these perspectives and insights to determine the most effective strategies and interventions to address these needs through the programs and services the LEA implements with its ESSER III funds.

Additionally, an LEA must engage in meaningful consultation with the following groups to the extent that they are present or served in the LEA:

- Tribes;
- Civil rights organizations, including disability rights organizations (e.g. the American Association of People with Disabilities, the American Civil Liberties Union, National Association for the Advancement of Colored People, etc.); and
- Individuals or advocates representing the interests of children with disabilities, English learners, homeless students, foster youth, migratory students, children who are incarcerated, and other underserved students.
    - For purposes of this requirement "underserved students" include:
        - Students who are low-income;

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- Students who are English learners;
- Students of color;
- Students who are foster youth;
- Homeless students;
- Students with disabilities; and
- Migratory students.

LEAs are also encouraged to engage with community partners, expanded learning providers, and other community organizations in developing the plan.

Information and resources that support effective community engagement may be found under *Resources* on the following web page of the CDE's website: https://www.cde.ca.gov/re/lc.

Instructions

In responding to the following prompts, the LEA may reference or include input provided by community members during the development of existing plans, including the LCAP and/or the ELO Grant Plan, to the extent that the input is applicable to the requirements of the ESSER III Expenditure Plan. Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broad understanding among the LEA's local community.

A description of the efforts made by the LEA to meaningfully consult with its required community members and the opportunities provided by the LEA for public input in the development of the plan.

A sufficient response to this prompt will describe how the LEA sought to meaningfully consult with its required community members in the development of the plan, how the LEA promoted the opportunities for community engagement, and the opportunities that the LEA provided for input from the public at large into the development of the plan.

As noted above, a description of "meaningful consultation" with the community will include an explanation of how the LEA has considered the perspectives and insights of each of the required community members in identifying the unique needs of the LEA, especially related to the effects of the COVID-19 pandemic.

A description of the how the development of the plan was influenced by community input.

A sufficient response to this prompt will provide clear, specific information about how input from community members and the public at large was considered in the development of the LEA's plan for its use of ESSER III funds. This response must describe aspects of the ESSER III Expenditure Plan that were influenced by or developed in response to input from community members.

- For the purposes of this prompt, "aspects" may include:
    - Prevention and mitigation strategies to continuously and safely operate schools for in-person learning;

- Strategies to address the academic impact of lost instructional time through implementation of evidence-based interventions (e.g. summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs);
- Any other strategies or activities implemented with the LEA's ESSER III fund apportionment consistent with section 2001(e)(2) of the ARP Act; and
- Progress monitoring to ensure interventions address the academic, social, emotional, and mental health needs for all students, especially those students disproportionately impacted by COVID-19

For additional information and guidance, please see the U.S. Department of Education's Roadmap to Reopening Safely and Meeting All Students' Needs Document, available here: https://www2.ed.gov/documents/coronavirus/reopening-2.pdf.

Planned Actions and Expenditures

Purpose and Requirements

As noted in the Introduction, an LEA receiving ESSER III funds is required to develop a plan to use its ESSER III funds to, at a minimum, address students' academic, social, emotional, and mental health needs, as well as the opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic.

Instructions

An LEA has the flexibility to include actions described in existing plans, including the LCAP and/or ELO Grant Plan, to the extent that the action(s) address the requirements of the ESSER III Expenditure Plan. When including action(s) from other plans, the LEA must describe how the action(s) included in the ESSER III Expenditure Plan supplement the work described in the plan being referenced. The LEA must specify the amount of ESSER III funds that it intends to use to implement the action(s); these ESSER III funds must be in addition to any funding for those action(s) already included in the plan(s) referenced by the LEA. Descriptions of actions provided should include sufficient detail yet be sufficiently succinct to promote a broad understanding among the LEA's local community.

Strategies for Continuous and Safe In-Person Learning

Provide the total amount of funds being used to implement actions related to Continuous and Safe In-Person Learning, then complete the table as follows:

- If the action(s) are included in another plan, identify the plan and provide the applicable goal and/or action number from the plan. If the action(s) are not included in another plan, write "N/A".
- Provide a short title for the action(s).
- Provide a description of the action(s) the LEA will implement using ESSER III funds for prevention and mitigation strategies that are, to the greatest extent practicable, in line with the most recent CDC guidance, in order to continuously and safely operate schools for in-person learning.

- Specify the amount of ESSER III funds the LEA plans to expend to implement the action(s); these ESSER III funds must be in addition to any funding for those action(s) already included in the plan(s) referenced by the LEA.

October 7, 2021

Addressing the Impact of Lost Instructional Time

As a reminder, the LEA must use not less than 20 percent of its ESSER III funds to address the academic impact of lost instructional time. Provide the total amount of funds being used to implement actions related to addressing the impact of lost instructional time, then complete the table as follows:

- If the action(s) are included in another plan, identify the plan and provide the applicable goal and/or action number from the plan. If the action(s) are not included in another plan, write "N/A".
- Provide a short title for the action(s).
- Provide a description of the action(s) the LEA will implement using ESSER III funds to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.
- Specify the amount of ESSER III funds the LEA plans to expend to implement the action(s); these ESSER III funds must be in addition to any funding for those action(s) already included in the plan(s) referenced by the LEA.

Use of Any Remaining Funds

After completing the Strategies for Continuous and Safe In-Person Learning and the Addressing the Impact of Lost Instructional Time portions of the plan, the LEA may use any remaining ESSER III funds to implement additional actions to address students' academic, social, emotional, and mental health needs, as well as to address opportunity gaps, consistent with the allowable uses identified above in the Fiscal Requirements section of the Instructions. LEAs choosing to use ESSER III funds in this manner must provide the total amount of funds being used to implement actions with any remaining ESSER III funds, then complete the table as follows:

- If the action(s) are included in another plan, identify the plan and provide the applicable goal and/or action number from the plan. If the action(s) are not included in another plan, write "N/A".
- Provide a short title for the action(s).
- Provide a description of any additional action(s) the LEA will implement to address students' academic, social, emotional, and mental health needs, as well as to address opportunity gaps, consistent with the allowable uses identified above in the Fiscal Requirements section of the Instructions. If an LEA has allocated its entire apportionment of ESSER III funds to strategies for continuous and safe in-person learning and/or to addressing the impact of lost instructional time, the LEA may indicate that it is not implementing additional actions.
- Specify the amount of ESSER III funds the LEA plans to expend to implement the action(s); these ESSER III funds must be in addition to any funding for those action(s) already included in the plan(s) referenced by the LEA. If the LEA it is not implementing additional actions the LEA must indicate "$0".

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Ensuring Interventions are Addressing Student Needs

The LEA is required to ensure its interventions will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students most impacted by the COVID–19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children in foster care, and migratory students.

The LEA may group actions together based on how the LEA plans to monitor the actions' progress. For example, if an LEA plans to monitor the progress of two actions in the same way and with the same frequency, the LEA may list both actions within the same row of the table. Each action included in the ESSER III Expenditure Plan must be addressed within the table, either individually or as part of a group of actions.

Complete the table as follows:

- Provide the action title(s) of the actions being measured.
- Provide a description of how the LEA will monitor progress of the action(s) to ensure that they are addressing the needs of students.
- Specify how frequently progress will be monitored (e.g. daily, weekly, monthly, every 6 weeks, etc.).

California Department of Education
June 2021

October 7, 2021

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Jay Spaulding, Ed. D., Assistant Superintendent, Human Resources and Student Services

DATE: October 7, 2021

RE: Approval of Memorandum of Understanding between the South San Francisco Unified School District and the South San Francisco Federation Classroom Teachers Association to address conditions related to Assembly Bill (AB) 130 in regard to Independent Study as a result of the COVID-19 pandemic.

BACKGROUND:

Representatives of the South San Francisco Unified School District and the South San Francisco Classroom Teachers Association met to address conditions related to AB 130 in regard to Independent Study as a result of the COVID-19 pandemic.

FISCAL IMPLICATIONS:

By this action: Approximately **$700,000** which will be paid out of the ESSER III funds.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees adopt the Tentative Agreement, between the South San Francisco Unified School District and the South San Francisco Classroom Teachers Association to address conditions related to Assembly Bill (AB) 130 in regard to Independent Study as a result of the COVID-19 pandemic.

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MEMORANDUM OF UNDERSTANDING
BETWEEN
SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
AND
SOUTH SAN FRANCISCO CLASSROOM TEACHERS ASSOCIATION
REGARDING
INDEPENDENT STUDY INSTRUCTION FOR THE 2021-2022 SCHOOL YEAR

The South San Francisco Unified School District ("District") and South San Francisco Classroom Teachers Association ("Association") enter into this Memorandum of Understanding ("MOU") regarding independent study in compliance with AB 130, and Education Code sections 51745 *et seq*. and the implementing regulations adopted thereunder.

In order to comply with the legal requirements in bargaining for the Independent Study Program (ISP) for the 2021-2022 school year, the Parties agree to the following:

1. For purposes of this MOU, "Independent Study Student" is defined as a student who elects to receive instruction through the District's independent study program as their primary educational option during the 2021-2022 school year in lieu of the classroom based option. "Temporary Independent Study Student" is defined as a student temporarily receiving instruction remotely through the District's independent study program or other educational alternative for any reason including, but not limited to, vacation, illness, quarantine, injury, surgery, emergency school/classroom closure, etc., for any length of time.

2. Teachers will coordinate, evaluate, and generally supervise the independent study program as the "teacher of record," pursuant to Education Code section 51747.5, of any student enrolled in the District's independent study program, who was, is, or would otherwise be assigned to the teacher's classroom roster by the District.

3. Teachers must apply for independent study program positions and may indicate grade level assignment preferences.

4. Teachers assigned Independent Study Students shall commit to the assignment through the term of the assigned Independent Study Student's independent study program agreement.

5. Teachers shall provide the synchronous instruction required by law outside of regular classroom instruction hours. The independent study teacher may elect to work from their classroom or remotely while supporting their assigned Independent Study Students.

6. The following procedures shall apply to the assignment of teachers to Independent Study Students:

   6.1. The District shall post and notify all bargaining unit members of ISP opportunities via District email. The vacancy shall contain the title and brief description of the position, the credential requirements for the position, and a closing date which is at least five (5) calendar days following the posting date. Unit members' request for an ISP assignment must be submitted via email.

6.2. Priority for elementary ISP assignments shall be given to the homeroom teacher of the Independent Study Student. If the homeroom teacher declines the assignment or is already at maximum ISP capacity as defined in Section 8 below, priority for ISP assignments shall be in the following order, by seniority:

6.2.1. Same grade level at the same school
6.2.2. Same grade level within the District
6.2.3. Other internal district elementary teachers
6.2.4. All other internal district applicants
6.2.5. Outside applicants

6.3. Priority for secondary ISP assignments shall be as follows, by seniority:

6.3.1. Currently assigned secondary teachers at the same school
6.3.2. Other currently assigned secondary teachers
6.3.3. All other internal district applicants
6.3.4. Outside applicants

7. Starting the week of August 23, 2021, the District agrees to pay teachers for up to one (1) hour per week at their per diem rate of pay or $75 per hour whichever is greater for acting as the "teacher of record" for each assigned Independent Study Student. Teachers shall complete a time card to be submitted monthly, on the last working day of the month. Time cards shall be paid no later than one month after submission.

8. Each teacher of record for up to two Independent Study Students shall be afforded thirty (30) minutes per week total for purposes of preparation and planning outside the teacher's contracted day, which shall be paid at their per diem rate of pay or $75 per hour whichever is greater. Each teacher of record with three or more Independent Study Students shall be afforded one hour per week total for purposes of preparation and planning outside the teacher's contracted day, which shall be paid at their per diem rate of pay or $75 per hour whichever is greater. Time cards shall be paid no later than one month after submission.

9. During the 2021-2022 school year, no teacher shall act as the "teacher of record" for more than five (5) Independent Study Students at any one time.

10. The above provisions of this MOU only apply to full-time "teachers of record" for Independent Study Student(s) for the 2021-2022 school year. For example, this MOU does not apply to Temporary Independent Study Student(s).

11. All teachers are required to follow and comply with all Education Code requirements and implementing regulations adopted thereunder pertaining to independent study.

12. The professional workday for teachers remains as defined in the current Collective Bargaining Agreement ("CBA") between the Parties.

13. All components of the current CBA not addressed by this MOU shall remain in full effect.

14. This MOU expires on June 30, 2022. Upon expiration of this MOU, all terms and conditions in the CBA shall be returned to their status prior to the enaction of this agreement, unless otherwise agreed to by the Parties. This is a non-precedent setting agreement.

15. The Association enters into this MOU on its own behalf as well as on behalf of the certificated employees who are members of the bargaining unit represented by the Association in the role as the Exclusive Representative. This MOU is effective upon signature of all Parties hereto and approval of the Board of Trustees.

For SSFTCA

DocuSigned by:
Shari Giusti 9/21/2021

DocuSigned by:
Daniel Yanow 9/21/2021

For SSFUSD

DocuSigned by:
Jay Spaulding 9/22/2021

DocuSigned by:
Keith Irish 9/22/2021

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Jay Spaulding, Ed. D., Assistant Superintendent, Human Resources and Student Services

DATE: October 7, 2021

RE: Approval of Provisional Internship Permit - Roselle Loudon

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BACKGROUND:

The Provisional Internship Permit (PIP) allows an employing agency to fill an immediate staffing need by hiring an individual who has not yet met the subject matter competence requirement needed to enter an intern program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully-credentialed teacher cannot be found. Human Resources has been diligently seeking a Big Lift Supervisor since July 2021 when the District received notice of the vacancy. The late resignation did not allow adequate time for Dr. Spaulding to attend job fairs and advertise this position. Human Resources has been recruiting on EdJoin. The position was reposted twice however, we did not have many applicants. Ms. Roselle Loudon comes with great recommendations and we feel she is the best candidate for the position.

Ms. Loudon will be applying to a credentialing program at San Francisco State University and will be completing the requirements for a multiple subject credential. A PIP will allow Ms. Loudon to meet the requirements necessary to earn the Preliminary credential.

FISCAL IMPLICATIONS:

It is the employee's responsibility to cover the expense of applying for the PIP. There are no fiscal implications for the District.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of Trustees approve the Provisional Internship Permit for Roselle Loudon, a certificated employee at the District Office.

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

Memorandum

TO: Board of Trustees

FROM: Shawnterra Moore, Ed.D., Superintendent

THRU: Ted O, Assistant Superintendent - Business Services

William Savidge - Facilities Management Consultant

DATE: October 7, 2021

RE: Approval of Amendment #1 to the agreement with Hohbach-Lewin, Inc. for the Hillside parking and drop-off project

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BACKGROUND:

The Hillside School site houses the District's Special Education pre-school program. This is in addition to a large portion of the site being leased to a private school. The situation with the Hillside site is that District staff parking, parent drop-off, and other parking is very constrained and needs to be addressed to ensure safety and accessibility. Facilities staff worked with the site staff and the Educational Services team to develop a preliminary concept for a reconfigured parking and drop-off area adjacent to the Special Education pre-school program.

Hohbach-Lewin, Inc. is a structural and civil engineering firm that has reviewed the site conditions and provided a proposal for services which is attached. The scope of services includes a topographic survey with utility information in the area of work. The proposal also includes preparation of construction documents, a City Fire Marshall review, bidding support, and construction observation.

This proposal and scope of services will be amendment #1 to Hohbach-Lewin's existing Independent Consultant Agreement for Professional Services.

FISCAL IMPLICATIONS:

By this action: **$30,100.** This will be paid from Fund 40.

RECOMMENDATION:

It is recommended that the South San Francisco Unified School District Board of approve amendment #1 to the agreement with Hobach-Lewin, Inc. for the parking and drop-off project at the Hillside Site.

September 24, 2021
September 29, 2021 (revised)

Bill Savidge
South San Francisco Unified School District
Facilities Consultant
400 B Street
South San Francisco, CA 94080

Project: Hillside Elementary School – Parking Lot Improvements
1400 Hillside Blvd, South San Francisco
Hohbach-Lewin Project 15831.31 & .32

Subject: Proposal for Survey and Civil Engineering Services

Bill:

As requested, we are providing a proposal for Parking Lot Improvements for Hillside Elementary School site. Our fee was based on the conceptual plan sent to use on September 23, 2021. The project will include removal of existing landscape area and designing a new parking lot area, sidewalk, accessible parking spot along curb area to the north for accessible path of travel, Meeting with SSF Fire Department and drop off area. It's our understanding this project will not be submitted to DSA for Review. We will also be doing a Partial Topographic Survey for the area of improvements.

PRINCIPALS:
DOUGLAS HOHBACH S.E.
DAN LEWIN S.E.
JOAQUIM ROBERTS S.E.
ANTHONY LEE S.E.
VIKKI BOURCIER S.E.
SAM SHIOTANI S.E.
LES TSO S.E.

ASSOCIATE PRINCIPALS:
KEVIN MORTON S.E.
STUART LOWE S.E.
MICHAEL RESCH S.E.

SENIOR ASSOCIATES:
VICKY RUNDORFF S.E.
GREG RODRIGUES S.E.
EDDIE HUI S.E.
MIKE DAVIES S.E.
STACY GADDINI S.E.

ASSOCIATES:
BRIAN HO S.E.
PHYLLIS MAK S.E.
MICHAEL MORGAN P.E.
MOHAMED IBRAHIM S.E.
MOLLY SOUKHASEUM S.E.

CE DEPT MANAGER:
BILL HENN

Surveying Services:

Item 1: We will prepare a Partial Topographic Survey Plan for the areas shown in the exhibit. We will prepare the plan in AutoCAD format and will indicate the following:

- Fronting street improvements.
- Spot elevations and contours at a one-foot interval to determine drainage pattern based on the City of South San Francisco Vertical Datum.
- Location of existing structures with finish floor elevations and associated exterior grades.
- Visible and overhead utilities
- Accessible underground utilities such as sanitary sewer and storm drain. Pipe inverts and sizes will also be shown.
- Underground water, gas and electric utilities will be shown per available record information and the paint markings of a utility locator service whose fees are included in this proposal.
- Tree locations and sizes for trees 6" diameter or greater with approximate driplines (species will not be determined).
- Location and elevation of existing site features such as, but not limited to, fences, gates, driveways, walls, walks, patios, and other hardscape.

- Property line boundary data and lot square-footage based upon a resolved boundary (property corners will not be marked or set on the ground). • Easements as described in title report to be provided.

Civil Engineering Services:

Construction Documents
Items that will be address during this phase of work

- Demolition Plan
- Grading and Drainage Plans
- Utility Plan (Storm Water Only)
- Erosion Control Plan
- Project Notes and Details
- Specifications
- We assumed 2 project team meeting
- Meeting with SSF Fire to Review Layout.

Bidding/Constructions Administration Services
Items that are included during this phase

- Construction Bidding Questions
- Assist project team with response to construction questions (RFI) as needed.
- Site Observations (3 site visits assumed)

Exclusions:

1. A Geotechnical Report will be provided by Owner
2. Title Report
3. DSA Review Process.
4. Arborist Tree Survey and Arborist Tree Protection requirements

Surveying Fees	$9,600
Civil Engineering Fees	
Construction Documents	$15,500
Bidding	$ 1,000
Construction Administration	$ 4,000
Total Fees	**$30,100**

We propose to provide Additional Services as requested on a labor and expenses basis per the attached rate sheet.

Any meetings outside of the ones defined in the scope of the project will also be billed on a labor and expenses basis.

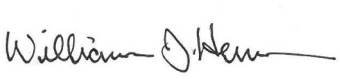
Direct reimbursable expenses (consisting of courier costs, CAD plotting and printing for formal submittals) incurred in the performance of these services will be billed at our direct costs plus 10%.

We will bill at the completion of project milestones. These invoices will include charges for percentage completion of basic services, and expended labor for any authorized additional services and for reimbursable expenses.

In addition to the terms contained within this proposal letter, unless specifically and mutually agreed otherwise, all provisions contained within the attached General Conditions shall apply. This proposal letter and the General Conditions constitute our Basic Service Agreement. If the above quoted terms are acceptable to you, this letter and the attached General Conditions can constitute our contract to provide professional services as well as our authorization to proceed. To execute this agreement, please sign below where indicated.

Please contact me with any questions or comments. We are looking forward to assisting you on this project.

Sincerely,



William J Henn
Civil Engineering Department Manager

Signature:_____

Date: _____

Responsible Billing Party:

Name: _____

Address: _____

_____

Phone: _____

Attachment: General Conditions

AMENDMENT #1
TO
SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
INDEPENDENT CONSULTANT AGREEMENT
FOR PROFESSIONAL SERVICES
WITH HOHBACH-LEWIN, INC.
FOR CIVIL ENGINEERING SERVICES AT THE HILLSIDE SITE
DATED OCTOBER 7, 2021.

Amendment No. 1 for the Hillside Parking and Drop-Off Project as approved by the Board on October 7, 2021.

The work includes topographic survey in area of work including utility locating, preparation of Construction Documents, City Fire Marshall review, Bidding Support, and Construction Observation.

Modified services with compensation adjusted as described in Consultant's proposal dated: September 29, 2021.

Compensation under the Independent Consultant Agreement is summarized below:

Hohbach-Lewin, Inc.	**Date**	**Total**
SSFHS Drainage Repairs	August 24, 2020	$ 18,000
Amendment No. 1: Hillside Parking and Drop-off	October 7, 2021	$ 30,100
ADJUSTED TOTAL:		**$ 48,100**

TOTAL AMENDED COMPENSATION $ 48,100

No other sections of the Independent Consultant Agreement, unless specifically listed, are modified in any way. IN WITNESS WHEREOF, the parties hereto have executed this Amendment. This Amendment consists of 1 page, with Consultant's Proposal attached.

By_____ _____
Ted O Date
Assistant Superintendent Business Services
South San Francisco Unified School District

By_____ _____
Bill Henn, Hohbach-Lewin, Inc. Date