

San Ysidro School District Governing Board

AGENDA

Thursday
March 10, 2022
5:00 p.m.

WELCOME

Welcome to the meeting of the San Ysidro School District Governing Board. As a courtesy to others, we ask that you turn the volume off on your cell phones and put them on vibrate during the Board meeting. Your cooperation is appreciated.

**Smythe School
Auditorium
1880 Smythe Ave
San Ysidro, CA 92173**

GENERAL ADMINISTRATION

SAN YSIDRO SCHOOL DISTRICT
4350 Otay Mesa Road San Ysidro, CA 92173
Phone Number: (619) 428-4476 Fax Number: (619) 428-1505

REGULAR MEETING OF THE GOVERNING BOARD
THURSDAY, FEBRUARY 10, 2022
5:00 p.m.

Pursuant to Government Code Sections 54954 and 54954.2 and Education Code Section 35140, the Regular Meeting of the Governing Board was held on Thursday, February 10, 2022, and conducted its business meeting at **Sunset School - Auditorium, 3825 Sunset Lane, San Ysidro, CA 92173**. Any meeting participant who engages in disorderly conduct which disturbs the peace and good order of the meeting, or refuses to comply with the lawful orders of the Board may be ordered removed from the meeting, and may be guilty of a misdemeanor (Cal. Penal Code Sec. 403). Closed Session was held from 5:00 p.m. to 6:00 p.m., and reconvened into Open Session at 6:00 p.m. Closed Session was conducted in accordance with applicable sections of California Law.

MINUTES

1. CALL TO ORDER Who: President R. Lopez Time: 5:01 p.m.

2. ROLL CALL by Gina A. Potter, Ed.D., Superintendent & Secretary to the Board

Board Members Present:

Mr. Rudy Lopez, Board President

Mrs. Rosaleah Pallasigue, Board Vice-President

Mrs. Irene Lopez, Board Clerk

Mr. Humberto Gurmilan, Member- *Arrived at 5:12 p.m.*

Mr. Antonio Martinez, Member

3. AGENDA

The Board approved the agenda with the following correction:

- 1) Changed Consent Calendar Item 14A.7 from Approve to Approve/Ratify the leave of absence without pay for the following as recommended by staff.

Motion: Martinez Second: Pallasigue Vote: 4-0

4. PUBLIC COMMENT/COMMUNICATIONS ON CLOSED SESSION ITEMS

Please submit public comment forms prior to start of meeting at 5:00 p.m. Per Board Policy #9323, three (3) minutes may be allotted to each speaker and five (5) minutes for organizations to address Closed Session Items Only. (Closed Session Items may be continued to the end of meeting if necessary.)

Natalie La Rosa, SYEA President, Commented: 1) Thanked the board for the support they gave SYEA during COVID. Appreciates the COVID stipend given to their members. 2) Teaching has been more difficult. 3) SYEA's contract expired in June and their last raise was in 2018. 4) SYEA is looking for a fair share and fair contract for our members. 5) There is a teacher shortage. Our students deserve that we recruit and retain high quality teachers. Let's continue to work together and make this happen.

Board Clerk I. Lopez made a motion to recess to Closed Session, seconded by Board Vice President Pallasigue. The vote was 4-0.

5. GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:05 p.m. in accordance with section 54954.5 regarding:

5.1 GOVERNMENT CODE SECTION 54957 (Heath)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT

**5.2 GOVERNMENT CODE SECTION 54957.6 (Heath)
CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiators: Glenn Heath, Sub Executive Director of Human Resources

Employee Organizations:

San Ysidro Education Association/CTA

California School Employees Association, Chapter 154

Unrepresented:

Administrators, Classified Management, Confidential/Supervisory

5.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Potter)

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

No. of cases: 2

RECONVENED into OPEN SESSION at 6:12 p.m. to take action on items discussed in closed session, or to make disclosures of action taken in closed session, if any, as required by Government Code section 54957.7 and section 54957.1.

Board President Rudy Lopez announced that Board Member Gurmilan arrived at 5:12 p.m. and Board Member Martinez left at 6 p.m.

There was nothing to report from Closed Session.

6. CALL TO ORDER Who: President R. Lopez Time: 6:12 p.m.

7. ROLL CALL by Gina A. Potter, Ed.D., Superintendent & Secretary to the Board

Board Members Present:

Mr. Rudy Lopez, Board President

Mrs. Rosaleah Pallasigue, Board Vice-President

Mrs. Irene Lopez, Board Clerk

Mr. Humberto Gurmilan, Member

Mr. Antonio Martinez, Member - *Left at 6 p.m.*

8. FLAG SALUTE by Rudy Lopez, Board President

9. BOARD RECOGNITION/DISTINGUISHED CHAMPIONS (Mata)

9.1 California Purple Star Recognition: Ocean View Hills Elementary - Presented by Assistant Superintendent Dr. David Farkas

- Student & Family Services Manager, Veronica Medina
- Ocean View Hills Elementary Military Liaison, Mindy Hayes
- Ocean View Hills Elementary - Representing the school will be Principal Erika Meza

10. PUBLIC COMMENT/COMMUNICATIONS ON OPEN SESSION ITEMS

PLEASE SUBMIT PUBLIC COMMENT FORMS PRIOR TO START OF MEETING

Per Board Policy #9323, three (3) minutes may be allotted to each speaker and five (5) minutes for organizations to address **all of their items**. If translation services are required, please state that, and an additional one (1) minute will be allotted. **Approach the lectern and give your name.**

The public has the opportunity to address the Board on any item appearing on the agenda or not on the agenda. Persons wishing to address the Board are asked to fill out a **Public Comment Form** located at the sign-in area, and submit the completed form to the administrative assistant **prior to start of the meeting.**

Those who have a group concern are encouraged to select a spokesperson to address the Board. A copy of the full agenda is available for view at the Superintendent's Office located at 4350 Otay Mesa Road, San Ysidro, California. Also, at the district website: www.sysdschools.org.

Maria Mendoza, Parent, Commented: 1) Shared concerns regarding bullying in the school with her son. 2) She would like more attention and awareness regarding bullying. She suggested having parent workshops, anonymous letters from students, student assemblies and staff training. 3) We need to work together and have more communication between staff and parents.

Maria Rios, CSEA President, Commented: 1) Shared concerns regarding a just and fair raise for classified members. 2) Classified employees have been key workers throughout the pandemic and have taken on duties that they didn't have before and continue to do so. They haven't had a raise in several years and yet, prices have increased on everything. 3) Asked the board to do the right thing and stand alongside classified employees.

11. ITEMS FROM THE BOARD & SUPERINTENDENT

Board Member Gurmilan, Commented: 1) Thanked everyone that was present at the board meeting. 2) Appreciates parents, unions and everyone that attended. 3) Thanked staff and the district team for the work they do in the community. There was a very successful vaccination event. 4) The governor will unveil a new plan for working through the pandemic. 5) This district is successful because of the collective work of everyone during the pandemic. We've gone through challenging times and we need to keep moving forward together. 6) Thanked Principal Burciaga for hosting the board meeting.

Board Clerk I. Lopez, Commented: 1) Thanked Principal Burciaga, staff and Maria del Rosario Castro for the nice decorations in the library. 2) She knows negotiations can sometimes be hard for everyone. We need to continue communicating and working together. 3) We need to help and bring programs to our schools regarding bullying before the children get to middle school. 4) It's important that the unions express their right of what they feel they need. They support our children and our schools. 5) She hopes we can come to an agreement soon. We are a family and will come up with a solution together.

Board Vice President Pallasigue, Commented: 1) Thanked Principal Burciaga and staff for hosting the board meeting. 2) Thanked SYEA and CSEA for attending the board meeting. We appreciate your position. 3) Looks forward to continued negotiations and to find a middle ground that works for everyone, keeping students at the forefront. 4) Thanked parents for voicing their concerns. We need to provide mentorship services for our students and see to the child's needs at all times.

Board President R. Lopez, Commented: 1) Thanked Sunset School for hosting the board meeting and for the school visit. 2) Thanked Willow School for hosting the school visit this week. 3) Thanked Mindy Hayes for being a partner. 4) Thanked Dr. Farkas and his team for the vaccination clinic. County Supervisor Nora Vargas provided extra vaccines that day for everyone that came to the event.

Superintendent Potter, Commented: 1) Thanked Principal Burciaga and Sunset staff for hosting the board meeting. 2) Congratulated Veronica Medina, Mindy Hayes and the OVHS team for the Purple Star Award. 3) Thanked the parent for voicing her concerns. We are committed to partnering with you and helping you and the school. 4) Thanked the unions' leadership and their members. We are committed to continue to partner with you as we work through negotiations.

12. CONFERENCE SESSION

Reports/Presentations

- 12.1 Universal Transitional Kindergarten State Expansion Presentation - Presented by Executive Director of Educational Services Cynthia Monreal González

- 12.2 Proposed Revised General Obligation Bond Project Implementation Plan - Presented by Construction Project Manager Tom Silva and Director of Maintenance, Operations, Transportation & Facilities Paulo Azevedo
- 12.3 School Safety Plan Presentation - Assistant Superintendent of Education Leadership, Pupil Services and Safety Dr. David Farkas

13. GENERAL ADMINISTRATION

13.1 MINUTES

The Board approved the minutes of the Regular Board Meeting of January 27, 2022 and the minutes of the Special Board Meetings of January 19, 2022 and January 27, 2022.

Motion: Gurmilan Second: Pallasigue Vote: 4-0

13.2 RESOLUTION NO. 21/22-0024 - CONTINUING GOVERNING BOARD AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361 (Potter)

The Board approved Resolution No. 21/22-0024 - Continuing Governing Board Authority to hold Virtual Meetings Pursuant to AB 361.

Motion: I. Lopez Second: Pallasigue Vote: 4-0

13.3 2022 CSBA DELEGATE ASSEMBLY ELECTION (Potter)

The Board elected the following representatives to the 2022 CSBA Delegate Assembly (9 vacancies): Marco Amaral (South Bay Union SD), Maria Betancourt-Castaneda (National SD)*, Eleanor Evans (Oceanside USD)*, Michelle Gates (National SD), Humberto Gurmilan (San Ysidro SD)*, Rocina Lizarraga (National SD), Gee Wah Mok (Del Mar Union SD)*, Tamara Otero (Cajon Valley Union SD)* and Lucy Ugarte (Chula Vista ESD).

Motion: Pallasigue Second: I. Lopez Vote: 4-0

13.4 RESOLUTION NO. 21/22-0025 – TEMPORARY CERTIFICATED EMPLOYEE RELEASE (Heath)

The Board adopted Resolution No. 21/22-0025 authorizing the District to notice individual, temporary employees of the district’s intent to release at the close of the 2021-2022 school year.

Motion: Pallasigue Second: I. Lopez Vote: 4-0

13.5 REVISED TEMPORARY CERTIFICATED MANAGEMENT CONTRACT/OFFER OF EMPLOYMENT FOR DISTRICTWIDE ADMINISTRATIVE SUPPORT (Heath)

The Board approved/ratified the extended Offer of Employment for Manuela Colom as Districtwide Administrative Support effective February 7, 2022.

Motion: Pallasigue Second: Gurmilan Vote: 4-0

13.6 2022-2023 STUDENT ENROLLMENT PROJECTION (Adrianzen)

Information only - Student Enrollment Projection for school year 2022-2023.

14. CONSENT CALENDAR

The Board approved the Consent Calendar.

Motion: Pallasigue Second: I. Lopez Vote: 4-0

14A. PERSONNEL – CLASSIFIED

EMPLOYMENT (Heath)

The Board approved/ratified the employment for the following as recommended by staff:

- 14A.1 Campus Aide
- 14A.2 Substitute Campus Aide
- 14A.3 Substitute Custodian

RESIGNATION (Heath)

The Board approved the resignation for the following as recommended by staff:

- 14A.4 Instructional Aide Special Education
- 14A.5 Child Nutrition Specialist, Lead

LEAVE OF ABSENCE (Heath)

The Board declined the leave of absence without pay for the following as recommended by staff:

- 14A.6 Child Nutrition Specialist

LEAVE OF ABSENCE (Heath)

The Board approved/ratified the leave of absence without pay for the following as recommended by staff:

- 14A.7 Instructional Aide

14B. PERSONNEL – CERTIFICATED

EMPLOYMENT (Heath)

The Board approved/ratified the employment for the following as recommended by staff:

- 14B.1 Temporary Resource Specialist
- 14B.2 Substitute Teachers

14C. CURRICULUM & INSTRUCTION

14C.1 COMPREHENSIVE SCHOOL SITE SAFETY PLANS 2021-22 (Farkas)

The Board approved the Comprehensive School Site Safety Plans for all schools for the 2021-22 school year.

14C.2 PURCHASE OF SUPPLEMENTAL INSTRUCTIONAL MATERIALS FROM LEARNING WITHOUT TEARS FOR TRANSITIONAL KINDERGARTEN (González)

The Board approved the purchase of supplemental instructional materials from Learning Without Tears for Transitional Kindergarten at the total cost of \$12,574.60 to be paid from the Title I fund.

14C.3 PROFESSIONAL DEVELOPMENTS - FEBRUARY (González)

The Board approved/ratified the attendance and participation of District staff to the different professional developments as attached.

14D. BUSINESS

14D.1 PURCHASING REPORT (Adrianzen)

The Board approved/ratified the following purchase orders incurred by the District during the period January 14, 2022 through February 3, 2022. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources.

14D.2 EXPENDITURE REPORT (Adrianzen)

The Board approved/ratified the expenditures incurred by the District during the period of January 1, 2022 through January 31, 2022 for a total expenditure of \$1,377,793.68. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of

up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources.

14D.3 APPROVE/RATIFY AGREEMENTS WITHIN DELEGATION OF AUTHORITY LIMITS (Adrianzen)

The Board approved/ratified the agreements on the attached list with cost implications that fall within the authorized delegation of authority limits of up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources or at no cost to the district.

14D.4 RENEWAL OF GOGUARDIAN LICENSES FROM AMPLIFY IT (González)

The Board approved the renewal of the GoGuardian Teacher licenses from Amplified IT and the implementation of GoGuardian Admin and GoGuardian Beacon as suicide prevention tools at the total cost of \$48,608.00 from the Educator Effectiveness Block Grant.

14D.5 SAN DIEGO COUNTY NONPUBLIC MASTER CONTRACT WITH THE INSTITUTE FOR EFFECTIVE EDUCATION FOR 2021-2022 SCHOOL YEAR (ADDENDUM) (González/Madera)

The Board approved the addendum to the San Diego County Nonpublic Master Contract with The Institute for Effective Education to provide specialized academic services for school year 2021-2022, at a new total cost of \$139,618.08 from Special Education fund.

Board Clerk I. Lopez made a motion to adjourn, seconded by Board Member Gurmilan. The vote was 4-0.

15. ADJOURNMENT Time: 7:09 p.m.

Respectfully Submitted,

Gina A. Potter, Ed.D., Secretary
Governing Board

SAN YSIDRO SCHOOL DISTRICT
4350 Otay Mesa Road San Ysidro, CA 92173
Phone Number: (619) 428-4476 Fax Number: (619) 428-1505

SPECIAL MEETING OF THE GOVERNING BOARD
THURSDAY, FEBRUARY 24, 2022

5:00 p.m.

Via Zoom Teleconference

Pursuant to AB361 and Resolution No. 21/22-0024, this Special Meeting of the San Ysidro School District Board was held by teleconference. Trustees of San Ysidro School District Board and the public participated in this meeting via teleconference. The Public may view this meeting by accessing the following link <https://www.youtube.com/channel/UCGyF01068pbhe-B5xnyl-A/videos>. Public comment may be submitted by email to publiccomment@sysdschools.org on or before Thursday, February 24, 2022 at 5:00 p.m. Public wanting to address the Governing Board telephonically may submit the Public Comment Request Form: <https://forms.gle/K1nPJUukhyeMGZpEA> on or before Thursday, February 24, 2022 at 5:00 p.m. Any meeting participant who engages in disorderly conduct which disturbs the peace and good order of the meeting, or refuses to comply with the lawful orders of the Board may be ordered removed from the meeting, and may be guilty of a misdemeanor (Cal. Penal Code Sec. 403). To listen to this meeting in Spanish, please call 1 (617) 675-4444 and enter the access code 452 039 764 4556#.

MINUTES

1. CALL TO ORDER Who: President R. Lopez Time: 5:00 p.m.

Board President Rudy Lopez announced that this Governing Board meeting is conducted pursuant to AB361 and Resolution No. 21/22-0024.

2. ROLL CALL by Gina A. Potter, Ed.D., Superintendent & Secretary to the Board

Board Members Present:

Mr. Rudy Lopez, Board President

Mrs. Rosaleah Pallasigue, Board Vice-President

Mrs. Irene Lopez, Board Clerk

Mr. Humberto Gurmilan, Member

Mr. Antonio Martinez, Member

3. FLAG SALUTE by Rudy Lopez, Board President

4. AGENDA

The Board approved the agenda.

Motion: Martinez Second: Gurmilan Vote: 5-0

All votes during this meeting were completed by roll call.

5. PUBLIC COMMENT/COMMUNICATIONS ON CLOSED AND OPEN SESSION ITEMS

Persons who want to comment on topics not included on the agenda or comment on agendized topics were invited to submit comments via email to the following email address publiccomment@sysdschools.org on or before Thursday, February 24, 2022 at 5:00 pm. Please limit comments to 300 words or less. Public wanting to address the Governing Board telephonically may submit the Public Comment Request Form: <https://forms.gle/K1nPJUukhyeMGZpEA> on or before Thursday, February 24, 2022 at 5:00 p.m. All comments submitted will be read aloud during the meeting. Please note, all email correspondence relating to this meeting will become part of the Board minutes. If your comment is related to a specific Agenda item, please identify the Agenda item in the subject of your email.

There were no public comments.

Board Member Martinez made a motion to recess to Closed Session, seconded by Vice President Pallasigue. The vote was 5-0.

6. GOVERNING BOARD – RECESSED to CLOSED SESSION at 5:06 p.m. in accordance with section 54954.5 regarding:

**6.1 GOVERNMENT CODE SECTION 54957 (Heath)
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/REASSIGNMENT**

**6.2 GOVERNMENT CODE SECTION 54957.6 (Heath)
CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiators: Glenn Heath, Sub Executive Director of Human Resources

Employee Organizations:

San Ysidro Education Association/CTA

California School Employees Association, Chapter 154

Unrepresented:

Administrators, Classified Management, Confidential/Supervisory

RECONVENED into OPEN SESSION at 6:16 p.m. to take action on items discussed in closed session, or to make disclosures of action taken in closed session, if any, as required by Government Code section 54957.7 and section 54957.1.

There was nothing to report from Closed Session.

7. GENERAL ADMINISTRATION

7.1 SUPPLEMENT TO THE ANNUAL UPDATE TO THE 2021-2022 LOCAL CONTROL ACCOUNTABILITY PLAN (LCAP) (González/Adrianzen)

Information only. Executive Director of Educational Services Cynthia Monreal-González and Chief Business Official Marilyn Adrianzen presented the Supplement to the Annual Update to the 2021-2022 Local Control Accountability Plan (LCAP).

Board Member Martinez made a motion to adjourn, seconded by Board Vice President Pallasigue. The vote was 5-0.

8. ADJOURNMENT Time: 6:41 p.m.

Respectfully Submitted,

Gina A. Potter, Ed.D., Secretary
Governing Board

**SA □ YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board
VIA: Gina A. Potter, Ed.D.
Superintendent

BOARD MEETING DATE: March 10, 2022
FROM: Administration
Gina A. Potter, Ed.D., Superintendent
 Informational
 Action

AGENDA ITEM: RESOLUTION NO. 21/22-0026 - CONTINUING GOVERNING BOARD AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361

BACKGROUND INFORMATION:

Executive Order N-29-20 expired Sept. 30, 2021. Legislative bodies will be required to hold public meetings in full compliance with the Brown Act, particularly Brown Act teleconferencing requirements that have been waived throughout the pandemic.

With the enactment of AB 361 signed on Sept. 16, 2021, Government Code section 54953 has been amended to provide additional flexibility for legislative bodies to meet remotely. Effective October 1, 2021, in order for a legislative body to consider the option of meeting remotely and waiving the traditional teleconference requirements found in the Brown Act, the legislative body must first determine whether an active state of emergency exists that makes meeting in-person unsafe. If a state of emergency of this nature exists, then the legislative body may hold a remote meeting if any of the following circumstances are true:

- State or local officials have imposed or recommended measures to promote social distancing; or
- The legislative body is holding a meeting to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- Any meeting thereafter the legislative body has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In order for a legislative body to continue holding meetings remotely, after October 1, 2021, the state of emergency must remain active, or state or local officials continue to impose or recommend measures to promote social distancing. Furthermore, the legislative body must meet no later than 30 days following its first remote meeting held pursuant to AB 361, and no later than every 30 days thereafter, to reconsider the circumstances of the emergency and confirm, by majority vote, that either of the following circumstances exist:

- The state of emergency continues to directly impact the ability of members to meet safely in person; or
- State or local officials continue to impose or recommend social distancing measures.

A legislative body is required to place an item on their meeting agenda once every 30 days to make findings and vote on the circumstances of the emergency and/or other state or local health and safety measures to continue waiving the traditional Brown Act teleconferencing requirements.

The legislature’s intent behind passing AB 361, as described in the bill itself, is “to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.”

AB 361 will expire January 1, 2024.

The following Resolutions have been approved Continuing Governing Board Authority to Hold Virtual Meetings Pursuant to AB 361:

October 21, 2021 - Resolution No. 21/22-0017	November 18, 2021 - Resolution 21/22-0018	December 10, 2021 - Resolution No. 21/22-0021	January 27, 2022 - Regular Board Meeting - Resolution No. 2/22-0022	February 10, 2022 - Regular Board Meeting - Resolution No. 21/22-0024
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Resolution No. 21/22-0026 extends and continues giving the Governing Board Authority to Hold Virtual Meetings Pursuant to AB 361 as it is required to be board approved on a monthly basis.

RECOMMENDATION:

Approve Resolution No. 21/22-0026 - Continuing Governing Board Authority to hold Virtual Meetings Pursuant to AB 361.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial

Certification Requested Yes No

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD**

RESOLUTION NO. 21/22-0026

**Resolution Continuing Governing Board Authority to
Hold Virtual Meetings Pursuant to AB 361**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 which indicated that Executive Order N-29-20's authorization for holding virtual meetings would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

(e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

THEREFORE, BE IT RESOLVED that the Governing Board of San Ysidro School District finds that the Governor's March 4, 2020 declaration of a state of emergency due to the COVID-19 pandemic remains active.

RESOLUTION NO. 21/22-0026

BE IT FURTHER RESOLVED, the Governing Board of San Ysidro School District finds that due to the state of emergency, meeting in person at Board meetings any and at all district committees that conduct meetings pursuant to the Brown Act, would present imminent risks to the health or safety of attendees and/or the state of emergency continues to directly impact the ability of the members to meet safely in person due to the prevalence of the Delta variant of the COVID-19 virus, the indoor setting of meeting facilities, the potential presence of unvaccinated individuals attending meetings, the potential for noncompliance with mask wearing requirements, and desire to protect the health of immuno-compromised trustee(s), staff and the public.

PASSED AND ADOPTED by the following vote of the Governing Board of the San Ysidro School District, County of San Diego, State of California on March 10, 2022.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

SAN YSIDRO SCHOOL DISTRICT GOVERNING BOARD:

Board President, Rudy Lopez

Board Vice-President, Rosaleah Pallasigue

Board Clerk, Irene Lopez

Member, Humberto Gurmilan

Member, Antonio Martinez

**SA[□] YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Administration
Gina A. Potter, Ed.D.,
Superintendent

Informational
 Action

AGENDA ITEM: RESOLUTION NO. 21/22-0027 - CESAR CHAVEZ DAY

BACKGROUND INFORMATION:

The challenge of educating our children for responsible citizenship is explicit in the History-Social Science Framework for California Public Schools, Kindergarten through Grade Twelve. The framework, designed to guide local curriculum planners, stresses at each grade level the importance of teaching all student experiences of men and women of different racial, religious and ethnic groups. The framework embodies the understanding that our national identity, heritage, and creed are pluralistic. Mexican-American History reflects a determined spirit of perseverance and cultural pride in the struggle to equally share in the opportunities of this nation.

Cesar Chavez has inspired entire generations of Americans to participate in social and civic affairs and has motivated many to answer the call of public service. He conveyed hope and determination, especially to minority workers. Cesar Chavez, who was committed to non-violence in advocating change and was consistent with the principles of democratic society, serves as a role model for all of our students.

RECOMMENDATION:

Adopt Resolution No. 21/22-0027 celebrating the life, values and sacrifices of Cesar Chavez by honoring his birthday on March 31st as "Cesar Chavez Day."

LCAP GOAL AND ACTION/SERVICE (please indicate):

Goal: Student Achievement

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

N/A

(Amount)

N/A

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

**San Ysidro School District
Governing Board**

Cesar Chavez Day

Resolution No. 21/22-0027

WHEREAS, Cesar Chavez, founder and president of the United Farm Workers of America, passed away at the age of 66 of April 23, 1993;

WHEREAS, Cesar Chavez was a charismatic leader who conveyed hope and determination, especially to minority workers in their daily struggle against injustice and hardship; and

WHEREAS, Cesar Chavez inspired an entire generation of Americans to participate in social and civic affairs, and motivated many to answer the call to public service; and

WHEREAS, Cesar Chavez dedicated his life to the improvement of farm worker’s employment and living conditions, and his struggles for that cause raised the social consciousness of the American Labor Movement; and

WHEREAS, Cesar Chavez was one of this Nation’s most dynamic and effective spokesperson in the environmental and consumer movement against the heavy application of pesticides on food products; and

WHEREAS, the commitment of Cesar Chavez to non-violence in advocating change was consistent with the principles of a democratic society and service as a role model for others to follow;

NOW, THEREFORE, BE IT RESOLVED by the San Ysidro School District Governing Board that the school district celebrates the life, values and sacrifices of Cesar Chavez by honoring his birthday, March 31st as **CESAR CHAVEZ DAY**. Additionally, the Governing Board encourages its personnel and community residents to implement activities that will educate the students and community on the contributions and principles of Cesar Chavez.

PASSED AND ADOPTED this 10th day of March, 2022 at a regular meeting of the Governing Board of the San Ysidro School District.

Rudy Lopez, President

Rosaleah Pallasigue, Vice-President

Irene Lopez, Clerk

Humberto Gurmilan, Member

Antonio Martinez, Member

Gina A. Potter, Ed.D., Superintendent

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
David Farkas, Ed.D.
Assistant Superintendent of
Educational Leadership,
Pupil Services and Safety

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD POLICIES -
0000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Policies:

- Revised BP 0420.42 - Charter School Renewal
- Revised BP 0470 - COVID-19 Mitigation Plan.

RECOMMENDATION:

Approve First Reading and Adoption of Revised Board Policies - 0000 series: Revised BP 0420.42 - Charter School Renewal and Revised BP 0470 - COVID-19 Mitigation Plan.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

CHARTER SCHOOL RENEWAL

Note: When the term of a charter granted by the Governing Board pursuant to Education Code 47605 is due to expire, the charter school must submit a petition for renewal to the Board in accordance with Education Code 47607.

For a charter that was granted by the State Board of Education (SBE) on appeal after being denied by the district **pursuant to Education Code 47605**, the renewal petition must first be submitted to **the chartering authority designated by SBE** ~~the district board that denied the charter, pursuant to~~ **in accordance with** Education Code 47605. **For charters granted by SBE on appeal pursuant to Education Code 47605, as that section read on January 1, 2019, the charter school may continue operating until it is up for renewal, at which point it must submit a renewal petition to the board in the geographic boundaries where the charter school is located, pursuant to Education Code 47605.9.**

A petition for the renewal of a charter that was originally granted by the County Board of Education on appeal after being denied by the district must be submitted directly to the County Board as the chartering authority pursuant to 5 CCR 11966.5.

Pursuant to Education Code 47607.4, as added by AB 130 (Ch. 44, Statutes of 2021), notwithstanding the renewal process established in Education Code 47605.9, 47607, 47607.2, or any other law, all charter schools whose term expires on or between January 1, 2022 and June 30, 2025 shall have their term extended by two years.

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education (SBE) on appeal after initial denial by the Board.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

BP 0420.42(b)

CHARTER SCHOOL RENEWAL (continued)

Note: The following **optional** paragraph may be revised to reflect district timelines for the submission of charter renewal petitions. Education Code 47605 requires that the Board grant or deny the renewal petition within 90 days of receiving the petition; see section entitled "Timelines for Board Action" below. However, it is recommended that charter schools submit their petition sufficiently early (e.g., as much as nine months before the term of the charter is due to expire) so that, in the event that the Board denies the renewal, the charter school may be able to appeal to the County Board and then to SBE and, if the school closes, to allow students of the charter school to transfer to another school.

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Note: Education Code 47607 and 47607.2 authorize different lengths of renewals for high-performing, middle-performing, and low-performing charter schools.

Pursuant to Education Code 47607, charter renewals are subject to the same standards and criteria as initial charter authorizations as specified in Education Code 47605, except that the Board may not deny the renewal of an existing charter school based on a finding that (1) the district has a negative or qualified interim certification, **or is under state receivership**, and is not positioned to absorb the fiscal impact of the proposed charter school or (2) the charter school is **demonstrably** unlikely to serve the interests of the entire community in which the school will be located (i.e., the school would substantially undermine or duplicate existing district services or programs). However, these

two criteria may be used to deny a proposed expansion of an existing charter school **constituting a material revision**. See **BP/AR 0420.4 - Charter School Authorization** for more information regarding the standards and criteria for initial charter authorizations and renewals.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is **demonstrably** unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607; **5 CCR 11966.4**)

Note: Pursuant to Education Code 47607.2, the review of the charter school's academic performance must be based on "verified data" from assessments and other indicators, **including in certain instances measures of postsecondary outcomes**, approved by SBE. In November 2020, SBE approved a list of valid and

BP 0420.42(c)

CHARTER SCHOOL RENEWAL (continued)

reliable indicators of academic progress and postsecondary outcomes that may be used to demonstrate a charter school's academic performance. Such indicators are available on **the California Department of Education's CDE's** web site.

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. The Board shall only consider data from sources adopted by SBE. (Education Code 47607, 47607.2)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

Note: Pursuant to Education Code 47607, as amended by **AB 130 SB 98 (Ch. 24, Statutes of 2020)**, the criteria described in item #1 below may be achieved for two of the **most recent years for which state data is available**

~~three years immediately~~ preceding the renewal **decision**, rather than for the two consecutive years immediately preceding the renewal, if the two consecutive years immediately preceding the renewal **decision** include the 2019-20 **or 2020-21** school year.

1. Renewal of Five to Seven Years

a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the **most recent years for which state data is available** ~~three years immediately~~ preceding the renewal **if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, for any renewal submitted in the 2020-21 or 2021-22 school year,** the charter school achieved either of the following: (Education Code 47607)

(1) Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years

(2) For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average

BP 0420.42(d)

CHARTER SCHOOL RENEWAL (continued)

and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups

b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was

originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

2. Renewal of Five Years

a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)

(1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school

(2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

b. For any such charter school, the Board may deny the renewal petition **only** upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)

Note: Education Code 47607.2, as amended by **AB 130 SB-98**, authorizes the Board to deny renewal of a charter if the criteria described in item #3 below apply in two of the **most recent years for which state data is available** ~~three years immediately~~ preceding the renewal **decision**, rather than for two consecutive years immediately preceding the renewal **decision**, if the two consecutive years immediately preceding the renewal include the 2019-20 **or 2020-21** school year.

3. Denial/Two-Year Renewal

a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the **three most recent** years **for which state data is available** immediately preceding the

BP 0420.42(e)

CHARTER SCHOOL RENEWAL (continued)

renewal **if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, for any renewal submitted in the 2020-21 or 2021-22 school year,** either of the following applies: (Education Code 47607.2)

(1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years

(2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups

b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code 47607.2)

(1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The Board may deny the renewal for these reasons only upon a finding that either the corrective action

CHARTER SCHOOL RENEWAL (continued)

proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

Note: Charter schools that serve high-risk students may qualify for the state's Dashboard Alternative School Status (DASS) program, which uses modified methods of measurement for accountability indicators when appropriate. Charter schools that participate in the DASS are subject to the following criteria specified in Education Code 47607.

A charter school that qualifies for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

Timelines for Board Action

Note: State law does not expressly provide a timeline for a public hearing on the renewal petition or for the Board's final decision on the renewal. However, pursuant to Education Code 47607, renewals are generally subject to the same standards and criteria applicable to initial charter authorizations, as specified in Education Code 47605. The following section reflects the timelines established for initial charter authorizations.

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings

BP 0420.42(g)

CHARTER SCHOOL RENEWAL (continued)

regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

Note: Though 5 CCR 11966.4 provides that an "automatic renewal" results when the Board does not make a written factual finding on which a denial may be based within 60 days of receiving the renewal petition, the timelines specified in Education Code 47605 and described above should be followed, as they supersede the inconsistent regulation. The district should consult legal counsel in the event of a question regarding the timelines.

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. ~~(5 CCR 11966.4)~~

The Superintendent or designee shall provide notification to **the California Department of Education CDE**, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board **of Education** within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

School Closure

If a charter is not renewed and the charter school ceases operation, the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Definition of numerically significant student subgroup

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

CODE OF REGULATIONS, TITLE 5

11962-11962.1 Definitions

11966.4 Submission of charter renewal petition

11966.5 Charter petitions that have not been renewed; submission to county board of education

UNITED STATES CODE, TITLE 20

~~7223-7225 Charter schools~~ 7221-7221j Expanding opportunity through quality charter schools

Management Resources: (see next page)

BP 0420.42(h)

CHARTER SCHOOL RENEWAL (continued)

Management Resources:

CSBA PUBLICATIONS

~~The Role of the Charter School Authorizer, Online Course~~

Charter Schools: A Guide for Governance Teams, rev. June 2021 2016

WEB SITES

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

California Charter Authorizing Professionals: <https://calauthorizers.org>

California Charter Schools Association: <https://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/ch>

National Association of Charter School Authorizers: <https://www.qualitycharters.org>

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

(3/20 3/21) 12/21

Policy Reference UPDATE Service

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Policy 0420.42: Charter School Renewal

Status: ADOPTED

Original Adopted Date: 02/11/2021 | **Last Revised Date:** 05/13/2021 | **Last Reviewed Date:** 05/13/2021

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education (SBE) on appeal after initial denial by the Board.

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607)

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. The Board shall only consider data from sources adopted by SBE. (Education Code 47607, 47607.2)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

1. Renewal of Five to Seven Years

- a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the three years immediately preceding the renewal for any renewal submitted in the 2020-21 or 2021-22 school year, the charter school achieved either of the following: (Education Code 47607)

- i. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - ii. For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)
- i. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
 - ii. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers
- b. For any such charter school, the Board may deny the renewal petition upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)

3. Denial/Two-Year Renewal

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the three years immediately preceding the renewal for any renewal submitted in the 2020-21 or 2021-22 school year, either of the following applies: (Education Code 47607.2)
- i. The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - ii. For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code 47607.2)
- i. The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

- ii. There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The Board may deny the renewal for these reasons only upon a finding that either the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

A charter school that qualifies for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

Timelines for Board Action

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to CDE, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

School Closure

If a charter is not renewed and the charter school ceases operation, the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605)

for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 11960-11969
 Ed. Code 47600-47616.7
 Ed. Code 52052
 Ed. Code 56145-56146
 Ed. Code 60600-60649

Description

Charter schools
 Charter Schools Act of 1992
 Accountability; numerically significant student subgroups
 Special education services in charter schools
 Assessment of academic achievement

Federal References

20 USC 7223-7225

Description

Charter schools

Management Resources References

CSBA Publication
 CSBA Publication
 Website
 Website
 Website
 Website
 Website

Description

Charter Schools: A Guide for Governance Teams, rev. 2016
 The Role of the Charter School Authorizer, Online Course
 National Association of Charter School Authorizers -
<https://simbli.eboardsolutions.com/SU/9nzhOG5X2VVH42kMJnO6kg==>
 California Charter Schools Association -
<https://simbli.eboardsolutions.com/SU/aplushtDM8pluzsN2tpwTckx11kA==>
 California Department of Education, Charter Schools -
<https://simbli.eboardsolutions.com/SU/7ntJI2JXplusQiCtk6H8qzolg==>
 CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>
 U.S. Department of Education -
<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Cross References

0420.4
 0420.4
 0420.41
 0420.41-E(1)
 0420.43
 0500
 6162.51
 6162.51

Description

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/N2NPHhZkoR4HzmLplusslshGJlqg==>
 Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/xHeL5G0IW17kzalFS7slshdzA==>
 Charter School Oversight -
<https://simbli.eboardsolutions.com/SU/z6rkvP9islshqlxTJHeU6PmTA==>
 Charter School Oversight -
<https://simbli.eboardsolutions.com/SU/LysOPM557YPs92qbRXq8pg==>
 Charter School Revocation -
<https://simbli.eboardsolutions.com/SU/rjlslhFVMvuEUjslshFQ0V2b0TQ==>
 Accountability -
<https://simbli.eboardsolutions.com/SU/8OSp14MQoBm0c5h903CVjA==>
 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKeg==>
 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVOQakeqroGOQ==>

CSBA Sample Board Policy

REVISED

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0470(a)

COVID-19 MITIGATION PLAN

Note: The following policy is intended for use during the coronavirus (COVID-19) pandemic and supersedes conflicting provisions in other district policies and administrative regulations, thereby eliminating the need to temporarily revise multiple policies. When the Governing Board determines, consistent with state and local orders from health officials, that the need for this policy no longer exists, the following policy should be removed from the district's policy manual.

Due to the unexpected nature of the pandemic, the evolving circumstances, and rapidly changing **health and safety guidance regarding COVID-19, this policy has been revised to refer directly to the state resources that serve as both mandatory and recommended guidance to districts during the pandemic.** ~~information about the virus, the topics covered in this policy may not be directly addressed in current law. Therefore, the policy presents options and best practices for districts as they reopen school campuses following extended closures due to the COVID-19 pandemic~~ Districts are encouraged to consult with local health officials, staff, students, parents/guardians, neighboring school districts, and the county office of education in comprehensive planning for safe operations **following campus reopening.**

This policy is not intended to serve as or supersede the District's COVID-19 Prevention Program ("CPP") required by the California Division of Occupational Safety and Health (Cal/OSHA), as described below, or the District's Injury and Illness Prevention Program ("IIPP"). Rather, this policy should supplement and support the IIPP. See BP/AR 4157/4257/4357 - Employee Safety.

This policy involves a number of working conditions that are often addressed in collective bargaining agreements and, as such, may be subject to negotiations with employee organizations.

~~Resources that provide additional information, such as applicable state and local guidelines from health officials, school schedules, handwashing instructions, and specific personal protective equipment (PPE) requirements, may be attached as exhibits to augment this policy and should be periodically reviewed and updated as necessary.~~

The following policy establishes actions that will be taken by the district to provide a safe learning and working environment during the 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 pandemic, federal, state, and local orders impacting district operations are subject to change without notice. In the event that any federal, **or** state **law and/or order** or local order may conflict with this policy, the **law or** 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.

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COVID-19 MITIGATION PLAN (continued)

~~(cf. 2210 - Administrative Discretion Regarding Board Policy)~~

~~(cf. 5141.22 - Infectious Diseases)~~

~~(cf. 9310 - Board Policies)~~

To limit the impact of the pandemic on the education of district students, the district shall implement learning recovery, social-emotional support, and other measures and strategies designed to keep students learning and engaged in the instructional program.

COVID-19 Safety Plan

Note: Pursuant to Health and Safety Code 120130, the State Public Health Officer has the authority to create mandates for K-12 schools to prevent the spread of a communicable disease. In addition, the California Department of Public Health (CDPH) may adopt and enforce regulations requiring strict or modified isolation or quarantine if necessary for the protection of the public health. Local health officials have similar authority pursuant to Health and Safety Code 120175-120255 to issue orders they deem necessary to control the spread of a communicable disease, subject to the control and regulation of CDPH. Districts are therefore obligated to comply with COVID-19 mitigation requirements from multiple jurisdictional authorities including: (1) the California Department of Public Health (CDPH); (2) Cal/OSHA; and (3) local health authorities.

CDPH's COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year (updated September 1, 2021) provides updated public health guidance applicable to California schools. The CDPH guidance provides that all students must have access to safe and full in-person instruction and to as much instructional time as possible. The guidance includes both mandatory and recommended practices on a range of topics, including: masking; physical distancing; ventilation; protocols for staying home when sick and getting tested; screening testing; case reporting, contact tracing and investigation; quarantining; isolating when sick with COVID-19; hand hygiene; cleaning; vaccination verification; COVID-19 safety planning transparency; school-based extracurricular activities; supporting students with disabilities or other health care needs; and visitors.

On June 11, 2021, the State Public Health Officer issued an order that requires all individuals to follow the CDPH face mask guidance and any amended guidance for K-12 schools. This order went into effect on June 15, 2021 and does not have an expiration date. In a letter dated August 23, 2021, CDPH emphasized that universal masking indoors is mandatory, that districts have no discretion to opt out or not enforce the mandate, and that districts that do not enforce the mandate will be at significant liability risk.

In addition, on August 11, 2021, the State Public Health Officer issued an order that requires workers and volunteers in school settings serving students in transitional kindergarten through grade 12 to either provide proof of vaccination, as specified by CDPH, or submit to regular testing for COVID-19. Schools are also required to have a plan in place by October 15, 2021 for tracking verified worker vaccination status and records must be made available, upon request, to the local health authority for the purposes of case investigation.

Pursuant to 8 CCR 3205, districts must have a Cal/OSHA COVID-19 prevention program that contains the following elements: (1) a system for communicating with and providing notice to employees; (2) identification and evaluation of COVID-19 hazards; (3) investigation and response to

BP 0470(c)

COVID-19 MITIGATION PLAN (continued)

COVID-19 cases; (4) procedures for correcting COVID-19 hazards; (5) training and instruction to employees; (6) facecoverings; (7) other engineering controls, administrative controls, and personal protective equipment (PPE); (8) reporting, recordkeeping, and access to the written COVID-19 prevention program; (9) exclusion of COVID-19 cases; and (10) return-to-work criteria.

Pursuant to state and federal law, districts are required to create and post COVID-19 safety plans. Specifically, pursuant to Education Code 32091, districts are required to post a completed COVID-19 safety plan that complies with the health guidance of CDPH and Cal/OSHA on the district's web site home page. In addition, districts receiving Elementary and Secondary School Emergency Relief funds are required to adopt and post a Safe Return to In-Person Instruction and Continuity of Services Plan and review it at least every six months for possible revisions, describing how the district will maintain the health and safety of students, educators and other staff, including the extent to which it has adopted policies, and a description of such policies, on each of the safety recommendations provided by the Centers for Disease Control and Prevention (CDC). A template plan for this purpose is available on the California Department of Education's web site.

Due to the evolving nature of the pandemic, health and safety guidance is subject to change. Districts are strongly encouraged to refer directly to public health orders and guidance and work closely with public health authorities to ensure that COVID-19 mitigation measures stay current.

The Superintendent or designee shall establish, implement, and maintain a COVID-19 safety plan that complies with any mandatory public health guidance of the California Department of Public Health (CDPH), the COVID-19 prevention program ("CPP")

consistent with the regulations of the California Division of Occupational Safety and Health, any orders of state or local health authorities, and any other applicable law and/or health order(s). The Superintendent or designee shall ensure, at a minimum, that the COVID-19 safety plan complies with all mandatory guidance and gives priority to recommended practices that are identified as being particularly effective at COVID-19 mitigation. The Superintendent or designee shall regularly review public health guidance to ensure that the district's COVID-19 mitigation strategies are current with public health mandates or recommendations.

The district's COVID-19 safety plan shall be posted on the district's web site.

Note: The following list is optional and may be revised to reflect district practice. CDPH recommends that districts consider certain factors when making decisions regarding COVID-19 mitigation strategies, reflected in Items #1-3 below.

To promote transparency and facilitate decision-making regarding COVID-19 mitigation strategies, the Superintendent or designee shall report to the Board on a regular basis regarding the following:

1. Level of community transmission of COVID-19
2. COVID-19 vaccination coverage in the community and among students and staff

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COVID-19 MITIGATION PLAN (continued)

3. Any local COVID-19 outbreaks or increasing trends
4. Changes to local, state, and/or federal public health guidance, orders, and laws
5. Any revisions to the district's COVID-19 safety plan

Reporting to the Public Health Department

Note: The following section reflects reporting obligations pursuant to Education Code 32090-32091, as added by AB 86 (Ch. 10, Statutes of 2021) and amended by AB 130 (Ch. 44, Statutes of 2021).

Upon learning that a school employee or student who has tested positive for COVID-19 was present on campus while infectious, the Superintendent or designee shall immediately, and in no case later than 24 hours after learning of the positive case, notify the local health officer or the local health officer's representative about the positive case. The notification shall be made even if the individual who tested positive has not provided prior consent to the disclosure of personally identifiable information and shall include all of the following information, if known: (Education Code 32090)

1. Identifying information of the individual who tested positive, including full name, address, telephone number, and date of birth
2. The date of the positive test, the school(s) at which the individual was present, and the date the individual was last onsite at the school(s)
3. The name, address, and telephone number of the person making the report

If a school has two or more outbreaks of COVID-19 and is subject to a safety review by CDPH pursuant to Education Code 32090, the Superintendent or designee shall cooperate fully with the review.

Statewide Instructional Mode Survey

Note: Pursuant to Education Code 32091, as amended by AB 130, districts are required to notify the California Collaborative for Educational Excellence (CCEE) of specified information in a form and adhering to the procedures to be determined by the CCEE.

On or before the second and fourth Monday of each month, the Superintendent or designee shall submit to the California Collaborative for Educational (CCEE) information required under Education Code 32091, in accordance with the form and procedures determined by CCEE.

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COVID-19 MITIGATION PLAN (continued)

Stakeholder Engagement and Community Relations

The district shall solicit input from stakeholders on how to best support students following the learning disruptions of the pandemic through appropriate methods, which may include surveys, community and family meetings, and other methods identified by the Superintendent or designee.

The Superintendent or designee shall collaborate with local health authorities to ensure that parents/guardians are provided with the information needed to ensure that public health guidance is observed in the home as well as in school, such as information about isolation and quarantine requirements, face mask requirements, symptom checks prior to school attendance, and who to contact when students have symptoms and/or were exposed.

The Superintendent or designee shall use a variety of methods to regularly communicate with students, parents/guardians, and the community regarding community transmission levels, district operations, school schedules, and steps the district is taking to promote the health and safety of students. 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 COVID-19 mitigation strategies. 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)

Learning Recovery and Social-Emotional Support

Note: Pursuant to Education Code 43520-43525, as added by AB 86 and amended by AB 130, starting in the 2020-21 school year and continuing into the 2022-23 school year, districts are required to provide academic interventions and student supports to address barriers to learning and accelerate progress to closing learning gaps.

The U.S. Department of Education's Office of Special Education Programs (OSEP) has emphasized that districts are required to fully implement the Individuals with Disabilities Education Act (IDEA) during the COVID-19 pandemic, including but not limited to the requirement to meet child find

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COVID-19 MITIGATION PLAN (continued)

obligations. In Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, OSEP encourages districts to reexamine the efficacy of existing child find practices in light of the educational disruptions caused by the COVID-19 pandemic. See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education for "child find" procedures.

The following paragraph is optional and may be revised to reflect district practice.

The Superintendent or designee shall develop a plan for assessing students' current academic levels early in the school year to ensure that each student is provided with appropriate opportunities for learning recovery based on need. The plan may include:

1. Use of interim or diagnostic assessments
2. Review of available data from assessments within the California Assessment of Student Performance and Progress
3. Review of attendance data from the 2020-2021 school year
4. Review of prior year grades
5. Discussion of student needs and strengths with parents/guardians and former teachers

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.5 - Mental Health)

(cf. 5141.52 - Suicide Prevention)

(cf. 5147 - Dropout Prevention)

(cf. 6120 - Response to Instruction and Intervention)

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6159 - Individualized Education Program)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

(cf. 6184 - Continuation Education)

Note: Pursuant to Education Code 43522, as amended by AB 130, districts that receive Extended Learning Opportunities (ELO) grant funding are required to implement a learning recovery program that provides supplemental instruction, support for social-emotional well-being, and to the maximum extent permissible as specified in U.S. Department of Agriculture guidelines, meals and snacks, to students who are eligible for free or reduced-price meals, English learners, foster youth, homeless students, students with disabilities, students at risk of abuse, neglect, or exploitation, disengaged students, and students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020-21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

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COVID-19 MITIGATION PLAN (continued)

The Superintendent or designee shall develop and implement a learning recovery program that, at a minimum, provides supplemental instruction and support for social emotional well-being, and to the maximum extent permissible meals and snacks, to eligible students. (Education Code 43522)

Supplemental Instruction and Support

The district shall provide students with evidence-based supports and interventions in a tiered framework that bases universal, targeted, and intensive supports on students' needs for academic, social-emotional, and other integrated student supports through a program of engaging learning experiences in a positive school climate. (Education Code 43522)

Targeted and intensive supports may include: (Education Code 43522)

- 1. Extending instructional learning time based on student learning needs including through summer school or intersessional instructional programs**
- 2. Tutoring or other one-on-one or small group learning supports provided by certificated or classified staff**
- 3. Learning recovery programs and materials designed to accelerate student academic proficiency, English language proficiency, or both**
- 4. Integrated student supports to address other barriers to learning, such as:
 - a. The provision of health, counseling, or mental health services****

- b. Access to school meal programs
- c. Access to before and after school programs
- d. Programs to address student trauma and social-emotional learning
- e. Referrals for support for family or student needs

5. Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports

Note: Pursuant to Education Code 51225, as added by AB 104 (Ch. 41, Statutes of 2021), the district is required to provide a student who was enrolled in the student's third or fourth year of high school during the 2020-21 school year and is not on track to graduate in the 2020-21 or 2021-22 school years

BP 0470(h)

COVID-19 MITIGATION PLAN (continued)

the opportunity to complete the statewide coursework required for graduation pursuant to Education Code 51225.3, which may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework. See BP 6146.1 - High School Graduation Requirements.

- 6. Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students' college eligibility
- 7. Additional academic services for students, such as diagnostic, progress monitoring, and benchmark assessments of student learning
- 8. Other interventions identified by the Superintendent or designee

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to Education Code 43522, as added by AB 86 and amended by AB 130, funding from ELO grants may be expended for educating school staff regarding strategies, including trauma-informed practices, to engage students and families in addressing students' social-emotional health and academic needs as well as for accelerated learning and effectively addressing learning gaps.

To ensure schoolwide implementation of the district's tiered framework of supports, the Superintendent or designee shall plan staff development that includes: (Education Code 43522)

1. Accelerated learning strategies and effective techniques for closing learning gaps, including training in facilitating quality learning opportunities for all students
2. Strategies, including trauma-informed practices, to engage students and families in addressing students' social-emotional health needs and academic needs

Reengagement for Chronically Absent Students

Note: The U.S. Department of Education (USDOE) recommends that nonpunitive measures be used to reengage students who became chronically absent during the pandemic. See USDOE's ED COVID-19 Handbook, Volume 2: Roadmap to Reopening Safely and Meeting All Students' Needs (August 2021).

The Superintendent or designee shall implement strategies for identifying, locating, and reengaging students who were chronically absent or disengaged during the 2020-21 school year, including students who were kindergarten-age but who did not enroll in kindergarten. Strategies for reengaging students may include:

1. Personal outreach to families, including by staff who are known to families

BP 0470(i)

COVID-19 MITIGATION PLAN (continued)

2. Door-to-door campaigns
3. The use of social media to spread awareness about the implementation of COVID-19 mitigation strategies
4. Welcoming and supporting students who experienced chronic absenteeism due to the COVID-19 pandemic or who are returning to school after a long absence

Student Absence and Attendance

The Board recognizes that COVID-19 will continue to impact the attendance of students. The Superintendent or designee shall notify students and parents/guardians of expectations regarding

school attendance. Such notification shall direct any student who contracts the virus or is subject to a quarantine order to stay home in accordance with state and local health orders.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

Note: Pursuant to Education Code 51745, as amended by AB 130, for the 2021-22 school year all districts are required to offer independent study to meet the educational needs of students. See BP 6158 - Independent Study and 3516.5 - Emergency Schedules.

The Superintendent or designee shall ensure continuity of instruction for students who may be under a quarantine order to stay home, by offering such students independent study or other instructional delivery channels that allows the student to continue to participate in the instructional program to the greatest extent possible.

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 **except as allowed by law**. (Education Code 49450)

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

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COVID-19 MITIGATION PLAN (continued)

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

(cf. 1312.3 - Uniform Complaint Procedures)

~~(cf. 5131.2 - Bullying)~~

~~(cf. 5145.3 - Nondiscrimination/Harassment)~~

~~Note: Stay-at-home orders, restrictions on social gatherings, and PPE requirements and their impact on the opening and closing of school campuses will vary based on local conditions. CSBA strongly recommends that districts consult state and local health officials for guidance on decisions regarding the opening and closing of school campuses.~~

~~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 classes, before or after school programs, child care centers, and/or preschool programs shall be made in consultation with state and local health officials, 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 teaching and learning, the Superintendent or designee shall provide to students, parents/guardians, and staff 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.~~

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

~~(cf. 6020 - Parent Involvement)~~

BP 0470(k)

COVID-19 MITIGATION PLAN (continued)

Student Support

The Board recognizes that the consequences of the COVID-19 pandemic, including fear for one's 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, students with disabilities, those students most vulnerable to basic needs insecurity or child abuse and neglect, and other at-risk students.

(cf. 0115 - Equity)

As school campuses reopen, 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)

Staff shall pay careful attention to students' increased mental health concerns. 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 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 staff and parents/guardians regarding how to provide mental health support to students. The Superintendent or designee may also provide counseling to staff who are experiencing emotional difficulties as a result of COVID-19.

BP 0470(1)

COVID-19 MITIGATION PLAN (continued)

Instruction/Schedules

Note: Until COVID-19 is no longer a concern, schools may offer instruction through one of three prevailing approaches: (1) return to full on-campus instruction with social distancing/PPE requirements and modified schedules, (2) continue exclusively with distance learning, or (3) use a hybrid approach that incorporates both on-campus instruction and distance learning. To accomplish any approach that uses on-campus instruction while maintaining social distancing may require the implementation of staggered schedules, such as having half the students on campus one week followed by the other half the following week, having grades 1-3 on campus on Monday and Wednesday and grades 4-6 on Tuesday and Thursday, or teaching elementary students on campus while secondary students use distance learning.

The following section reflects a hybrid approach, which may be the most practical for the majority of districts, and should be revised to reflect district practice.

The district shall offer a combination of on-campus instruction and distance learning to meet the needs of all students.

(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.

BP 0470(m)

COVID-19 MITIGATION PLAN (continued)

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.

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 instructional staff. Available training resources may also be provided to students and parents/guardians when necessary.

Evaluation of Academic Progress Following Campus Closure

Note: Pursuant to the Governor's Executive Order N-30-20, administration of the California Assessment of Student Performance and Progress was waived in spring 2020 due to the COVID-19 pandemic. Districts will need to use other measures to evaluate students' academic progress during that period of campus closure.

Upon return to on-campus 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 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~~

~~(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)~~

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COVID-19 MITIGATION PLAN (continued)

Grading

~~Note: The district may select or revise any of the items below to reflect district practice. The California Department of Education's (CDE) FAQs on Grading and Graduation Requirements, available on its web site, includes an appendix on Distance Learning Grading Guidance for Teachers which contains a non-exhaustive list of options for assigning final grades for spring 2020 for courses interrupted by COVID-19 and the resulting school closures. Those options are only applicable to final semester grades and may not necessarily apply to shorter periods of campus closure. Grading policies for the 2020-21 school year may be dependent on the date that campuses reopen and/or whether campuses need to be reclosed for an extended period at any time during the year.~~

~~Also see CSBA's Sample School Board Resolution on Grading During Emergency School Closures.~~

~~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

2. — Assignment of pass/no pass grades for all courses

3. — Grading based on students' understanding of applicable course content through assessments, projects, portfolios, or other appropriate means

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

Health Screening of Students

Note: The following **optional** paragraph reflects recommendations in the Centers for Disease Control and Prevention's (CDC) Interim Guidance for Schools and Day Camps to conduct temperature checks and/or visual checks of students before they enter the school. CDC recommends that persons who have a fever of 100.4 degrees or above or exhibit other signs of illness not be admitted to the facility.

Temperature checks may also be conducted before students board a school bus. If not practical, districts should implement social distancing on school buses as provided in the section "Social Distancing" below and may require students to wear PPE on the bus as provided in the section "Personal Protective Equipment and Hygiene Practices" below.

BP 0470(o)

COVID-19 MITIGATION PLAN (continued)

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.

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.

(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. Such notification shall direct any student who contracts 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 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 under Section 504 and/or an alternative instructional method that allows the student to continue receiving instruction off campus.

Note: Pursuant to Education Code 48205, student absences due to illness or quarantine are considered excused absences. 5 CCR 306 authorizes the school to require a satisfactory explanation from a student's parent/guardian whenever the student is absent. Pursuant to 5 CCR 421, the Board may adopt policy or a resolution establishing reasonable methods for verifying student absences, and absences due to illness or quarantine may be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or other qualified district employee assigned to make such verification. See AR 5113 - Absences and Excuses for verification methods authorized by the district.

When a student is absent, the student's parent/guardian shall notify the school of the reason for the absence. A physician's verification of a student's illness or quarantine may be submitted, but is not required.

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COVID-19 MITIGATION PLAN (continued)

~~(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.~~

~~(cf. 6154 - Homework/Makeup Work)~~

~~Note: Pursuant to the Governor's Executive Order N-26-20, districts are not penalized for failure to offer regular school days when campuses are closed due to COVID-19. Although districts are not required to record daily attendance for apportionment purposes when campuses are closed, CDE's FAQs for 2019 Novel Coronavirus encourage districts to track participation and engagement in distance learning at such times. As campuses reopen, districts should follow state guidance, when issued, pertaining to attendance accounting.~~

~~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.~~

~~(cf. 5113.1 - Chronic Absence and Truancy)~~

~~(cf. 5113.11 - Attendance Supervision)~~

Social Distancing

~~Note: Public health officials from the California Department of Public Health (CDPH), CDC, and World Health Organization recommend social distancing to help stop or slow the spread of COVID-19. Social distancing requires creating physical space between individuals and minimizing the size and number of gatherings as much as possible. It is generally recommended that space between individuals be at least six feet whenever possible.~~

~~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, 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

BP 0470(q)

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

Note: Item #7 is for use by districts that provide transportation for students. CDC's Interim Guidance for Schools and Day Camps presents examples of bus seating arrangements that may be established to meet the six-foot social distancing objectives, such as (1) seating one student to a bench on both sides of the bus, skipping every other row, and (2) seating one student to a bench, alternating rows on each side to create a zigzag pattern. Seats that must be left vacant should be marked or blocked.

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)

Note: CDPH Guidance for the Prevention of COVID-19 Transmission for Gathering, issued March 16, 2020, states that gatherings that bring together people in a single room or single space at the same time, such as school sporting events, should be postponed or canceled until further guidance is released by CDPH. The Governor's Resilience Roadmap issued in spring 2020 establishes four stages for gradually reopening businesses and activities, with large gatherings generally withheld until stage 4.

Large gatherings, such as assemblies, rallies, field trips, extracurricular activities, and athletic events, shall be suspended until the Board determines, consistent with guidance from state

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COVID-19 MITIGATION PLAN (continued)

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)

Personal Protective Equipment and Hygiene Practices

Note: CDC's Considerations for Schools reinforces the value of using cloth face coverings to protect oneself and others, but recognizes that wearing face coverings in all-day settings such as school may be challenging for students, particularly younger students. CDC advises that face coverings be worn as feasible, but especially when social distancing is difficult.

It is also recommended that all staff should use cloth face coverings and that food service workers and other staff who are in routine contact with the public should wear gloves. However, requiring staff to use such equipment may be subject to collective bargaining. Districts are encouraged to review their collective bargaining agreements and applicable memoranda of understanding and consult with legal counsel before requiring staff to use facial coverings.

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.

Note: The following paragraph reflects a recommendation in CDC's Considerations for Schools and may be revised to reflect district practice.

Face coverings 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 hand sanitizer

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COVID-19 MITIGATION PLAN (continued)

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. 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.

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)

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.

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)

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COVID-19 MITIGATION PLAN (continued)

Staff

Note: The following section may be subject to negotiations with employee organizations.

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)~~

~~Note: The Governor's Executive Order N-26-20 requires that districts continue to pay employees even if campuses close temporarily due to COVID-19. Furthermore, 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. See BP 4151/4251/4351 – Employee Compensation.~~

~~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.~~

~~Note: Education Code 44978 and 45191 and Labor Code 245-249 establish minimum sick leave entitlements for district employees; see AR 4161.1/4361.1 – Personal Illness/Injury Leave and AR 4261.1 – Personal Illness/Injury Leave. If an employee continues to be absent for up to five months after exhausting all available sick leave, the employee may be entitled to differential pay in accordance with Education Code 44977, 44983, and 45196. In addition, an employee may use leave granted by the Family and Medical Leave Act (FMLA) (29 USC 2601-2654) or California Family Rights Act (Government Code 12945.1-12945.2) for the employee's own serious health condition or to care for a child, spouse, or parent/guardian with a serious health condition; see AR 4161.8/4261.8/4361.8 – Family Care and Medical Leave.~~

~~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)~~

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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)~~

Note: The remainder of this section reflects provisions for expanded leave granted by the federal Families First Coronavirus Response Act (P.L. 116-127).

29 USC 2601 provides up to 80 hours of paid sick leave for eligible employees for the reasons specified in items #1-6 below. Eligible employees are entitled to their regular rate of pay for leave taken pursuant to items #1-3 (up to \$511 per day and \$5,110 in total) or two-thirds their regular rate of pay for leave taken pursuant to items #4-6 (up to \$200 per day or \$2,000 in total). The district must not require an employee to use other paid leave before the employee uses the paid sick leave granted under this Act.

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)

Note: Leave granted to an employee who needs to care for a child whose school or child care provider is closed due to COVID-19 (item #5 above) may be extended pursuant to 29 USC 2620. Employees must be restored to their position following such leave, unless the district has fewer than 25 employees and specified conditions are met.

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

COVID-19 MITIGATION PLAN (continued)

~~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)~~

~~Note: The following notice is available on the web site of the U.S. Department of Labor:~~

~~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)~~

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.~~

~~Note: The following **optional** paragraph reflects a recommendation in CDC's Interim Guidance for Schools and Day Camps pertaining to contact tracing.~~

~~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~~

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COVID-19 MITIGATION PLAN (continued)

~~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 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. 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.~~

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COVID-19 MITIGATION PLAN (continued)

~~(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

~~Note: The following section reflects CDC's [Interim Guidance for Administrators of U.S. K-12 Schools and Child Care Programs to Plan, Prepare, and Respond to Coronavirus Disease 2019 \(COVID-19\)](#), which describes appropriate mitigation strategies based on the level of community transmission of COVID-19 and the presence of COVID-19 cases within a school. Such mitigation strategies may include closing campuses when the district determines, in consultation with state and local health officials, that keeping campuses open presents a risk to students, staff, and the community.~~

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 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)

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COVID-19 MITIGATION PLAN (continued)

Legal Reference:

EDUCATION CODE

32090-32095 COVID-19 reporting and public health requirements

43520-43525 In-person instruction and expanded learning opportunities grants

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

54950-54963 The Brown Act

12945.1-12945.2 California Family Rights Act

HEALTH AND SAFETY CODE

120175-120255 Functions and duties of local health officers

120230 Exclusion from attendance

120275 Violations of quarantine order

131080 Advice to and control of local health authorities

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

CODE OF REGULATIONS, TITLE 8

3205 COVID-19 prevention

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)

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COVID-19 MITIGATION PLAN (continued)

Management Resources:

CSBA PUBLICATIONS

Sample School Board Resolution on Grading During Emergency School Closures

The Resource Guide: Turning Crisis into Opportunity, Delegate Assembly Report, May 2021

Understanding and Addressing Disruptions to Learning During the COVID-19 Pandemic, May 2021

CALIFORNIA COLLABORATION FOR EDUCATIONAL EXCELLENCE PUBLICATIONS

Statewide Instructional Mode Survey Frequently Asked Questions (FAQs), September 14, 2021

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Return to In-Person Instruction and Continuity of Services Plan Template

FAQs for 2019 Novel Coronavirus

FAQs on Grading and Graduation Requirements

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year, September 1, 2021

Requirement for Universal Masking Indoors at K-12 Schools, August 23, 2021

State Public Health Officer Order of August 11, 2021

State Public Health Officer Order of June 11, 2021

CALIFORNIA DIVISION OF OCCUPATIONAL SAFETY AND HEALTH PUBLICATIONS

COVID-19 Prevention Emergency Temporary Standards - Fact Sheets, Model Written Program and Other Resources

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

CALIFORNIANS TOGETHER PUBLICATIONS

Teaching and Learning During Uncertain Times: A Review of Learning Continuity Plans

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Guidance for COVID-19 Prevention in K-12 Schools, August 5, 2021

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

INSTITUTE OF EDUCATION SCIENCES PUBLICATIONS

Addressing Trauma in Educational Settings, Module 1: Impacts and Symptoms of Trauma and Relevant Strategies to Support Students, Webinar, November 2020

NATIONAL CENTER FOR LEARNING DISABILITIES PUBLICATIONS

Promising Practices to Accelerate Learning for Students with Disabilities During COVID-19 and Beyond

NATIONAL SCHOOL PUBLIC RELATIONS ASSOCIATION PUBLICATIONS

Coronavirus Communications Crisis for Public Schools guide

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

POLICY ANALYSIS FOR CALIFORNIA EDUCATION (PACE) PUBLICATIONS

Evidence-Based Practices for Assessing Students' Social and Emotional Well-Being, February 2021

Management Resources continued: (see next page)

COVID-19 MITIGATION PLAN (continued)

Management Resources continued:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Confronting COVID-19-Related Harassment in Schools, August 2021

ED COVID-19 Handbook, Volume 1: Strategies for Safely Reopening Elementary and Secondary Schools, August 2021

ED COVID-19 Handbook, Volume 2: Roadmap to Reopening Safely and Meeting All Students' Needs, August 2021

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

WEB SITES

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

California Collaborative for Educational Excellence: <https://ccee-ca.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>

California Division of Occupational Safety and Health: <https://www.dir.ca.gov/dosh>

California Interscholastic Federation: <https://cifstate.org/covid-19/index>

Office of the Governor: <https://www.gov.ca.gov>

Office of Management and Budget: <https://www.whitehouse.gov/omb>

State of California Safe Schools for All Hub: <https://schools.covid19.ca.gov>

U.S. Department of Labor: <https://www.dol.gov>

World Health Organization: <https://www.who.int>

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Policy Reference UPDATE Service

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Policy 0470: COVID-19 Mitigation Plan

Status: ADOPTED

Original Adopted Date: 10/15/2020 | Last Reviewed Date: 10/15/2020

The following policy establishes actions that will be taken by the district to provide a safe learning and working environment during the coronavirus (COVID-19) pandemic. The Board acknowledges that, due to the current pandemic, 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 current pandemic, 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 prevail.

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 be opened in a safe manner. The Board's decision to reopen school campuses for classes, before or after school programs, child care centers, and/or preschool programs shall be made in consultation with the Superintendent and neighboring school districts. The district shall evaluate its capacity to implement safety precautions and to conduct full or partial school operations, an input.

Prior to the return to on-campus teaching and learning, the Superintendent or designee shall provide to students, parents/guardians, and staff current information about how to prevent transmission, the current recommendations from the state and local departments of public health, and any other information and/or resources to prevent transmission. 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 social distancing, limits on large gatherings, the provision of personal protective equipment (PPE) such as masks and gloves, and the sanitization of facilities.

Student Support

The Board recognizes that the consequences of the COVID-19 pandemic, including fear for one's safety, the economic crisis, the loss of school-based relationships, and the loss of social interaction, have a disproportionate effect on the youngest students, students with disabilities, those students most vulnerable to basic needs insecurity or child abuse and neglect, and students experiencing emotional difficulties as a result of COVID-19.

As school campuses reopen, staff shall provide a caring and nurturing educational environment for students. The district may provide instruction on social-emotional learning with stress and anxiety in healthy ways and the importance of emotional well-being for academic success.

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

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 or reduced-price McKinney-Vento Homeless Assistance Act.

The Superintendent or designee shall ensure that staff understand their obligations as mandated reporters to report suspected child abuse or neglect, regardless of whether the student is currently learning.

The Superintendent or designee may provide information to staff and parents/guardians regarding how to provide mental health support to students. The Superintendent or designee shall ensure that staff understand their obligations as mandated reporters to report suspected child abuse or neglect, regardless of whether the student is currently learning.

Instruction/Schedules

The district shall offer a combination of on-campus instruction and distance learning to meet the needs of all students.

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 the entire school day due to space limitations as a result of social distancing requirements, the Superintendent or designee shall conduct on-campus instruction on a daily or weekly basis, and/or shall provide on-campus instruction to students with the greatest need for in-person supervision.

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 or neglect, and students experiencing emotional difficulties as a result of COVID-19. 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 the pandemic.

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 use of digital assignments. As much as possible, distance learning shall be provided through small-group synchronous learning.

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 used for distance learning. Available training resources may also be provided to students and parents/guardians when necessary.

Evaluation of Academic Progress Following Campus Closure

Upon return to on-campus instruction following an extended campus closure, the Superintendent or designee shall evaluate the impact of the campus closure on student academic progress.

1. Address student-specific needs arising from the transition back into 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

For students with disabilities, the evaluation of academic progress shall also be used to determine whether an additional or revised individualized education program (IEP) is needed. 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.

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 the current grading period, the Board may, upon recommendation by the Superintendent or designee, adopt one or more alternative grading policies which may vary in format, 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 assessments
2. Assignment of pass/no pass grades for all courses
3. Grading based on students' understanding of applicable course content through assessments, projects, portfolios, or other appropriate means

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 shall determine the appropriate means of screening, which may include temperature checks with a no-touch thermometer.

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 designated area where the student 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 resources.

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 determine the appropriate means of screening, which may include temperature checks with a no-touch thermometer. Such notification shall direct any student who contracts the virus or lives with someone who has been diagnosed with COVID-19 to stay home as to curtail the spread of the disease.

Students who are infected with COVID-19 shall be excluded from on-campus instruction until a medical provider states in writing that the student is no longer contagious (Illness 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 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. A physician's verification of a student's illness or quarantine shall be required.

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 parent/guardian shall be required to find alternative means of instruction, which may include distance or blended learning, independent study, printed class assignments, or other reasonable alternatives.

The Superintendent or designee shall maintain enrollment and student attendance data, including the participation of students in distance learning, and shall report data to the Board.

The district employee designated as the attendance supervisor pursuant to Education Code 48240 shall track patterns of student absence throughout the district and report to the Superintendent or designee. 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 investigate the issues leading to the absence.

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, and other areas, and 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
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 aware of 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 and 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
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 drop-off and pick-up zones on a school day, and may mark spaces for private vehicle drop-off and pick-up zones.

Large gatherings, such as assemblies, rallies, field trips, extracurricular activities, and athletic events, shall be suspended until the Board determines, consistent with good health practices, that such activities can resume. 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 consistent with distancing recommendations. When deciding whether an activity may resume, the Superintendent or designee may consider the size of the group that participates, the nature of the activity, 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.

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 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 on proper use.

Face coverings 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 a face covering. 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. The district shall provide adequate time and opportunity for students to wash hands, and shall make hand sanitizer available in areas where hand hygiene is encouraged. 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 touched surfaces shall be disinfected daily with appropriate cleaning agents. Disinfectants and cleaning agents shall be stored properly and in a manner not accessible to students.

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, to improve indoor air quality and air conditioning. Garbage shall be removed daily and disposed of safely.

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 safe manner.

COVID-19 transmission and follows state and national guidelines for nutrition.

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 eati consider the consumption of meals in classrooms, gyms, the outdoors, and/or other district grounds.

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 meal program, eligibility, and how to apply for the program.

Staff

Prior to reopening campuses, the Superintendent or designee shall review staff assignments and, upon request, may reassign employees to reduce exposure to the vi position, employees may be granted a remote work assignment.

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.

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 fo 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 parent/guardian, or child with COVID-19 or other serious health condition. (Education Code 44978, 45191; Government Code 12945.1-12945.2; Labor Code 245-2

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 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 item

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 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 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. Eligit 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 requir

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, fo 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 l

Nondiscrimination

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

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 appropri medical condition. Staff shall not disclose confidential or privileged information, including the medical history or health information of students and staff. (Education C

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

Community Relations

The Superintendent or designee shall use a variety of methods to regularly communicate with students, parents/guardians, and the community regarding district oper promote the health and safety of students. In addition, the members of the Board have a responsibility as community leaders to communicate matters of public intere bylaws regarding public statements.

The district shall continue to collaborate with local health officials and agencies, community organizations, and other stakeholders to ensure that district operations re students, staff, and visitors safe during the COVID-19 state of emergency. The Superintendent or designee shall keep informed about resources and services availabl

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 to respect guidelines regarding social distancing and large gatherings. School visitors and volunteers shall be limited in number and expected to observe all district prc 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 ma

Use of school facilities by persons or organizations for community purposes involving large gatherings shall be suspended until the Board determines, consistent with 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 orgz the district to minimize the health risks associated with COVID-19.

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 t and the community. The Superintendent or designee shall develop plans and procedures for alternative methods of operations to the extent possible in the event tha

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 c 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 a

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 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 period. Campuses shall not reopen until recommended by local health officials.

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

State References

2 CCR 11087-11098
 5 CCR 202
 5 CCR 306
 5 CCR 420-421
 Ed. Code 44978
 Ed. Code 45191
 Ed. Code 48205
 Ed. Code 48213
 Ed. Code 48240
 Ed. Code 49451
 Gov. Code 11135
 Gov. Code 12945.1-12945.2
 H&S Code 120230
 Lab. Code 245-249

Description

California Family Rights Act - <https://simbli.eboardsolutions.com/SU/abM0slshHCKrMbGboplusCdDilag==>
 Exclusion of students with a contagious disease
 Explanation of absence
 Record of verification of absence due to illness and other causes
 Sick leave, certificated employees
 Personal illness and injury leave, classified employees
 Excused absences
 Prior parent notification of exclusion; exemption
 Supervisors of attendance
 Physical examinations: parent's refusal to consent
 Nondiscrimination in programs or activities funded by state
 California Family Rights Act
 Exclusion of persons from school when residence is in isolation or quarantine
 Healthy Workplaces, Healthy Families Act of 2014

Federal References

29 CFR 825.100-825.702
 29 USC 2601
 29 USC 2601-2654
 29 USC 2620
 42 USC 1760

Description

Family and Medical Leave Act of 1993
 Paid sick leave
 Family Care and Medical Leave Act
 Public health emergency leave
 Note National School Lunch program waivers addressing COVID-19

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 California Department of Public Health Publication
 California Department of Public Health Publication
 CDC and Prevention Publication
 CDC and Prevention Publication
 CDC and Prevention Publication
 CSBA Publication
 Office of Management and Budget Publication
 Office of the Governor Publication
 Office of the Governor Publication
 U.S. Dept of Labor Poster

Description

FAQs for 2019 Novel Coronavirus
 FAQs on Grading and Graduation Requirements
 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
 Interim Guidance for Admins of U.S. K-12 Schools & Child Care Programs to Plan, Prepare, & Respond COVID-19, March 25, 2020
 Interim Guidance for Schools and Day Camps, May 2020
 Considerations for Schools, rev. May 19, 2020
 Sample School Board Resolution on Grading During Emergency School Closures
 Administrative Relief for Recipients & Applicants of Fed. Fin. Assist. Directly Impacted by COVID-19 Due to Loss, Memo M-20-17, March 19, 2020
 Executive Order N-30-20, March 17, 2020
 Executive Order N-26-20, March 13, 2020
 Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act
 Office of the Governor - <https://simbli.eboardsolutions.com/SU/oyoOOFI5PQAUsIshoOZChkJDg==>
 World Health Organization - <https://simbli.eboardsolutions.com/SU/vTalRrFU9AI8h0R9LAJJA==>
 U.S. Department of Labor - <https://simbli.eboardsolutions.com/SU/XtUknOSZrMFBuhJc2k9g==>
 California Department of Education - <https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>
 California Department of Public Health - <https://simbli.eboardsolutions.com/SU/plusKghL3cnZRJOzDybcVusgA==>
 Centers for Disease Control and Prevention - <https://simbli.eboardsolutions.com/SU/Gfx4spY2pCnZTBGishp9oA==>
 CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>
 Office of Management and Budget - <https://simbli.eboardsolutions.com/SU/yMG7KarnCslshuDeiuhOx8ZiA==>

Cross References

0400

Description

Comprehensive Plans - <https://simbli.eboardsolutions.com/SU/veO4Rr85XIDZTxlplf2ugw==>

0410 Nondiscrimination In District Programs And Activities - <https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==>

0415 Equity - <https://simbli.eboardsolutions.com/SU/3HcjCJkXOwFBX0NUyV6GWw==>

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/ymrUEFzwRGOLmy5dybtyiw==>

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==>

1100 Communication With The Public - <https://simbli.eboardsolutions.com/SU/1B5V1awYkijONjM4JzKPXw==>

1112 Media Relations - <https://simbli.eboardsolutions.com/SU/1b2pTYKv1STslshplus35b6wXJw==>

1240 Volunteer Assistance - <https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==>

1240 Volunteer Assistance - <https://simbli.eboardsolutions.com/SU/AEEKECijKNmVMzEslshyCblkw==>

1250 Visitors/Outsiders - <https://simbli.eboardsolutions.com/SU/KqtAfhnYmNOMmUF5bWajg==>

1250 Visitors/Outsiders - <https://simbli.eboardsolutions.com/SU/UhL9TtJxIH7YZdpa5UJHg==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/7jlpO3olzYv5UFW73rM7w==>

1312.3 Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2I4ah8CqA==>

1312.3-E(1) Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjj==>

1312.3-E(2) Uniform Complaint Procedures - <https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==>

1330 Use Of School Facilities - <https://simbli.eboardsolutions.com/SU/9uDcSKl7uugETmCvkVahHQ==>

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1400 Relations Between Other Governmental Agencies And The Schools - <https://simbli.eboardsolutions.com/SU/zP9eNCslshlhcPcKReyWtOR0w==>

1700 Relations Between Private Industry And The Schools - <https://simbli.eboardsolutions.com/SU/NdfFmK3KRDWa7ZhbLQja8g==>

2210 Administrative Discretion Regarding Board Policy - <https://simbli.eboardsolutions.com/SU/DYgYwNUc3KVMJCgFYXslshLQ==>

3510 Green School Operations - <https://simbli.eboardsolutions.com/SU/G37Ms0slsheqE8P74vvH70GSA==>

3514.1 Hazardous Substances - <https://simbli.eboardsolutions.com/SU/Xq6QvK96MQpL0Sn9r2G6Q==>

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3516 Emergencies And Disaster Preparedness Plan - <https://simbli.eboardsolutions.com/SU/GE0i6DLXjEunpslshl1ajPT9Q==>

3516 Emergencies And Disaster Preparedness Plan - <https://simbli.eboardsolutions.com/SU/MK62ayh3IQtmYtElkL8MeA==>

3540 Transportation - <https://simbli.eboardsolutions.com/SU/slshclvbUel8IUduhRQyMLnbg==>

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3543 Transportation Safety And Emergencies - <https://simbli.eboardsolutions.com/SU/72ffBe4oMFnJcz8LZiau0A==>

3550 Food Service/Child Nutrition Program - <https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9La1w==>

3550 Food Service/Child Nutrition Program - <https://simbli.eboardsolutions.com/SU/FDEyeplusb4fv7OWe2gUjdyg==>

3553 Free And Reduced Price Meals - <https://simbli.eboardsolutions.com/SU/jzW7WZslsh41zbhhqz9g4m1aA==>

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4030 Nondiscrimination In Employment - <https://simbli.eboardsolutions.com/SU/OK9SXG925gTIn2pRtMpXQ==>

4030 Nondiscrimination In Employment - <https://simbli.eboardsolutions.com/SU/slshVbQa5lcplus7jCyplusN0vaOJnw==>

4113 Assignment - <https://simbli.eboardsolutions.com/SU/8TGgSGrhIGDT3a1Y0kfn5A==>

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4113.5 Working Remotely - <https://simbli.eboardsolutions.com/SU/adsKexRfucd54Fh12Hsulg==>

4119.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/loKsqVRTwKEYctzGA4g2slshw==>

4131 Staff Development - <https://simbli.eboardsolutions.com/SU/kJyGLZ6NEslsh0VJCcrln0A==>

4151 Employee Compensation - <https://simbli.eboardsolutions.com/SU/wZnNM3RAk9plus895W08plusDlffw==>

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4161.1 Personal Illness/Injury Leave - <https://simbli.eboardsolutions.com/SU/qqe8f7e5DY77qoCDwPslshYfg==>

4161.8 Family Care And Medical Leave - <https://simbli.eboardsolutions.com/SU/NdKgwuhg5ubDSawZpkoDLA==>

4213.5 Working Remotely - <https://simbli.eboardsolutions.com/SU/plusjV1P4gplus26Aa1gzMXzR0VQ==>

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4231 Staff Development - <https://simbli.eboardsolutions.com/SU/L8yP6LVj9KCY0vQ8PORzva==>

4251 Employee Compensation - <https://simbli.eboardsolutions.com/SU/lKjUzQaslsH5EK4jALVfvN4g==>

4257 Employee Safety - <https://simbli.eboardsolutions.com/SU/plus9GbFvVplus4RplussHED0W7Gg==>

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4331 Staff Development - <https://simbli.eboardsolutions.com/SU/r3FjtcyWYRzoggplusAxpZfEw==>

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5113 Absences And Excuses - <https://simbli.eboardsolutions.com/SU/sXmiPEXcypyoFC82JNOLAAdg==>

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5141.22 Infectious Diseases - <https://simbli.eboardsolutions.com/SU/LUPslsh3G0wWlPrzOFht6vpluskg==>

5141.22 Infectious Diseases - <https://simbli.eboardsolutions.com/SU/wzslshB5PWuGpSLScMjslshsMQ==>

5141.3 Health Examinations - <https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==>

5141.3 Health Examinations - <https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtwEACcXQ==>

5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZF4HHMlfwg==>

5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/VjM4FfQvrAXs7V14zIU8TQ==>

5141.5 Mental Health - <https://simbli.eboardsolutions.com/SU/GLIS92G2rp1uMxqV7HdY9Q==>

5141.52 Suicide Prevention - <https://simbli.eboardsolutions.com/SU/QplusOL6jac2O14TslshRuGXoemA==>

5141.52 Suicide Prevention - <https://simbli.eboardsolutions.com/SU/lcKgoSUplusCplusNw4UpTQRdl0A==>

5141.6 School Health Services - <https://simbli.eboardsolutions.com/SU/KzxmngnevoordTPegwXZQg==>

5141.6 School Health Services - <https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==>

5142.2 Safe Routes To School Program - <https://simbli.eboardsolutions.com/SU/vl7cy4RlBaDtplusP12GldslshAQ==>

5142.2 Safe Routes To School Program - <https://simbli.eboardsolutions.com/SU/R12wC06kXhdqBALhjs9Ag==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==>

5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxlshg==>

6020 Parent Involvement - <https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==>

6020 Parent Involvement - <https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==>

6111 School Calendar - <https://simbli.eboardsolutions.com/SU/OMJbneZ9evhK0ureJoYKWA==>

6112 School Day - <https://simbli.eboardsolutions.com/SU/KSPkwap1CYkslshmal6TAgAQ==>

6112 School Day - <https://simbli.eboardsolutions.com/SU/dl8tzCplusUF3L6YyVzslshzRaiw==>

6142.8 Comprehensive Health Education - <https://simbli.eboardsolutions.com/SU/x0hb3hkKicXv7wlr4CYoQg==>

6142.8 Comprehensive Health Education - <https://simbli.eboardsolutions.com/SU/3slshq0kP6i01dlvoZMdfHCvA==>

6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/pmsd7bmpISu6Rm8EpxeyPw==>

6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/plusYNOM1LVUk8aYpddRktGg==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/AjyYJlWle0X1X9aYsrxDA==>

6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/OrtplusMzx8L8U21Qslsh9ctTsA==>

6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/XyDBUJ4JXDF4I0RuiCx52g==
6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/EG8hLnoLTjUj0pMVaxVUg==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4gBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZIZplusG1slshQEzKfW==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/m8kR6OqcnpKBslshBUOCscN6Q==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/0jls1shf1f2LPmZM3kXas7Xvg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/PBpluszOplusLhpnpyq3plusxAsY0Cg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/0RLEPdrUJ35rv1BL2t5EQ==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMks1v1Aw==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/uiyfKoEIfv7NzUrqNslshftGw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGclwSSTdcH0OQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQj7YZa==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/EmVlh5NPbpluslBFaplusaALJkw==
6179	Supplemental Instruction - https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqslshnQ==
9010	Public Statements - https://simbli.eboardsolutions.com/SU/Q2JxTIDhJSGRZZ6dhrGWRQ==
9310	Board Policies - https://simbli.eboardsolutions.com/SU/yaMTwdl9DALoCYwkKwgn0w==

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
David Farkas, Ed.D.
Assistant Superintendent of
Educational Leadership,
Pupil Services and Safety

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED ADMINISTRATIVE
REGULATION AND EXHIBITS - 1000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Administrative Regulation and Exhibits:

- Revised AR 1312.3 - Uniform Complaint Procedures
- Revised Exhibit(1) 1312.3 - Uniform Complaint Procedures
- Revised Exhibit(2) 1312.3 - Uniform Complaint Procedures

RECOMMENDATION:

Approve the First Reading and Adoption of Revised Administrative Regulation and Exhibits - 1000 series: Revised AR 1312.3 - Uniform Complaint Procedures, Revised Exhibit(1) 1312.3 - Uniform Complaint Procedures and Revised Exhibit(2) 1312.3 - Uniform Complaint Procedures.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A

(Amount)

N/A

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

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. **Additionally, Education Code 52075 mandates districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan, and Education Code 8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021) mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in license-exempt California State Preschool Programs (CSPP). Furthermore, a number of federal civil rights statutes and their implementing regulations mandate districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). For example, districts are mandated pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are mandated pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt policies and procedures to address discrimination on the basis of sex and age. See the section "Complaints Subject to UCP" below for The following policy contains a list of programs and activities subject to these procedures pursuant to state law; Ssee the section "Complaints Subject to UCP", below.**

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). Whether a complaint of sexual harassment is addressed through the UCP or the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, is dependent on whether the alleged conduct meets the more stringent federal definition or the state definition of sexual harassment. See the **section "Non-UCP Complaints" below, the** accompanying administrative regulation, BP/AR **5145.7 5147** - Sexual Harassment, and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

The following policy and accompanying administrative regulation reflect all components required by law, 5 CCR 4600-4670, as amended by Register 2020, No. 21, and the **2021-22 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 **the** early resolution of complaints whenever possible. To

BP 1312.3(b)

UNIFORM COMPLAINT PROCEDURES (continued)

resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

Note: The FPM process includes a review of a district's policies and procedures to determine whether all district programs and activities that are subject to the UCP, as listed in the FPM instrument, are addressed. Items #1-23 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.

For further information regarding requirements for the following programs and activities, see the **law cited and/or** related CSBA policy and/or administrative regulation.

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

1. Accommodations for pregnant and parenting students (Education Code 46015)

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

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 - Adult Education)

3. After School Education and Safety programs (Education Code 8482-8484.65)

(cf. 5148.2 - Before/After School Programs)

4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

6. Child care and development programs (Education Code 8200-**8488 8498**)

(cf. 5148 - Child Care and Development)

7. Compensatory education (Education Code 54400)

(cf. 6171 - Title I Programs)

BP 1312.3(c)

UNIFORM COMPLAINT PROCEDURES (continued)

8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)

9. Course periods without educational content, ~~when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met~~ (Education Code 51228.1-51228.3)

(cf. 6152 - Class Assignment)

10. Discrimination, 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 **a 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)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, **and** students formerly in a juvenile court school, **migrant students, and immigrant students participating in a newcomer program** (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

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

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

14. Migrant education (Education Code 54440-54445)

(cf. 6175 - Migrant Education Program)

BP 1312.3(d)

UNIFORM COMPLAINT PROCEDURES (continued)

15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

(cf. 6142.7 - Physical Education and Activity)

16. Student fees (Education Code 49010-49013)

(cf. 3260 - Fees and Charges)

17. Reasonable accommodations to a lactating student (Education Code 222)

18. Regional occupational centers and programs (Education Code 52300-52334.7)

(cf. 6178.2 - Regional Occupational Center/Program)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

20. School safety plans (Education Code 32280-32289)

(cf. 0450 - Comprehensive Safety Plan)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

(cf. 0420 - School Plans/Site Councils)

22. State preschool programs (Education Code **8207-8225 8235-8239.4**)

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Pursuant to Education Code **8235.5 8212, as renumbered by AB 131**, and CDE's **2021-22 2020-21** FPM instrument, the district must use the UCP, with modifications as necessary, to resolve complaints alleging deficiencies **related to health and safety issues** in license-exempt **CSPPs California State Preschool Programs related to health and safety issues**.

Pursuant to 5 CCR 4610, such complaints must be addressed through the procedures described in 5 CCR 4690-4694, as added by Register 2020, No. 21. See the section "Health and Safety Complaints in License-Exempt Preschool Programs" in the accompanying administrative regulations.

23. State preschool health and safety issues in license-exempt programs (Education Code **8212 8235.5**)

BP 1312.3(e)

UNIFORM COMPLAINT PROCEDURES (continued)

Note: 5 CCR 4621 **mandates** that district policy ensure that complainants are protected from retaliation as specified in item #24 below.

24. 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

25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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. **Districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.**

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.

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)

BP 1312.3(f)

UNIFORM COMPLAINT PROCEDURES (continued)

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

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

(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. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

BP 1312.3(g)

UNIFORM COMPLAINT PROCEDURES (continued)

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.

43. 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: 5 CCR 4610, as amended by Register 2020, No. 21, limits the applicability of the UCP for complaints regarding special education and child nutrition, as provided in ~~items #4-6~~ **Items #5-7** below.

54. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), ~~or failure or refusal to implement~~ a due process hearing order **to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE** shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

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

65. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

76. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

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.

87. 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

BP 1312.3(h)

UNIFORM COMPLAINT PROCEDURES (continued)

students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*

8200-~~8488~~ ~~8498~~ *Child care and development programs*

8500-8538 *Adult basic education*

18100-18203 *School libraries*

32280-32289.5 *School safety plan, uniform complaint procedures*

35186 *Williams uniform complaint procedures*

46015 *Parental leave for students*

48645.7 *Juvenile court schools*

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*
52059.5 *Statewide system of support*
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-~~52617~~ ~~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*

Legal Reference continued: (see next page)

BP 1312.3(i)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

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

3200-3205 *Special education compliance complaints*

4600-4670 *Uniform complaint procedures*

4680-4687 *Williams uniform complaint procedures*

4690-4694 *Complaints regarding health and safety issues in license-exempt preschool programs*

4900-4965 Nondiscrimination in elementary and secondary education programs
15580-15584 Child nutrition programs complaint procedures
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 **aAcademic aAchievement of the dDisadvantaged**
6801-7014 Title III language instruction for **limited English proficient English Learners** 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
11431-11435 McKinney-Vento Homeless Assistance Act
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
104.7 Designation of responsible employee for Section 504
106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:
106.8 Designation of responsible employee **and adoption of grievance procedures for Title IX**
~~106.9 Notification of nondiscrimination on basis of sex~~
106.30 Definitions
106.44 Response to notice of sexual harassment
106.45 Titles IX sexual harassment complaint procedures
110.25 Notification of nondiscrimination on the basis of age

Management Resources: (see next page)

BP 1312.3(j)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
Uniform Complaint Procedure ~~2021-22 2020-21~~ Program Instrument

Sample UCP Board Policies and Procedures

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

Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021

Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

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

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

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, 2007 ~~2002~~

WEB SITES

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

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

California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov>

California Department of Social Services: <https://www.cdss.ca.gov>

Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/oepd/sppo>

U.S. Department of Agriculture: <https://www.usda.gov>

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

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

(5/20 12/20) 12/21

Policy Reference UPDATE Service

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Policy 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

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

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8498)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)
10. Discrimination, 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)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)

17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8235-8239.1)
23. State preschool health and safety issues in license-exempt programs (Education Code 8235.5)
24. 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
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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.

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.

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.

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.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. 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.

4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
5. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
7. 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 AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

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

State References

Description

2 CCR 11023	Harassment and discrimination prevention and correction - https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbSlsh34hY5zslsh5Q==
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==
Ed. Code 18100-18203	School libraries
Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education

Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	Discrimination - https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Civil rights; crimes

Federal References

Description

20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age

34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

Management Resources References

Description

California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter, September 22, 2017
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice - https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==

Cross References

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0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJkmjn5yXsQ==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/pQFMLE2xTmKnIHxqp09IZg==
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0420.41	Charter School Oversight - https://simbli.eboardsolutions.com/SU/z6rkvP9islshqlxTJHeU6PmTA==
0420.41-E(1)	Charter School Oversight - https://simbli.eboardsolutions.com/SU/LysOPM557YPs92qbRXq8pg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==
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0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/yMrUEwzWRGOLm5dybtyiw==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLgtxvl6lw==

0460 Local Control And Accountability Plan -
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0470 COVID-19 Mitigation Plan -
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1100 Communication With The Public -
<https://simbli.eboardsolutions.com/SU/1B5V1awYklj0NjM4JzKPxw==>

1113 District And School Web Sites -
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4112.23 Special Education Staff -
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4112.9 Employee Notifications -
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4119.23 Unauthorized Release Of Confidential/Privileged Information -
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5141.4 Child Abuse Prevention And Reporting -
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5144 Discipline -
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5144.1 Suspension And Expulsion/Due Process -
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5145.3 Nondiscrimination/Harassment -
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5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
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5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/l8t8YmbBtflYlmdwbnRbEw==
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5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rIPt6W67iUFeHhgQCvY0hA==
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/HKXzRslshCvEKag3slshMlk8wYCW==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/0JkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHmZPhFeqQ==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyLnCzDnQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/pmsd7bmpISu6Rm8EpxeyPw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/plusYNOM1LVUk8aYpddRktGg==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/AjyYJSIWleOX1X9aYsrxDA==
6145.2	Athletic Competition - https://simbli.eboardsolutions.com/SU/0rtplusMzx8L8UZ1Qslsh9ctTsA==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/m8kR6OqcnpKbSlshBUOCscN6Q==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==

6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/V7yUlsFdFwQsSlshgLSlsho7wzdg==
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/CRudpul9UFSZJWYwEZtpBQ==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/w5y5I2RKRIITWgEGr7c4pA==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmfACXslshA==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAQvw==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
6173.3	Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/KhyYZOplus0AslshTH8EJqpsJZgg==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/TuslshPMGHI6O2DoJzSkkL5uw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTviaylIA==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/BQGNxKewahWVQiPdXWOODA==
9011	Disclosure Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/ciplusM9jHmN8A9EYsTDyBc4Q==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/zBDaaRxMplus3plusaFBVlgwdRslshg==
9124	Attorney - https://simbli.eboardsolutions.com/SU/1mm2Pwan3g2owCVSgTEStA==
9200	Limits Of Board Member Authority - https://simbli.eboardsolutions.com/SU/MUANAHffhEXRiSlbxt8hmw==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/QfknIZ1iziDTUxplussARKweQ==
9321-E(1)	Closed Session - Board Meeting Agenda Descriptions for Closed Session Items - https://simbli.eboardsolutions.com/SU/yzFfplKv29py7c0GU7E5Hw==
9321-E(2)	Closed Session - Reports of Closed Session Actions - https://simbli.eboardsolutions.com/SU/slshQyLOCsux502vo1sZybyqOg==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/0qG9032BG0Bpytl8PjDd5w==

CSBA Sample Administrative Regulation

REVISED

Community Relations

AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: 5 CCR 4621 **mandates** that the district's uniform complaint procedures (UCP) be consistent with the procedures of 5 CCR 4600-4670. Additionally, Education Code 52075 **mandates** districts to adopt policies and procedures implementing the use of UCP to investigate and resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP), and Education Code ~~8235.5~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)** **mandates** districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in license-exempt California State Preschool Programs (CSPP). Furthermore, a number of federal civil rights statutes and their implementing regulations **mandate** districts to adopt policies and procedures for the prompt and equitable resolution of complaints of unlawful discrimination, harassment, intimidation, or bullying. For example, all districts are **mandated** pursuant to 28 CFR 35.107 to adopt policy and procedures to address discrimination on the basis of disability, while districts that receive federal financial assistance are **mandated** pursuant to 34 CFR 106.8 and 34 CFR 110.25 to adopt policies and procedures to address discrimination on the basis of sex and age. Some of the factors considered by the U.S. Department of Education's Office for Civil Rights (OCR) when determining whether a district's procedures are "prompt and equitable" are addressed throughout the following administrative regulation.

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

Except as ~~the Governing Board~~ may otherwise **be** specifically provided **d** in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

Note: 5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing

educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, harassment, intimidation, or bullying and retaliation. During its Federal Program Monitoring (FPM) process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for receiving and investigating complaints. Districts should identify the specific title(s) of the compliance officer(s) in the space provided below. If a district identifies multiple compliance officers, it is recommended that one be designated the lead compliance officer.

AR 1312.3(b)

UNIFORM COMPLAINT PROCEDURES (continued)

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

The district designates the individual(s), position(s), or unit(s) identified below as responsible for **receiving, coordinating, and investigating** ~~the district's response to~~ complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. ~~The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.~~

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

(title or position)

(unit or office)

(address)

(telephone number)

(email)

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

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

AR 1312.3(c)

UNIFORM COMPLAINT PROCEDURES (continued)

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

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in

place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

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

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

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

AR 1312.3(d)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 4622 requires the district to include specified information in its annual UCP notice to students, parents/guardians, employees, and others. The following list reflects those required components and additional content of the notice listed in CDE's FPM instrument.

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

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred

4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct

5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities

(cf. 3260 - Fees and Charges)

6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3260 - Fees and Charges)

AR 1312.3(e)

UNIFORM COMPLAINT PROCEDURES (continued)

7. A statement that the district will post a standardized notice of the educational **and graduation requirements** rights of foster youth, homeless students, **children of military families, and** former juvenile court school students now enrolled in the district, **children of military families, migrant students, and immigrant students enrolled in a newcomer program**, as specified in Education Code **48645.7**, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision

10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable

11. A statement that copies of the district's UCP are available free of charge

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

AR 1312.3(f)

UNIFORM COMPLAINT PROCEDURES (continued)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district **and district school** web sites and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's **2007 2002** Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on the balancing of four factors: (1) the number or proportion of LEP individuals likely to encounter the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient. State law is more specific than federal law: Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

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

UNIFORM COMPLAINT PROCEDURES (continued)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. **If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.**

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR **4600 4630**)

Note: Education Code 49013 and 52075 **mandate** districts to adopt procedures that allow for anonymous complaints to be filed when a district allegedly violates the prohibition against the charging of student fees or violates any requirement related to the LCAP.

2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.

Note: Pursuant to 5 CCR 4630, complaints related to the LCAP must be filed within a year of the date that the **County Superintendent of Schools, the** reviewing authority **for districts,** approves the district's LCAP. **Pursuant to Education Code 52070, the County Superintendent of Schools is the reviewing authority for district LCAPs.**

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the **Governing** Board. (5 CCR 4630)

4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

AR 1312.3(h)

UNIFORM COMPLAINT PROCEDURES (continued)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

Note: ~~OCR's Revised Sexual Harassment Guidance indicates that if a complainant in a sexual harassment case requests that the complainant's name or that of the victim not be revealed to the alleged perpetrator or asks that the complaint not be pursued, the district should first inform the complainant that honoring the request may limit its ability to respond and pursue disciplinary action against the alleged perpetrator. The OCR publication acknowledges that situations may exist in which a district cannot honor a student's request for confidentiality, but cautions that, in all instances, the district must still continue to ensure that it provides a safe and nondiscriminatory environment for all students. Districts should consult legal counsel before honoring a confidentiality request to withhold the victim's name from the alleged perpetrator, especially in the case of alleged sexual assault, as this may affect the district's ability to conduct a thorough investigation or provide supportive measures to the victim. In OCR's Part 1: Questions and Answers Regarding the Department's Title IX Regulations, it is stated that, "Title IX regulations balance a complainant's desire for confidentiality (in terms of, for instance, the complainant's identity not being disclosed to the respondent) with a school's discretion to pursue an investigation where factual circumstances warrant an investigation even though the complainant does not desire to file a formal complaint or participate in a grievance process."~~

These guiding principles would also apply to harassment on the basis of race, gender, disability, or other protected characteristic.

7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

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

AR 1312.3(i)

UNIFORM COMPLAINT PROCEDURES (continued)

Districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student; see AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed

upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

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

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

AR 1312.3(j)

UNIFORM COMPLAINT PROCEDURES (continued)

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

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

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

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report

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

AR 1312.3(k)

UNIFORM COMPLAINT PROCEDURES (continued)

Pursuant to 5 CCR 4631, only a complainant has the right to receive the investigation report and to file a complaint with the Board if dissatisfied with the compliance officer's decision. **However, under certain circumstances, some of the same rights should be extended to a respondent in order to make the process equitable. For example, since the respondent to a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is usually an individual, the respondent should be notified when the complainant has agreed to an extension of timelines.** ~~However, OCR has recommended that the same rights be extended to a respondent to a complaint alleging unlawful discrimination to ensure the process is equitable for all involved. Furthermore, OCR recommends notifying the respondent in such a complaint whenever the complainant approves an extension of the timeline.~~

Options 1 and 2 reflect these recommendations and may be modified to reflect district practice. **When questions arise as to what rights to provide to a respondent, the district should consult legal counsel accordingly.**

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

OPTION 1: (Districts that do not allow complainants to appeal to the Board)

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant. ~~The respondent also shall be sent the investigation report at the same time it is provided to the complainant.~~

OPTION 2: (Districts that allow complainants to appeal to the Board)

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

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

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

AR 1312.3(l)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 9321 - Closed Session)

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

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

Investigation Report

Note: 5 CCR 4631 specifies components that are required to be part of the district's investigation report. Inclusion of these items will help protect the district's position in case of an appeal to CDE, a complaint submitted to OCR, or if litigation is filed.

For all complaints, the district's investigation report shall include: (5 CCR 4631)

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

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

Note: The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR 99.1-99.67) protects student privacy, including student records containing details of the actions taken in response to a UCP complaint. However, pursuant to 20 USC 1221, FERPA may not "be construed to affect the applicability of Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Title

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UNIFORM COMPLAINT PROCEDURES (continued)

V of the Rehabilitation Act of 1973, the Age Discrimination Act, or other statutes prohibiting discrimination, to any applicable program." In February 2015, the Family Policy Compliance Office (FPCO), now the Student Privacy **Policy Protection** Office, released a letter concluding that FERPA permits a district to disclose to a student who was subjected to unlawful discrimination certain information about the sanctions imposed upon the respondent when the sanctions directly relate to that student. Thus, if properly remedying the impact of discrimination would require disclosing to the alleged victim certain information on how the district disciplined the respondent (e.g., an order that the respondent stay away from the alleged victim), FPCO interprets FERPA as allowing the district to disclose that information.

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

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

Note: Education Code 48985 requires that reports sent to parents/guardians be written in their primary language when 15 percent or more of a school's enrolled students speak a single primary language other than English. During the FPM process, CDE staff will check to ensure that UCP complaint procedures pertaining to CSPP health and safety issues include a statement that the district response and the investigation report must, whenever Education Code 48985 is applicable, be written in English and the primary language in which the complaint was filed; see the section "Health and Safety Complaints in License-Exempt Preschool Programs" below. The following paragraph extends this provision to all types of complaints to ensure compliance with Education Code 48985. In addition, based on Title VI of the Civil Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

If the complaint involves a limited-English-proficient **(LEP)** student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

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

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, **but not limited to, injunctions, restraining orders**

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UNIFORM COMPLAINT PROCEDURES (continued)

~~or other remedies or orders, seeking assistance from mediation centers or public/private interest attorneys,~~ 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

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

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation

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UNIFORM COMPLAINT PROCEDURES (continued)

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference

3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

(cf. 6164.5 - Student Success Teams)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

(cf. 5144 - Discipline)

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

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

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

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

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UNIFORM COMPLAINT PROCEDURES (continued)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

Note: Generally, when a complaint is found to have merit, an appropriate remedy is provided to the complainant or other affected person. However, in certain instances, the law may require a remedy to be provided to all affected persons, not just the complainant or subject of the complaint. For example, pursuant to Education Code 49013 and 5 CCR 4600, if the district, or CDE on appeal, finds merit in the complaint alleging noncompliance with the law

regarding student fees and charges, the district is required to provide a remedy to all affected students and parents/guardians, as specified below. The same requirement applies to allegations of noncompliance with ~~the LCAP requirements pursuant to Education Code 52075,~~ required instructional minutes for physical education pursuant to Education Code 51222 and 51223, ~~and~~ course periods without educational content pursuant to Education Code 51228.3, **and the LCAP requirements pursuant to Education Code 52075.** Districts that do not maintain elementary schools should delete the reference to physical education below.

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

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

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

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

1. The district failed to follow its complaint procedures.

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UNIFORM COMPLAINT PROCEDURES (continued)

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

Note: 5 CCR 4633 requires the district to submit the following documents to CDE within 10 days after the district has been notified that an appeal has been filed. The district's failure to provide a timely and complete response may result in CDE ruling on the appeal without considering information from the district.

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

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Note: Pursuant to 5 CCR 4633, CDE is required to issue a written decision regarding the appeal within 60 days of CDE's receipt of the appeal, unless extended by written agreement with the appellant or documentation by CDE of

exceptional circumstances. Pursuant to 5 CCR 4635, if CDE's decision was issued based on evidence in the investigation file CDE received from the district or evidence

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UNIFORM COMPLAINT PROCEDURES (continued)

uncovered after further investigation of the allegations that were the basis of the appeal, either party may request reconsideration by the Superintendent of Public Instruction or designee within ~~Within~~ 30 days of the appeal decision; either party may request reconsideration by the Superintendent of Public Instruction or designee.

Pursuant to 5 CCR 4650, CDE may directly intervene in a complaint without waiting for action by the district when certain conditions exist, including the following: (1) the complaint alleges failure to comply with the UCP, including failure to follow the required timelines and failure to implement the final investigation report; (2) the complainant requests requires anonymity due to the possibility of retaliation and would suffer immediate and irreparable harm if a complaint was filed and the complainant was named; or (3) the complainant would suffer immediate and irreparable harm as a result of an application of a districtwide policy that is in conflict with state or federal law and that filing a complaint would be futile.

Health and Safety Complaints in License-Exempt Preschool Programs

Note: The following section is for use by districts that operate any license-exempt CSPP program. Education Code ~~8235.5~~ 8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021), mandates districts to adopt policies and procedures for resolving complaints regarding specified health and safety issues in a license-exempt CSPP program. Pursuant to Education Code ~~8235.5~~ 8212, the district must use the UCP, with modifications as necessary, to resolve such complaints. Pursuant to 5 CCR 4610, such complaints must be addressed through the procedures described in 5 CCR 4690-4694.

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

Any complaint regarding health or safety issues in a license-exempt **California State Preschool Program (CSPP) program** shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code ~~8212~~ ~~8235.5~~; 5 CCR 4691)

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

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain

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UNIFORM COMPLAINT PROCEDURES (continued)

a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code **8212 8235.5**; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code **8212 8235.5**; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code **8212 8235.5**; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code **8212 8235.5**; 5 CCR 4692)

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

Rights Act of 1964, OCR requires districts to ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

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

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled **hearing meeting** and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code **8212 8235.5**; 5 CCR 4693, 4694)

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

(cf. 1340 - Access to District Records)

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UNIFORM COMPLAINT PROCEDURES (continued)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent **of Schools**. (5 CCR 4693)

(12/20 6/21) 12/21

Policy Reference UPDATE Service

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Regulation 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 10/21/2021 | **Last Reviewed Date:** 10/21/2021

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

Compliance Officers

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(title or position)

(unit or office)

(address)

(telephone number)

(email)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and

parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints

that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report

OPTION 1:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.

OPTION 2:

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

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

END OF OPTION 2

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

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

Investigation Report

For all complaints, the district's investigation report shall include: (5 CCR 4631)

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

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in

which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

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

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

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

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

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

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

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

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

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint

5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Health and Safety Complaints in License-Exempt Preschool Programs

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

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8235.5; 5 CCR 4691)

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

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8235.5; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8235.5; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8235.5; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8235.5; 5 CCR 4692)

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

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8235.5; 5 CCR 4693, 4694)

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

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools. (5 CCR 4693)

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

State References

Description

2 CCR 11023	Harassment and discrimination prevention and correction - https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==
Ed. Code 18100-18203	School libraries
Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools

Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	Discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Civil rights; crimes

Federal References

20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

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Management Resources References

California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter, September 22, 2017

Description

U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice - https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJkmjn5yXsQ==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/pQFMLE2xTmKnlHxqp09IZg==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/8GGUCwMWIfx8fLz6Ngnp3w==
0420.41	Charter School Oversight - https://simbli.eboardsolutions.com/SU/z6rkvP9islshqlxTJHeU6PmTA==
0420.41-E(1)	Charter School Oversight - https://simbli.eboardsolutions.com/SU/LysOPM557YPs92qbRXq8pg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/O3NplusXslshFxm3Z7PVLEnBKeyQ==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/ymrUEwzwRGOLmy5dybtyiw==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/SiSNfRBCgke1plusJnTsbDR8w==
1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/1B5V1awYkIj0NjM4JzKPxw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ODMDFmaqATGsLixNUqGgYg==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/92wfmN541FIED53K1C2Uw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/w7nYKjqtVfwCcpawAntpluspg==

1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/MKhwBGMweE1slshNFFV07EI6A==
1114	District-Sponsored Social Media - https://simbli.eboardsolutions.com/SU/slshwh0ycRLRlGLo9OqHVCw0g==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/X2Wc65TvtAplyjbDavhR6A==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/d8oBxDCOHPlpmLjio2ptoA==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/KqtAfhnyYmNOMmUFSbWaJg==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/IUhL9TtJxIH7YZdpa5UJHg==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/md8slshPOqbUWwBaJbY15B4plusQ==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/jlslshWyG1myr3r3LT6ybplus88A==
1312.2	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/6YK5NnnN8ixS9KaVUY9VtA==
1312.2	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/RJT1ZA7mYf5cFplusxhlsOFHw==
1312.2-E(1)	Complaints Concerning Instructional Materials - https://simbli.eboardsolutions.com/SU/fwwslshKKNNJQPHBSr8eBRx3g==
1312.4	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/MCKjHVO2p2QoJIAvmPplusi7w==
1312.4-E(1)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/BOLiBEOnqWtridjdcLu7mw==
1312.4-E(2)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/mc8TAySPJlIM6slshnaHBT34w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKccqBTg==
3580	District Records - https://simbli.eboardsolutions.com/SU/slGJYA28YslshNTQCMslshGcplum0g==
3580	District Records - https://simbli.eboardsolutions.com/SU/BEy9zuPlfTW5TQjPpTt55Q==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/0K9SXG925gTiNj2pRtMpXQ==
4030	Nondiscrimination In Employment - https://simbli.eboardsolutions.com/SU/slshVbQa5lclplus7jCyplusN0vaOJnw==
4112.23	Special Education Staff - https://simbli.eboardsolutions.com/SU/gmZgmCslshLxxBI7mz2rvcd7A==
4112.9	Employee Notifications - https://simbli.eboardsolutions.com/SU/8BF4XXtThplusHyMYDG4JT3fw==
4112.9-E(1)	Employee Notifications - https://simbli.eboardsolutions.com/SU/URm8f8Y9UWWByR30slshlaKDw==
4112.9-E(3)	Employee Notifications - https://simbli.eboardsolutions.com/SU/rqSp7LsvGwgeRBuO3CjudA==
4118	Dismissal/Suspension/Disciplinary Action - https://simbli.eboardsolutions.com/SU/Xw5XXPOawh8IPBMM8ong8A==

4118 Dismissal/Suspension/Disciplinary Action - <https://simbli.eboardsolutions.com/SU/qmnHWuTOi4LdqkVTctFFPg==>

4119.1 Civil And Legal Rights - <https://simbli.eboardsolutions.com/SU/1jk3fDsyIOI02lfaKzSog==>

4119.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/fkKpWrGocWplusjGcWuQNrljg==>

4119.11 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/JUkbiRF0xDtplus8un1Rky4Dg==>

4119.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/loKsqVRTwKEYctzGA4g2slshw==>

4212.9 Employee Notifications - <https://simbli.eboardsolutions.com/SU/Whi8UKXYLR1N5t2qid1APg==>

4212.9-E(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/bKgNwdQAUULSpluscGFRsLmXQ==>

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4231 Staff Development - <https://simbli.eboardsolutions.com/SU/L8yP6LVj9KCY0vQ8PORzvA==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/jplusNslsh4joQ9sSAIQv1dQIFGA==>

4244 Complaints - <https://simbli.eboardsolutions.com/SU/slshDcB0sO5u0RY0tUKSZwVgw==>

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4312.9-E(1) Employee Notifications - <https://simbli.eboardsolutions.com/SU/TN2PDxjjZhNIWdb1qB5MSA==>

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4319.23 Unauthorized Release Of Confidential/Privileged Information - <https://simbli.eboardsolutions.com/SU/BRu9J71Or7e3MtrWoiwxCA==>

4331 Staff Development - <https://simbli.eboardsolutions.com/SU/r3FjtcyWYRzoggplusAxxZfEw==>

4344	Complaints - https://simbli.eboardsolutions.com/SU/PxtLapLusuXYbWMPVfRslshPPHCw==
4344	Complaints - https://simbli.eboardsolutions.com/SU/dcSBhaXAaVezfUbqtT6bzg==
5116.1	Intradistrict Open Enrollment - https://simbli.eboardsolutions.com/SU/3q2jiVsGBAXslsh9WmsN3Ri2A==
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5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/SjGkpplus4Jvmy3IFHQE2HY7g==
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5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
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5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/HVJ3whplusWmIRf3r0CZdyxmQ==
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5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZFi4HHMlfwg==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/VjM4FfQvrAXs7V14zIU8TQ==
5144	Discipline - https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==
5144	Discipline - https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYC54w==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esIT8pQ==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxslshg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/l8t8YmbBtfIYImdwbnRbEw==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/PKu1VD5F78ewJR2U04xZ7Q==
5145.71	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/rIPt6W67iUFehHgQCvY0hA==
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures - https://simbli.eboardsolutions.com/SU/HKXzRslshCVeKag3slshMlk8wYCw==

- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/OJkPhkrzoku8uZkFigAplus0A==>
- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHmZPhFeqQ==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyLnCzDnQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/KrnhtNsVohpiiTNiHcZ3wQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==>
- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==>
- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/pmsd7bmplSu6Rm8EpxeyPw==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRktGg==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/AjyYJSIWle0X1X9aYsrxDA==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/OrtplusMzx8L8UZ1Qslst9ctTsA==>
- 6152 Class Assignment - <https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/m8kR6OqncpKBslshBUOCscN6Q==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/V7yUlsFdFwQsSlshgLSlsho7wzdg==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/CRudpul9UFSZJWYwEZtpBQ==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/w5y5I2RKRIITWgEGr7c4pA==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmfACXslshA==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>

6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMykq2weUoS3AA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
6173.3	Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/KhyYZOplus0AslshTH8EJqpsJZgg==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkl5uw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViayIIA==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/BQGNxKewahWVQiPdXWOODA==
9011	Disclosure Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/ciplusM9jHmN8A9EYsTDyBc4Q==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/zBDaaRxMplus3plusaFBVlgwdRslshg==
9124	Attorney - https://simbli.eboardsolutions.com/SU/1mm2Pwan3g2owCVSgTEStA==
9200	Limits Of Board Member Authority - https://simbli.eboardsolutions.com/SU/MUANAHffhEXRiSlbxt8hmw==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/QfknIz1iziDTUxplussARKweQ==
9321-E(1)	Closed Session - Board Meeting Agenda Descriptions for Closed Session Items - https://simbli.eboardsolutions.com/SU/yzFfplKv29py7c0GU7E5Hw==
9321-E(2)	Closed Session - Reports of Closed Session Actions - https://simbli.eboardsolutions.com/SU/slshQyLOCsux502vo1sZybqOg==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/0qG9032BG0Bpytl8PjDd5w==

CSBA Sample Exhibit

REVISED

Community Relations

E(1) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Education Code ~~8235.5~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, requires that the following notice be posted in each classroom with a license-exempt California State Preschool Program (CSPP) (Education Code ~~8235-8239.4~~ **8207-8225, as renumbered by AB 131**). The notice must include the health and safety requirements that apply to such CSPP programs pursuant to Health and Safety Code 1596.7925, which may be the subject of a complaint under the uniform complaint procedures.

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

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code **8212** ~~8235.5~~, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

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

Note: Education Code ~~8235.5~~ **8212, as renumbered by AB 131**, requires that the notice include the location to obtain a complaint form and provides that posting a notice downloadable from the California Department of

Education's web site will satisfy this requirement. The law does not require that complaint forms be placed in any specific location. The following paragraph lists locations where complaint forms may be available and should be modified to reflect district practice, including adding the school and district web site addresses.

E(1) 1312.3(b)

UNIFORM COMPLAINT PROCEDURES (continued)

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school ~~office~~ or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form **when available** from the following web site: <http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

(5/20) 12/21

Policy Reference UPDATE Service

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Exhibit 1312.3-E(1): Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 10/15/2020 | **Last Reviewed Date:** 10/15/2020

See PDF on the next page.

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

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

Parents/Guardians, Students, and Teachers:

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

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

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

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc>.

However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

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

State References	Description
2 CCR 11023	Harassment and discrimination prevention and correction - https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==
Ed. Code 18100-18203	School libraries
Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools

Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	Discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Civil rights; crimes

Federal References

Description

20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964

Management Resources References	Description
California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter, September 22, 2017
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice - https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==

Cross References	Description
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/pQFMLE2xTmKnIHxqp09IZg==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/8GGUCwMWIfx8fLz6Ngpn3w==
0420.41	Charter School Oversight - https://simbli.eboardsolutions.com/SU/z6rkvP9islshqlxTJHeU6PmTA==
0420.41-E(1)	Charter School Oversight - https://simbli.eboardsolutions.com/SU/LysOPM557YPs92qbRXq8pg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/O3NplusXslshFxM3Z7PVLEnBKeyQ==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/ymrUEwzwrGOLmy5dybtyiw==

- 0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==>
- 0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==>
- 0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==>
- 0470 COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/SiSNfRBCgke1plusJnTsbDR8w==>
- 1100 Communication With The Public -
<https://simbli.eboardsolutions.com/SU/1B5V1awYklj0NjM4JzKPxw==>
- 1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/ODMDFmaqATGsLixNUqGgYg==>
- 1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/92wfmcN541FIED53K1C2Uw==>
- 1113-E(1) District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/w7nYKjqtVfwCcpawAntpluspg==>
- 1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/MKhwBGMweE1slshNFFV07EI6A==>
- 1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/slshwh0ycRLRlgLo9OqHVCw0g==>
- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/X2Wc65TvtAplyjbDavhR6A==>
- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/d8oBxDCOHPmpLjio2ptoA==>
- 1250 Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/KqtAfhnyYmNOMmUFSbWaJg==>
- 1250 Visitors/Outsiders -
<https://simbli.eboardsolutions.com/SU/IUhL9TtJxIH7YZdpa5UJHg==>
- 1312.1 Complaints Concerning District Employees -
<https://simbli.eboardsolutions.com/SU/md8slshPOqbUWsBaJbY15B4plusQ==>
- 1312.1 Complaints Concerning District Employees -
<https://simbli.eboardsolutions.com/SU/jlslshWyG1myr3r3LT6yplus88A==>
- 1312.2 Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/6YK5NnnN8ixS9KaVUY9VtA==>
- 1312.2 Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/RJT1ZA7mYf5cFplusxhlsOFHw==>
- 1312.2-E(1) Complaints Concerning Instructional Materials -
<https://simbli.eboardsolutions.com/SU/fwwslshKKNNJQPHBSr8eBRx3g==>
- 1312.4 Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/MCKjHVO2p2QoJIAvmPplusi7w==>
- 1312.4-E(1) Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/BOLiBEOnqWtridjdcLu7mw==>
- 1312.4-E(2) Williams Uniform Complaint Procedures -
<https://simbli.eboardsolutions.com/SU/mc8TAySPJIIM6slshnaHBT34w==>
- 3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==>

- 3260 Fees And Charges -
<https://simbli.eboardsolutions.com/SU/GfUJ9DGdIfWd1d1YKcqBTg==>
- 3580 District Records -
<https://simbli.eboardsolutions.com/SU/slGJYA28YslshNTQCMslshGcplum0g==>
- 3580 District Records -
<https://simbli.eboardsolutions.com/SU/BEy9zuPifTW5TQjPpTt55Q==>
- 4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/OK9SXG925gTiNj2pRtMpXQ==>
- 4030 Nondiscrimination In Employment -
<https://simbli.eboardsolutions.com/SU/slshVbQa5lclplus7jCyplusN0vaOJnw==>
- 4112.23 Special Education Staff -
<https://simbli.eboardsolutions.com/SU/gmZgmCslshLxxBl7mz2rvcd7A==>
- 4112.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/8BF4XXtThplusHyMYDG4JT3fw==>
- 4112.9-E(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/URm8f8Y9UWWByR30slshlaKDw==>
- 4112.9-E(3) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/rqSp7LsvGwgeRBuO3CjudA==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/Xw5XXPOawh8IPBMM8ong8A==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/qmnHWuTOi4LdqkVTctFFPg==>
- 4119.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/1jk3fDsyLO0I02IfaKzSog==>
- 4119.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/fkKpWrGocWplusjGcWuQNrljg==>
- 4119.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/JUkbiRF0xDtplus8un1Rky4Dg==>
- 4119.23 Unauthorized Release Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/loKsqVRTwKEYctzGA4g2slshw==>
- 4212.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/Whi8UKXYLR1N5t2qid1APg==>
- 4212.9-E(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/bKgNwdQAUULSpluscGFRsLmXQ==>
- 4212.9-E(2) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/zMD6tbalzFplus6SLtFFoB3Hg==>
- 4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/GUSwT3xmpPplusYjshd8ehBu0A==>
- 4218 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/k8nuiD3Tt4tRNVM02yUplus4Q==>
- 4219.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/sKzorV0UqoiEyvpTpelm8Q==>
- 4219.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/zNQhELplusR4nnskmoZICMCw==>
- 4219.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/N6plushya8pXbPIOQwpV2uOwQ==>

- 4219.23 Unauthorized Release Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/VKlylb8yQYv7slsh2ZhEh1qmg==>
- 4231 Staff Development -
<https://simbli.eboardsolutions.com/SU/L8yP6LVj9KCY0vQ8PORzvA==>
- 4244 Complaints -
<https://simbli.eboardsolutions.com/SU/jplusNslsh4joQ9sSAIQv1dQIFGA==>
- 4244 Complaints -
<https://simbli.eboardsolutions.com/SU/slshDcB0sO5u0RY0tUKSZwVgw==>
- 4312.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/VQbO5zeg9aWBjyflPAVADQ==>
- 4312.9-E(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/TN2PDxjjZhNIWdb1qB5MSA==>
- 4312.9-E(2) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/nEAdd6ffJchjaUXV7FgoEw==>
- 4319.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/Rj0ID7VrpCL8ewSslshLITkZA==>
- 4319.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/YOOZmnslishlAplusAKslshuOCT7xRVw==>
- 4319.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/4kRFw9G7blhlmMmkifAJow==>
- 4319.23 Unauthorized Release Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/BRu9J71Or7e3MtrWoiwxCA==>
- 4331 Staff Development -
<https://simbli.eboardsolutions.com/SU/r3FjtcyWYRzoggplusAxxZfEw==>
- 4344 Complaints -
<https://simbli.eboardsolutions.com/SU/PxtLaplusuXYbWMPVfRslshPPHCw==>
- 4344 Complaints -
<https://simbli.eboardsolutions.com/SU/dcSBhaXAaVezfUbqtT6bzg==>
- 5116.1 Intradistrict Open Enrollment -
<https://simbli.eboardsolutions.com/SU/3q2jiVsGBAXslsh9WmsN3Ri2A==>
- 5116.1 Intradistrict Open Enrollment -
<https://simbli.eboardsolutions.com/SU/x64w7bNWubnjpluscMr9yvhlA==>
- 5117 Interdistrict Attendance -
<https://simbli.eboardsolutions.com/SU/SjGkplus4Jvmy3IFHQE2HY7g==>
- 5117 Interdistrict Attendance -
<https://simbli.eboardsolutions.com/SU/8kslbpS7OxQBTiX2Y03LGA==>
- 5125 Student Records -
<https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfgUrA==>
- 5125 Student Records -
<https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVEslshLqbFg==>
- 5131.62 Tobacco -
<https://simbli.eboardsolutions.com/SU/HVJ3whplusWmlRf3r0CZdyxmQ==>
- 5131.62 Tobacco -
<https://simbli.eboardsolutions.com/SU/ITUqleslshUZvmhzwogt8P3Ww==>
- 5137 Positive School Climate -
<https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==>

- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZFi4HHMlfwg==>
- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/VjM4FfQvrAXs7V14zIU8TQ==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYC4w==>
- 5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==>
- 5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esIT8pQ==>
- 5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==>
- 5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/00NExJkgdxvn59cG6hxsishg==>
- 5145.6 Parental Notifications - <https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==>
- 5145.6-E(1) Parental Notifications - <https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==>
- 5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/l8t8YmbBtflYlmdwbnRbEw==>
- 5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/PKu1VD5F78ewJR2U04xZ7Q==>
- 5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/rIPt6W67iUFeHhgQCVy0hA==>
- 5145.71-E(1) Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/HKXzRslshCveKag3slshMlk8wYCW==>
- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/OJkPhkrzoku8uZkFigAplus0A==>
- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHmZPhFeqQ==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyNlczDnQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==>
- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==>

- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/pmsd7bmpISu6Rm8EpxeyPw==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRktGg==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/AjyYJSIWle0X1X9aYsrxDA==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/0rtplusMzx8L8UZ1Qslst9ctTsA==>
- 6152 Class Assignment - <https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/m8kR6OqcnPKBslshBUOCscN6Q==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/V7yUlsFdFwQsSlshgLslsho7wzdg==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/CRudpul9UF5ZJWYwEZtpBQ==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/w5y5I2RKRIITWgEGr7c4pA==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmFACXslshA==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>
- 6171 Title I Programs - <https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
- 6171 Title I Programs - <https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6173 Education For Homeless Children - <https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==>
- 6173 Education For Homeless Children - <https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==>
- 6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6173.3 Education For Juvenile Court School Students - <https://simbli.eboardsolutions.com/SU/KhyYZOplus0AslshTH8EJqpsJZgg==>

- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8elBplusplusRvrBTViayIIA==>
- 9000 Role Of The Board -
<https://simbli.eboardsolutions.com/SU/BQGNxKewahWVQjPdXWOODA==>
- 9011 Disclosure Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/ciplusM9jHmN8A9EYsTDyBc4Q==>
- 9012 Board Member Electronic Communications -
<https://simbli.eboardsolutions.com/SU/zBDaaRxMplus3plusaFBVlgwdRslshg==>
- 9124 Attorney -
<https://simbli.eboardsolutions.com/SU/1mm2Pwan3g2owCVSgTESTA==>
- 9200 Limits Of Board Member Authority -
<https://simbli.eboardsolutions.com/SU/MUANAHffhFXRiSlbxt8hmw==>
- 9321 Closed Session -
<https://simbli.eboardsolutions.com/SU/QfknZ1iziDTUxplussARKweQ==>
- 9321-E(1) Closed Session - Board Meeting Agenda Descriptions for Closed Session Items -
<https://simbli.eboardsolutions.com/SU/yzFfplKv29py7c0GU7E5Hw==>
- 9321-E(2) Closed Session - Reports of Closed Session Actions -
<https://simbli.eboardsolutions.com/SU/slshQyLOCsux502vo1sZybyqOg==>
- 9322 Agenda/Meeting Materials -
<https://simbli.eboardsolutions.com/SU/0qG9032BG0Bpytl8PjDd5w==>

CSBA Sample Exhibit

REVISED

Community Relations

E(2) 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Note: Pursuant to Education Code ~~8235.5~~ **8212, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, uniform complaint procedures **should be required to** be used for complaints alleging that a license-exempt California State Preschool Program (~~CSPP~~) does not comply with any of the health and safety requirements specified in Health and Safety Code 1596.7925.

PRESCHOOL COMPLAINT FORM: UNIFORM COMPLAINT PROCEDURES

Education Code ~~8235.5~~ **8212** requires that the district's uniform complaint procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

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

School name/address: _____

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

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

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

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

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

E(2) 1312.3(b)

UNIFORM COMPLAINT PROCEDURES (continued)

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

Restroom facilities are not available only for preschoolers and kindergartners.

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

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

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

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

Note: Education Code **8235.5 8212, as renumbered by AB 131**, requires complaints identified above to be filed with the preschool administrator or designee. Districts should specify the names and/or locations in the spaces below.

Please file this complaint at the following location:

(preschool administrator or designee)

(address)

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

(Signature)

(Date)

(5/20) 12/21

Policy Reference UPDATE Service

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Exhibit 1312.3-E(2): Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 10/15/2020 | **Last Reviewed Date:** 10/15/2020

See PDF on the next page.

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

**PRESCHOOL COMPLAINT FORM:
UNIFORM COMPLAINT PROCEDURES**

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

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

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

School name/address: _____

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

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

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

- The preschool does not have outdoor shade that is safe and in good repair.
- Drinking water is not accessible and/or readily available throughout the day.
- The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
- Restroom facilities are not available only for preschoolers and kindergartners.

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

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

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

Please file this complaint at the following location:

_____ (preschool administrator or designee)

_____ (address)

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

_____ (Signature)

_____ (Date)

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

State References	Description
2 CCR 11023	Harassment and discrimination prevention and correction - https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==
Ed. Code 18100-18203	School libraries
Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools

Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	Discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Civil rights; crimes

Federal References

Description

20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964

Management Resources References	Description
California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter, September 22, 2017
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice - https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==

Cross References	Description
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/pQFMLE2xTmKnIHxqp09IZg==
0420	School Plans/Site Councils - https://simbli.eboardsolutions.com/SU/8GGUCwMWIfx8fLz6Ngpn3w==
0420.41	Charter School Oversight - https://simbli.eboardsolutions.com/SU/z6rkvP9islshqlxTJHeU6PmTA==
0420.41-E(1)	Charter School Oversight - https://simbli.eboardsolutions.com/SU/LysOPM557YPs92qbRXq8pg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/O3NplusXslshFxM3Z7PVLEnBKeyQ==
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/ymrUEwzwrGOLmy5dybtyiw==

- 0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==>
- 0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==>
- 0460 Local Control And Accountability Plan -
<https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==>
- 0470 COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/SiSNfRBCgke1plusJnTsbDR8w==>
- 1100 Communication With The Public -
<https://simbli.eboardsolutions.com/SU/1B5V1awYklj0NjM4JzKPxw==>
- 1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/ODMDFmaqATGsLixNUqGgYg==>
- 1113 District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/92wfmcN541FIED53K1C2Uw==>
- 1113-E(1) District And School Web Sites -
<https://simbli.eboardsolutions.com/SU/w7nYKjqtVfwCcpawAntpluspg==>
- 1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/MKhwBGMweE1slshNFFV07EI6A==>
- 1114 District-Sponsored Social Media -
<https://simbli.eboardsolutions.com/SU/slshwh0ycRLRlgLo9OqHVCw0g==>
- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/X2Wc65TvtAplyjbDavhR6A==>
- 1220 Citizen Advisory Committees -
<https://simbli.eboardsolutions.com/SU/d8oBxDCOHPmpLjio2ptoA==>
- 1250 Visitors/Outsiders -
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- 1312.1 Complaints Concerning District Employees -
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- 1312.1 Complaints Concerning District Employees -
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- 1312.2 Complaints Concerning Instructional Materials -
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- 1312.2 Complaints Concerning Instructional Materials -
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- 1312.2-E(1) Complaints Concerning Instructional Materials -
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- 1312.4 Williams Uniform Complaint Procedures -
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- 1312.4-E(1) Williams Uniform Complaint Procedures -
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- 1312.4-E(2) Williams Uniform Complaint Procedures -
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- 3260 Fees And Charges -
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3260 Fees And Charges -
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3580 District Records -
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3580 District Records -
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4030 Nondiscrimination In Employment -
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4030 Nondiscrimination In Employment -
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4112.23 Special Education Staff -
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4112.9 Employee Notifications -
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4112.9-E(1) Employee Notifications -
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4112.9-E(3) Employee Notifications -
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4118 Dismissal/Suspension/Disciplinary Action -
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4118 Dismissal/Suspension/Disciplinary Action -
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4119.1 Civil And Legal Rights -
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4119.11 Sexual Harassment -
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4119.11 Sexual Harassment -
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4119.23 Unauthorized Release Of Confidential/Privileged Information -
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4212.9 Employee Notifications -
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4212.9-E(2) Employee Notifications -
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4218 Dismissal/Suspension/Disciplinary Action -
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4218 Dismissal/Suspension/Disciplinary Action -
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4219.1 Civil And Legal Rights -
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4219.11 Sexual Harassment -
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4219.11 Sexual Harassment -
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- 4219.23 Unauthorized Release Of Confidential/Privileged Information -
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- 4231 Staff Development -
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- 4244 Complaints -
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- 4244 Complaints -
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- 4312.9 Employee Notifications -
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- 4312.9-E(1) Employee Notifications -
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- 4312.9-E(2) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/nEAdd6ffJchjaUXV7FgoEw==>
- 4319.1 Civil And Legal Rights -
<https://simbli.eboardsolutions.com/SU/Rj0ID7VrpCL8ewSslshLITkZA==>
- 4319.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/YOOZmnslishlAplusAKslshuOCT7xRVw==>
- 4319.11 Sexual Harassment -
<https://simbli.eboardsolutions.com/SU/4kRFw9G7blhlmMmkifAJow==>
- 4319.23 Unauthorized Release Of Confidential/Privileged Information -
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- 4331 Staff Development -
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- 4344 Complaints -
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- 4344 Complaints -
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- 5116.1 Intradistrict Open Enrollment -
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- 5116.1 Intradistrict Open Enrollment -
<https://simbli.eboardsolutions.com/SU/x64w7bNWubnjpluscMr9yvhlA==>
- 5117 Interdistrict Attendance -
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- 5117 Interdistrict Attendance -
<https://simbli.eboardsolutions.com/SU/8kslbpS7OxQBTiX2Y03LGA==>
- 5125 Student Records -
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- 5125 Student Records -
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- 5131.62 Tobacco -
<https://simbli.eboardsolutions.com/SU/HVJ3whplusWmlRf3r0CZdyxmQ==>
- 5131.62 Tobacco -
<https://simbli.eboardsolutions.com/SU/ITUqleslshUZvmhzwogt8P3Ww==>
- 5137 Positive School Climate -
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- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZFi4HHMlfwg==>
- 5141.4 Child Abuse Prevention And Reporting - <https://simbli.eboardsolutions.com/SU/VjM4FfQvrAXs7V14zIU8TQ==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==>
- 5144 Discipline - <https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYC4w==>
- 5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==>
- 5144.1 Suspension And Expulsion/Due Process - <https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esIT8pQ==>
- 5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==>
- 5145.3 Nondiscrimination/Harassment - <https://simbli.eboardsolutions.com/SU/00NExJkgdxvn59cG6hxsishg==>
- 5145.6 Parental Notifications - <https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==>
- 5145.6-E(1) Parental Notifications - <https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==>
- 5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/l8t8YmbBtflYlmdwbnRbEw==>
- 5145.7 Sexual Harassment - <https://simbli.eboardsolutions.com/SU/PKu1VD5F78ewJR2U04xZ7Q==>
- 5145.71 Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/rIPt6W67iUFeHhgQCVy0hA==>
- 5145.71-E(1) Title IX Sexual Harassment Complaint Procedures - <https://simbli.eboardsolutions.com/SU/HKXzRslshCveKag3slshMlk8wYCW==>
- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/OJkPhkrzoku8uZkFigAplus0A==>
- 5148 Child Care And Development - <https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHmZPhFeqQ==>
- 5148.2 Before/After School Programs - <https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyNlczDnQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTniHcZ3wQ==>
- 5148.3 Preschool/Early Childhood Education - <https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==>
- 6142.1 Sexual Health And HIV/AIDS Prevention Instruction - <https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==>
- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==>

- 6142.7 Physical Education And Activity - <https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/pmsd7bmpISu6Rm8EpxeyPw==>
- 6145 Extracurricular And Cocurricular Activities - <https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRktGg==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/AjyYJSIWle0X1X9aYsrxDA==>
- 6145.2 Athletic Competition - <https://simbli.eboardsolutions.com/SU/0rtplusMzx8L8UZ1Qslst9ctTsA==>
- 6152 Class Assignment - <https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>
- 6159 Individualized Education Program - <https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/m8kR6OqcnpKBslshBUOCscN6Q==>
- 6159.1 Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/V7yUlsFdFwQsSlshgLslsho7wzdg==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education - <https://simbli.eboardsolutions.com/SU/CRudpul9UF5ZJWYwEZtpBQ==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/w5y5I2RKRIITWgEGr7c4pA==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students - <https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmfACXslshA==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>
- 6171 Title I Programs - <https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
- 6171 Title I Programs - <https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6173 Education For Homeless Children - <https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==>
- 6173 Education For Homeless Children - <https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==>
- 6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth - <https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6173.3 Education For Juvenile Court School Students - <https://simbli.eboardsolutions.com/SU/KhyYZOplus0AslshTH8EJqpsJZgg==>

- 6175 Migrant Education Program -
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- 6175 Migrant Education Program -
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- 9000 Role Of The Board -
<https://simbli.eboardsolutions.com/SU/BQGNxKewahWVQiPdXWOODA==>
- 9011 Disclosure Of Confidential/Privileged Information -
<https://simbli.eboardsolutions.com/SU/ciplusM9jHmN8A9EYsTDyBc4Q==>
- 9012 Board Member Electronic Communications -
<https://simbli.eboardsolutions.com/SU/zBDaaRxMplus3plusaFBVlgwdRslshg==>
- 9124 Attorney -
<https://simbli.eboardsolutions.com/SU/1mm2Pwan3g2owCVSgTEStA==>
- 9200 Limits Of Board Member Authority -
<https://simbli.eboardsolutions.com/SU/MUANAHffhFXRiSlbxt8hmw==>
- 9321 Closed Session -
<https://simbli.eboardsolutions.com/SU/QfknZ1iziDTUxplussARKweQ==>
- 9321-E(1) Closed Session - Board Meeting Agenda Descriptions for Closed Session Items -
<https://simbli.eboardsolutions.com/SU/yzFfplKv29py7c0GU7E5Hw==>
- 9321-E(2) Closed Session - Reports of Closed Session Actions -
<https://simbli.eboardsolutions.com/SU/slshQyLOCsux502vo1sZybyqOg==>
- 9322 Agenda/Meeting Materials -
<https://simbli.eboardsolutions.com/SU/0qG9032BG0Bpytl8PjDd5w==>

**SA □ YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services,
Marilyn Adrianzen,
Chief Business Official

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD POLICY AND ADMINISTRATIVE REGULATION - 3000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Policy and Administrative Regulation:

- Revised BP 3516.5 - Emergency Schedules
- Revised AR 3515.6 - Criminal Background Check for Contractors

RECOMMENDATION:

Approve First Reading and Adoption of New & Revised Board Policies and Administrative Regulation - 3000 series: Revised BP 3516.5 - Emergency Schedules and Revised AR 3515.6 - Criminal Background Check for Contractors.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

Business and Noninstructional Operations

BP 3516.5(a)

EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Governing Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5142 - Safety)

(cf. 6112 - School Day)

Note: ~~Education Code 41420 requires every district to have at least 175 days of instruction to receive full average daily attendance (ADA) reimbursement. However, pursuant~~ Pursuant to Education Code 41422 and 46392, a district may apply to the Superintendent of Public Instruction **to obtain apportionment credit for days and minutes lost due to emergency closure and material decreases in attendance due to emergency events** when one or more schools are prevented from meeting this minimum requirement because of such as a fire, flood, impassable roads, epidemic, earthquake, **imminence of a major safety hazard, strike involving transportation services to students provided by a nonschool entity,** or other "extraordinary condition" so that it may receive full average daily attendance ADA **apportionment reimbursement.**

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction **(SPI)** the necessary forms **and/or affidavits** for obtaining approval of **apportionment credit for** the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

(cf. 3580 - District Records)

(cf. 6111 - School Calendar)

Note: Education Code 46393, as added by AB 130 (Ch. 44, Statutes of 2021), requires districts submitting affidavits regarding emergency events occurring after September 1, 2021 to certify that the district has a plan for offering independent study to impacted students.

For school closures due to emergency events occurring after September 1, 2021, the Superintendent or designee shall develop a plan for offering independent study within 10 days of school closure to any student impacted by the emergency condition. The plan shall also address the establishment, within a reasonable time, of independent study master agreements as specified in BP 6158 - Independent Study. The plan shall

BP 3516.5(b)

EMERGENCY SCHEDULES (continued)

require reopening in person as soon as possible once allowable under the direction from the city or county health officer. The Superintendent or designee shall certify that the district has a plan for independent study in the affidavit submitted to the SPI pursuant to Education Code 46392. (Education Code 46393)

(cf. 6158 - Independent Study)

Note: Vehicle Code 34501.6 mandates the Governing Board of any district that provides student transportation to adopt procedures that limit the home-to-school operation of school buses when atmospheric conditions reduce visibility to 200 feet or less; see AR 3543 - Transportation Safety and Emergencies for language implementing this mandate. The following **optional** paragraph may be revised to reflect district practice.

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely **advanced** notice **in advance** of any resulting changes in the school calendar or school day schedule.

Legal Reference: (see next page)

BP 3516.5(c)

EMERGENCY SCHEDULES (continued)

Legal Reference:

EDUCATION CODE

41420 Required length of school term

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100-~~46192~~ **46208** Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46391 Lost or destroyed ADA records

46392 Decreased attendance in emergency situation

46393 Certification of plan for independent study

VEHICLE CODE

34501.6 School buses; reduced visibility

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions - Form J-13A

WEB SITES

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

(11/99 7/10) 9/21

Policy Reference UPDATE Service

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Policy 3516.5: Emergency Schedules

Status: ADOPTED

Original Adopted Date: 05/09/2019 | **Last Reviewed Date:** 05/09/2019

In order to provide for the safety of students and staff, the Board of Education authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction the necessary forms for obtaining approval of the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice of any resulting changes in the school calendar or school day schedule.

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

State References

Description	Description
Ed. Code 41420	Apportionment withholding, schools not maintained for 175 days
Ed. Code 41422	Schools not maintained for 175 days
Ed. Code 46010	Total days of attendance
Ed. Code 46100-46192	Attendance; maximum credit; minimum day
Ed. Code 46390	Calculation of ADA in emergency
Ed. Code 46391	Lost or destroyed ADA records
Ed. Code 46392	Emergency conditions; ADA estimate
Veh. Code 34501.6	School buses; reduced visibility

Management Resources References

Description	Description
CA DOE Correspondence	90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Cross References

Description	Description
0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/ymrUEwzwrGOLmy5dybtyiw==

0450	Comprehensive Safety Plan - https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==
1112	Media Relations - https://simbli.eboardsolutions.com/SU/1b2pTYKv1STslshiplus35b6wXJw==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/ODMDFmaqATGsLixNUqGgYg==
1113	District And School Web Sites - https://simbli.eboardsolutions.com/SU/92wfmCN541FIED53K1C2Uw==
1113-E(1)	District And School Web Sites - https://simbli.eboardsolutions.com/SU/w7nYKjqtVfwCcpawAntpluspg==
2210	Administrative Discretion Regarding Board Policy - https://simbli.eboardsolutions.com/SU/DYgYwNUc3KVMCJCgFYXslshLQ==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/O9FKTqHslshqNGBKo5saslsMH6Q==
3511	Energy And Water Management - https://simbli.eboardsolutions.com/SU/h07XgTJ0QslshS45Pc7PrL6Xg==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/axGpVjdPOgNZrBMZBQtiFQ==
3514	Environmental Safety - https://simbli.eboardsolutions.com/SU/n7CuOUfbHlaAcCzD0HsiyA==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/GE0i6DLXjEunpslshl1ajPT9Q==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/MK62ayh3lQtmYtElkL8MeA==
3516.2	Bomb Threats - https://simbli.eboardsolutions.com/SU/3wslshdUoktzDlfUwxZXBmR1g==
3542	School Bus Drivers - https://simbli.eboardsolutions.com/SU/loMLd3BH1YLrQLYf49i0Ug==
3543	Transportation Safety And Emergencies - https://simbli.eboardsolutions.com/SU/72ffBe4oMFnJcz8LZiau0A==
3580	District Records - https://simbli.eboardsolutions.com/SU/slGJYA28YslshNTQCMslshGcplum0g==
3580	District Records - https://simbli.eboardsolutions.com/SU/BEy9zuPlfTW5TQjPpTt55Q==
4113.5	Working Remotely - https://simbli.eboardsolutions.com/SU/adsKexRfucd54Fh12Hsulg==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/7JiAshwQTfplxsxslshjQJWPwfDQ==
4157	Employee Safety - https://simbli.eboardsolutions.com/SU/C1oIJMTu9uKyXLoFPi5KGQ==
4213.5	Working Remotely - https://simbli.eboardsolutions.com/SU/plusjV1P4gplus26Aa1gzMXzR0VQ==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/plus9GbFtvVplus4RplushED0Wi7Gg==
4257	Employee Safety - https://simbli.eboardsolutions.com/SU/aaQ0wxobQleBJBjW1aGtoQ==
4313.5	Working Remotely - https://simbli.eboardsolutions.com/SU/NdKDEoFPIRqRlt9islshlIK8g==
4357	Employee Safety - https://simbli.eboardsolutions.com/SU/SKefrjeaKkn5QQ7c970VTg==

- 4357 Employee Safety - <https://simbli.eboardsolutions.com/SU/oFsJ9aWYbkRVbHwjVzuNqA==>
- 5142 Safety - <https://simbli.eboardsolutions.com/SU/SjoP4JM2HsDNDsIshVqZXOKTw==>
- 5142 Safety - <https://simbli.eboardsolutions.com/SU/ISJ9nGnYOiMYI2pD60k02A==>
- 6111 School Calendar - <https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==>
- 6112 School Day - <https://simbli.eboardsolutions.com/SU/KSPkwap1CYkIshmjAl6TAgAQ==>
- 6112 School Day - <https://simbli.eboardsolutions.com/SU/dI8tzCplusUF3L6YYvzslshzRaiw==>
- 6157 Distance Learning - <https://simbli.eboardsolutions.com/SU/YJeUfypE4QXlXk5p7W7muw==>

CSBA Sample Administrative Regulation

REVISED

Business and Noninstructional Operations

AR 3515.6(a)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Note: Education Code 45125.1, as amended by AB 130 (Ch. 44, Statutes of 2021), and 45125.2 require any entity that has a contract with the district to ensure that employees who interact with students outside of the immediate supervision and control of the student's parent/guardian or school staff, have a valid criminal records summary as described in Education Code 44237. ~~certain employees of entities contracting to provide services to the district, as specified below, to obtain a criminal background check. Pursuant to Education Code 45125.1, as amended by AB 949 (Ch. 84, Statutes of 2017), the requirement for a criminal background check also applies to any individual operating as a sole proprietor who contracts with the district. In the case of a sole proprietor, Education Code 45125.1, as amended, provides that it is the responsibility of the district to prepare and submit the employee's fingerprints to the Department of Justice (DOJ) for processing.~~

~~When the employees of~~ **Except** in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable, any entity contracting with the district ~~to provide specified for services that may require the entity's employees to interact will have contact~~ with students, **outside of the immediate supervision and control of parents/guardians or school staff, the entity** shall certify **to the district that each of its** ~~in writing to the Superintendent or designee that none of those~~ employees **who may interact with students has a valid criminal records summary as described in Education Code 44237 and that neither the entity nor any of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. Such contracting entity shall also be required to immediately provide the district with any subsequent arrest and conviction information received pursuant to the subsequent arrest service. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district.** (Education Code **44237**, 45125.1)

On a case-by-case basis, the Superintendent or designee may require ~~a contracting any entity with which the district has a contract providing school site services other than those listed above to comply with these same requirements.~~ (Education Code 45125.1)

Note: Pursuant to Education Code 45125.1, **as amended by AB 130, as amended by AB 949 (Ch. 84, Statutes of 2017)**, the requirement for a criminal **records summary background check** also applies to any individual operating as a sole proprietor who contracts with the district. In the case of a sole proprietor, Education Code 45125.1, **as amended**, provides that it is the responsibility of the district to prepare and submit the **sole proprietor's employee's** fingerprints to the Department of Justice (**DOJ**) for processing.

AR 3515.6(b)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

~~In the case of~~ **For an individual who is operating as the a sole proprietor of an entity**, the Superintendent or designee shall **treat the individual as an employee of the entity and shall prepare and submit the individual's employee's fingerprints to the Department of Justice (DOJ). (Education Code 45125.1)**

~~If a~~ **Any contracting entity's employee who may have contact with students has been convicted of a violent or serious felony, as defined in Education Code 45122.1, shall not be permitted to interact with students unless a certificate of rehabilitation and a pardon as required pursuant to Penal Code 4852.01-4852.22** ~~Education Code 45125.1 shall be~~ **has been** submitted to the Superintendent or designee ~~before the contracting employee is authorized to perform the work for the district.~~ (Education Code 45125.1)

~~These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services:~~ (Education Code 45125.1, 45125.2)

- ~~1. School and classroom janitorial services~~
- ~~2. School site administrative services~~
- ~~3. School site grounds and landscape maintenance services~~
- ~~4. Student transportation services~~
- ~~5. School site food-related services~~
- ~~6. Construction, reconstruction, rehabilitation, or repair of a school facility~~

~~(cf. 3540 - Transportation)~~

~~(cf. 3551 - Food Service Operations/Cafeteria Fund)~~

~~(cf. 3600 - Consultants)~~

~~(cf. 7140 - Architectural and Engineering Services)~~

~~On a case-by-case basis, the Superintendent or designee may require a contracting entity providing school site services other than those listed above to comply with these requirements. (Education Code 45125.1)~~

The Superintendent or designee may determine that criminal background checks will not be required if: **if** the contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and **either item #1 or #2 above applies the contracting entity is providing services in an emergency or exceptional situation,** or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)

- 1a.** The installation of a physical barrier at the worksite to limit contact with students

AR 3515.6(c)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

- 2b.** Continual supervision and monitoring of all employees of the entity by an employee of the entity whom **DOJ the Department of Justice** has ascertained has not been convicted of a violent or serious felony

- 3e.** Surveillance of employees of the entity by school personnel

~~1. The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)~~

~~2. The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others. (Education Code 45125.1)~~

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

~~Upon a determination that an employee will have limited contact with students, †The Superintendent or designee shall~~**may** take appropriate steps to protect the safety of any students who may come in contact with ~~this~~**employee's of contracting entities, including**, but ~~are~~ not limited to, ensuring that the employee's **of such entities perform** ~~is working~~ during nonschool hours, ~~providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is~~ **do not working** alone when students are present, ~~limiting the employee's~~ **have limited** access to school grounds, ~~and/or are provided~~ **providing** the employee with a visible means of identification, ~~and/or that there are for regular patrols or supervision of the site from district security or personnel.~~ (Education Code 45125.1)

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

~~These steps may include, but are not limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.~~

(cf. 3515.3 - District Police/Security Department)

AR 3515.6(d)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

3. ~~The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)~~

a. ~~— The installation of a physical barrier at the worksite to limit contact with students~~

b. ~~— Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony~~

e. ~~Surveillance of employees of the entity by school personnel~~

Legal Reference:

EDUCATION CODE

41302.5 *School districts, definition*

44237 Applicants for employment; fingerprints for purpose of criminal record summary

45122.1 *Classified employees, conviction of a violent or serious felony*

45125.1 *Criminal background checks for contractors; criminal records summary*

45125.2 *Criminal background checks for construction*

PENAL CODE

667.5 *Prior prison terms, enhancement of prison terms*

1192.7 *Plea bargaining limitation*

4852.01-4852.22 Procedure for restoration of rights and application for pardon

Management Resources:

WEB SITES

Department of Justice: <https://oag.ca.gov/fingerprints>

(10/98 10/17) 12/21

Policy Reference UPDATE Service

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Regulation 3515.6: Criminal Background Checks For Contractors

Status: ADOPTED

Original Adopted Date: 05/09/2019 | **Last Reviewed Date:** 05/09/2019

When the employees of any entity contracting with the district to provide specified services will have contact with students, the entity shall certify in writing to the Superintendent or designee that none of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district. (Education Code 45125.1)

These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services: (Education Code 45125.1, 45125.2)

1. School and classroom janitorial services
2. School site administrative services
3. School site grounds and landscape maintenance services
4. Student transportation services
5. School site food-related services
6. Construction, reconstruction, rehabilitation, or repair of a school facility

On a case-by-case basis, the Superintendent or designee may require a contracting entity providing school site services other than those listed above to comply with these requirements. (Education Code 45125.1)

The Superintendent or designee may determine that criminal background checks will not be required if:

1. The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)
2. The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others. (Education Code 45125.1)

Upon a determination that an employee will have limited contact with students, the Superintendent or designee shall take appropriate steps to protect the safety of any students who may come in contact with this employee. (Education Code 45125.1)

These steps may include, but are not limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.

3. The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)
 - a. The installation of a physical barrier at the worksite to limit contact with students
 - b. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony
 - c. Surveillance of employees of the entity by school personnel

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

State References

	Description
Ed. Code 41302.5	School districts, definition
Ed. Code 45122.1	Classified employees, conviction of a violent or serious felony
Ed. Code 45125.1	Fingerprinting; employees of contracting entity
Ed. Code 45125.2	Criminal background checks for construction
Pen. Code 1192.7	Plea bargaining limitation
Pen. Code 667.5	Prior prison terms, enhancement of prison terms

Management Resources References

	Description
Website	Department of Justice - https://simbli.eboardsolutions.com/SU/7I3KLu4OPKjj4iH96pQhpg==

Cross References

	Description
3000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/koBYB6aFeYqPaslsh55nD9MkA==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/ThjcPyO0ekUJ2UV3ySsQIQ==
3515.3	District Police/Security Department - https://simbli.eboardsolutions.com/SU/Z3lvz9vxU2oiWyN9L92y6Q==
3540	Transportation - https://simbli.eboardsolutions.com/SU/slshclvbUeI8IUduhRQyMLnbg==
3540	Transportation - https://simbli.eboardsolutions.com/SU/i2XE6plusoAe0A5pE5TWHBaQA==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/fslshTOZSOCJYAeecwHFRcBZQ==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/yYuRz0EALXR0Dv3bnSl2ow==
3600	Consultants - https://simbli.eboardsolutions.com/SU/2syo8LTslsh3bq17jygmQYpPw==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/w5y5I2RKRIITWgEGr7c4pA==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmfACXslshA==
7140	Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/Q6fs0wosLshLPyBGTBwTxC67Q==
7140	Architectural And Engineering Services - https://simbli.eboardsolutions.com/SU/plusgoG0wplus1h2DTplusu68qiaEtQ==

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Glenn Heath,
Sub Executive Director of
Human Resources

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD POLICY AND ADMINISTRATIVE REGULATION - 4000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Policy and Administrative Regulation:

- Revised BP 4131 - Staff Development
- Revised AR 4217.3 - Layoff/Rehire

RECOMMENDATION:

Approve First Reading and Adoption of Revised Board Policy and Administrative Regulation - 4000 series: Revised BP 4131 - Staff Development and Revised AR 4217.3 - Layoff/Rehire.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

N/A

(Amount)

N/A

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

Certificated Personnel

BP 4131(a)

STAFF DEVELOPMENT

Note: Staff development is not one of the enumerated items within the scope of collective bargaining pursuant to Government Code 3543.2. However, the Public Employment Relations Board (PERB) has found that some aspects of staff development may be negotiable if they are related to an enumerated subject of bargaining, such as working hours, wages, or other enumerated terms or conditions of employment; see United Faculty of Contra Costa Community College District v. Contra Costa Community College District. Because the terms "staff development" and "training" are not always clear, their negotiability, in the absence of an agreement, may be determined by PERB on a case-by-case basis.

The following paragraph has been expanded to emphasize the importance of student well-being and related professional development in the area of social-emotional development and learning. Social-emotional learning is a strategy utilized to improve school climate, which benefits all students including students at higher risk of harassment. See Items #4 and 7 below regarding diverse student populations and school climate, respectively.

The Governing Board believes that, in order to maximize student learning, **and** achievement, **and well-being**, certificated staff members must be continuously learning and improving **relevant their** skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills, **and** become informed about changes in pedagogy and subject matter, **and strengthen practices related to social-emotional development and learning.**

(cf. 6111 - School Calendar)

Note: Education Code 52060-52077 require districts to develop a local control and accountability plan (LCAP) which includes goals aligned with state and local priorities, specific actions aligned to meet those goals, and a budget aligned to fund those specific actions; see BP/AR 0460 - Local Control and Accountability Plan. The district's staff development program should be aligned with its priorities and goals as outlined in the LCAP and other applicable district and school plans.

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, **when creating, reviewing, and amending in the development of** the district's staff development program. **He/she The Superintendent or designee** shall ensure that the district's staff development program is aligned with district priorities for student **learning,**

achievement **and well-being**, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

Note: Items #1-11 below are **optional** and may be revised to reflect district practice.

BP 4131(b)

STAFF DEVELOPMENT (continued)

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards

(cf. 6011 - Academic Standards)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.2 - World~~Foreign~~ Language Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.5 - Environmental Education)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills

Note: The State Board of Education's California Digital Learning Integration and Standards Guidance, adopted pursuant to SB 98 (Ch. 24, Statutes of 2020), provides recommendations for staff development regarding technology-based learning. It encompasses curriculum and instructional guidance for mathematics, English language arts, and English language development, including a framework for addressing critical standards, formative and diagnostic assessment, recommended aggregate time for instruction and independent work by grade, and guidance on embedding social- emotional supports for students into technology-based learning curriculum. Although this guidance was written in response to COVID-19, it is intended to be used as a resource for the re-envisioning of education and digital teaching and learning.

Education Code 51745-51749.6, as amended by AB 130 (Ch. 44, Statutes of 2021), contain specified requirements for districts offering technology-based instruction pursuant to an independent study program. See BP/AR 6158 - Independent Study.

3. Use of technologies to enhance instruction **and learning, including face-to-face, remote, or hybrid instruction**

(cf. 0440 - District Technology Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 4113.5/4213.5/4313.5 - Working Remotely)

(cf. 6158 - Independent Study)

(cf. 6163.4 - Student Use of Technology)

Note: Pursuant to Education Code 218, the California Department of Education (CDE) has developed and/or updated resources, available on its web site, for use in schools serving students in grades 7-12 for in-service training for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students, and strategies to increase support for LGBTQ students which

BP 4131(c)

STAFF DEVELOPMENT (continued)

improve overall school climate. Pursuant to Education Code 218, districts that serve students in grades 7-12 are encouraged to use such resources to provide training at least once every two years to teachers and other certificated staff.

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students **with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55** ~~of various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk students~~

(cf. 0410 - Nondiscrimination/Harassment)

(cf. 0415 - Equity)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

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

(cf. 5147 - Dropout Prevention)

(cf. 6141.5 - Advanced Placement)

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

(cf. 6178 - Career Technical Education)

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, **acceptance, tolerance, and civility and discipline**, including conflict resolution, **and** hatred prevention, **and positive behavioral interventions and supports**

(cf. 1313 - Civility)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)

BP 4131(d)

STAFF DEVELOPMENT (continued)

(cf. 5145.9 - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)

Note: The following paragraph has been expanded to include social-emotional learning and trauma-informed practices.

The Collaborative for Academic, Social, and Emotional Learning describes social-emotional learning as, "the process through which all young people and adults acquire and apply the knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals, feel and show empathy for others, establish and maintain supportive relationships, and make responsible and caring decisions."

Trauma-informed practices include recognizing and responding appropriately to students who have experienced trauma in order to minimize disruption to learning, academic achievement, and physical and emotional well-being.

10. Knowledge of topics related to student **mental and physical** health, safety, and welfare, **which may include social-emotional learning and trauma-informed practices**

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.5 - Mental Health)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

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

11. Knowledge of topics related to employee health, safety, and security

(cf. 3514.1 - Hazardous Substances)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4119.12 - Title IX Sexual Harassment Complaint Procedures)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

BP 4131(e)

STAFF DEVELOPMENT (continued)

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

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

(cf. 4157/4257/4357 - Employee Safety)
(cf. 4158/4258/4358 - Employee Security)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 44277, encourages districts to establish individualized professional growth programs for teachers and other educators based on a needs assessment and to evaluate such programs based on specified criteria. Districts may assist teachers with preliminary credentials to meet the qualifications required for a professional clear credential, and are required to provide support and guidance to teachers participating in internship programs (Education Code 44325-44328, 44450-44468, and 44830.3) and teachers who possess a short-term staff permit (5 CCR 80021), **a** provisional internship permit (5 CCR 80021.1), or **an** emergency permit (Education Code 44300; 5 CCR 80023-80026.6); see AR 4112.2 - Certification and AR 4112.21 - Interns.

The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4131.1 - Teacher Support and Guidance)

~~Note: Pursuant to Education Code 44277, as amended by SB 1060 (Ch. 199, Statutes of 2014), acceptable professional learning activities must meet specified criteria.~~

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

(cf. 4115 - Evaluation/Supervision)

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

(cf. 3100 - Budget)

STAFF DEVELOPMENT (continued)

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement **and well-being**.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

200 Educational equity

218 Lesbian, gay, bisexual, transgender, queer, and questioning student resources

220 Prohibition of discrimination

44032 Travel expense payment

44259.5 Standards for teacher preparation

44277 Professional growth programs for individual teachers

44300 Emergency permits

44325-44328 District interns

44450-44468 University internship program

~~44570-44578 Inservice training, secondary education~~

44830.3 District interns

45028 Salary schedule and exceptions

48980 Notification of parents/guardians; schedule of minimum days

51745-51749.6 Independent study

52060-52077 Local control and accountability plan

56240-56245 Staff development; service to persons with disabilities

99200-**99204** ~~99206~~ Subject matter projects

GOVERNMENT CODE

3543.2 Scope of representation of employee organization

11135 Discrimination

PENAL CODE

422.55 Hate crime

CODE OF REGULATIONS, TITLE 5

13025-13044 Professional development and program improvement

80021 Short-term staff permit

80021.1 Provisional internship permit

80023-80026.6 Emergency permits

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

6601-6692 6702 Preparing, Training, and Recruiting High Quality Teachers and Principals

Legal Reference continued: (see next page)

BP 4131(g)

STAFF DEVELOPMENT (continued)

Legal Reference: (continued)

UNITED STATES CODE TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

12101-12213 Americans with Disabilities Act

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Order Dec. No. 804, 14 PERC P21-085

Management Resources:

CSBA PUBLICATIONS

Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Digital Learning Integration and Standards Guidance, June 2021

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

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Standards for the Teaching Profession (CSTP), 2009

WEB SITES

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

California Department of Education, Professional Learning: <http://www.cde.ca.gov/pd>

California Department of Education, Supporting LGBTQ+ Students:

<https://www.cde.ca.gov/pd/ee/supportlgbtq.asp>

California Subject Matter Projects: <http://csmj.ucop.edu>

Collaborative for Academic, Social, and Emotional Learning: <https://case1.org>

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

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

(12/13 7/15) 9/21

Policy Reference UPDATE Service

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Policy 4131: Staff Development

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education believes that, in order to maximize student learning and achievement, certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills and become informed about changes in pedagogy and subject matter.

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the district's staff development program is aligned with district priorities for student achievement, school improvement objectives, the local control and accountability plan, and other district and school plans.

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards
2. Use of effective, subject-specific teaching methods, strategies, and skills
3. Use of technologies to enhance instruction
4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students of various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk students
5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning
6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education
7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, tolerance, and discipline, including conflict resolution and hatred prevention
8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn
9. Ability to interpret and use data and assessment results to guide instruction
10. Knowledge of topics related to student health, safety, and welfare
11. Knowledge of topics related to employee health, safety, and security

The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement.

for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
5 CCR 13025-13044	Professional development and program improvement
5 CCR 80021	Short-term staff permit
5 CCR 80021.1	Provisional internship permit
5 CCR 80023-80026.6	Emergency permits
Ed. Code 44032	Travel expense payment
Ed. Code 44259.5	Standards for teacher preparation
Ed. Code 44277	Professional growth programs for individual teachers
Ed. Code 44300	Emergency permits
Ed. Code 44325-44328	District interns
Ed. Code 44450-44468	University intern program
Ed. Code 44570-44578	Inservice training, secondary education
Ed. Code 44830.3	Employing district interns
Ed. Code 45028	Salary schedule and exceptions
Ed. Code 48980	Parental notifications
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 56240-56245	Staff development; service to persons with disabilities
Ed. Code 99200-99206	Subject matter projects
Gov. Code 3543.2	Scope of representation

Federal References

	Description
20 USC 6601-6702	Preparing, Training and Recruiting High Quality Teachers and Principals

Management Resources References

	Description
Commission on Teacher Credentialing Publication	California Standards for the Teaching Profession, 2009
CSBA Publication	Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013
Public Employment Relations Board Decision	United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Order No. 804, 14 PERC P21, 085
Website	California Department of Education, Professional Learning - https://simbli.eboardsolutions.com/SU/6bLIOPS8loxYhnRS6AIVXA==
Website	California Subject Matter Projects - https://simbli.eboardsolutions.com/SU/V8lhEdN7VFeWyKdexe07Bg==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUuIsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

	Description
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0100	Philosophy - https://simbli.eboardsolutions.com/SU/KQuinamDQiK9aw3ZuW0UjQ==

0200 Goals For The School District - <https://simbli.eboardsolutions.com/SU/VlhslshSaGqXuTsCMKpG2plusbSQ==>

0415 Equity - <https://simbli.eboardsolutions.com/SU/3HcjCJkXOWFBX0NUyV6GWw==>

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- 5030 Student Wellness - <https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==>
- 5121 Grades/Evaluation Of Student Achievement - <https://simbli.eboardsolutions.com/SU/qxIKnSvFsbuzP7KEplusPprg==>
- 5121 Grades/Evaluation Of Student Achievement - <https://simbli.eboardsolutions.com/SU/UQ1O4LHoybrplusXuDXP09uw==>
- 5131 Conduct - <https://simbli.eboardsolutions.com/SU/xIz9Gc1UIlhCCQT5CCGHtg==>
- 5131.2 Bullying - <https://simbli.eboardsolutions.com/SU/kWRplusbnOoZSIWwJmVGTs0Zw==>
- 5131.2 Bullying - <https://simbli.eboardsolutions.com/SU/O9dpMNxs57RsmEMWPQ4slshw==>
- 5131.6 Alcohol And Other Drugs - <https://simbli.eboardsolutions.com/SU/2fZOgaza7FWB0KouzttxEA==>
- 5131.6 Alcohol And Other Drugs - <https://simbli.eboardsolutions.com/SU/eP7p7amj6UOAQB1iaTOjdw==>
- 5131.63 Steroids - <https://simbli.eboardsolutions.com/SU/J4LEgbrzXslshOrmhXW7jYB2w==>
- 5131.63 Steroids - <https://simbli.eboardsolutions.com/SU/2gmOHplusToEXsplusODKDqT2DCA==>
- 5137 Positive School Climate - <https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==>
- 5138 Conflict Resolution/Peer Mediation - <https://simbli.eboardsolutions.com/SU/zjW2XEy3C4MCxcRGQ9t2aA==>

5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/XT46XMcmU8mJQZPC1xpMfQ==
5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/slshplusvMQK2l4plusWZA4Xslsht0nhOA==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZFi4HHMlfwg==
5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/VjM4FfQvrAXs7V14zIU8TQ==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/QplusOL6joc2O14TslshRuGXoemA==
5141.52	Suicide Prevention - https://simbli.eboardsolutions.com/SU/lcKgoSUplusCplusNw4UpTQRdl0A==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxsishg==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/gkWOz5MEY6BcHX7a996IAQ==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrrQQ==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==
6116	Classroom Interruptions - https://simbli.eboardsolutions.com/SU/whTC9XGqrVp1ffHJFYlbrQ==
6120	Response To Instruction And Intervention - https://simbli.eboardsolutions.com/SU/73dlMZ3NocmZlsglJcfkQ==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/QyLrruw5gplussHOObxmtHbig==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/OmNL5T6SuAH1l46w0L28oA==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/Umla1mELChYcbrZx1VMNEg==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/AzmModnV3vLslshJn02pEnzBw==
6142.5	Environmental Education - https://simbli.eboardsolutions.com/SU/oRdaYJOPZupluswKIRwxLTaCQ==
6142.6	Visual And Performing Arts Education - https://simbli.eboardsolutions.com/SU/9Oplus8QjilFz8iEtY1xQwVXA==

6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/x0hb3hkKicXv7wlr4CYoQg==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/3slshq0kP6i01dlvoZMdfHCvA==
6142.91	Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/jHkplusBplusnL6sM6K6C8Zc5KUw==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/2kHeob8oTQU4G54jdJKp4w==
6142.93	Science Instruction - https://simbli.eboardsolutions.com/SU/w9VU81P2tplus6slshVBe2J0ppq9g==
6142.94	History-Social Science Instruction - https://simbli.eboardsolutions.com/SU/xhknP1IXRU0NUsvhv7ZgWg==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/cVcwWiAK3pCgNhfrC3plusGpA==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/LEKRQIY1ERodUMIga3JmEQ==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6157	Distance Learning - https://simbli.eboardsolutions.com/SU/YJeUfypE4QXlXk5p7W7muw==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZIZplusG1slshQEZkEw==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/W2ppplusGXW0VmmsslshgPRPDAsAaw==
6162.6	Use Of Copyrighted Materials - https://simbli.eboardsolutions.com/SU/PLG8plus3O6AvdCDiuFbYKWnA==
6162.6	Use Of Copyrighted Materials - https://simbli.eboardsolutions.com/SU/qjuUyEwp6S6FOWflAzTP7w==
6163.1	Library Media Centers - https://simbli.eboardsolutions.com/SU/lslsh86du039e3kAM9Lgk5plusjg==
6163.4	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/VoppNbk4pBgl2gPK2huvrQ==
6163.4-E(1)	Student Use Of Technology - https://simbli.eboardsolutions.com/SU/cMfYbPZNNyLJKpE7JPMKxg==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/0jslshf1IF2LPmZM3bXas7Xvg==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/gPgCpCtjdJruPgmJ7Rcfqw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/aslshgNHEuTeSsRhclZTiYZOg==

- 6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==>
- 6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQi7YzA==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/EmVlh5NPbhplusIBFaplusaALJkw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViayIIA==>

CSBA Sample

Administrative Regulation

REVISED

Classified Personnel

AR 4217.3(a)

LAYOFF/REHIRE

Note: The following **optional** regulation is subject to collective bargaining, and may be deleted by those districts whose agreements fully cover the provisions specified below.

Education Code 45114, 45117, 45298 and 45308 establish the procedures by which the Governing Board may lay off and reemploy classified employees.

Because of the complexity of related Education Code provisions and the interaction with collective bargaining agreements, it is strongly recommended that the district consult with legal counsel before instituting layoff proceedings.

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education Code 45114, 45308)

A classified employee shall not be laid off if a short-term employee is retained to render a service that the classified employee is qualified to render. (Education Code 45117)

(cf. 4121 - Temporary/Substitute Personnel)

Order of Layoff Within a Classification/Determination of Seniority

Within each class, the order of layoff shall be determined by length of service. (Education Code 45114, 45308)

Note: For any district whose average daily attendance (ADA) is under 400,000, Education Code 45308 defines "length of service" as employees' hours in paid status (Option 1 below). However, such a district may instead choose to enter into an agreement with the exclusive representative of classified employees to determine "length of service" based on an employee's date of hire (Option 2 below).

For any district with an ADA of 400,000 or higher, Education Code 45308 requires length of service to be based on the date of hire; such districts should select Option 2 below.

"Date of hire" is not defined in the law and could refer to the employee's first date of hire in the district or **his/her the employee's** date of hire in the classification or higher classification. Districts selecting Option 2 below may revise **that the applicable** paragraph to reflect the definition determined by the district or by agreement with the exclusive representative of classified employees, as applicable.

OPTION 1: (For districts with average daily attendance (ADA) under 400,000 that do not have an agreement with the exclusive representative of classified employees to determine length of service as employee's date of hire)

"Length of service" means all hours in paid status, whether during the school year, a holiday, recess, or during any period that school is in session or closed. However, length of service

AR 4217.3(b)

LAYOFF/REHIRE (continued)

shall not include hours compensated solely on an overtime basis, as provided in Education Code 45128, and shall not include hours for any service performed prior to entering into probationary or permanent status, except for service in a restricted position pursuant to Education Code 45105. ~~The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first.~~ (Education Code 45308)

The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. (Education Code 45308)

For an employee who is a member of the Military Reserve or the National Guard, length of service credit shall be granted for military leave of absence, including voluntary or involuntary active duty during a period of national emergency or war. (Education Code 45297, 45308)

(cf. 4161.5/4261.5/4361.5 - Military Leave)

Length of service credit may be granted for time spent on unpaid illness or maternity leave, unpaid family care leave, or unpaid industrial accident leave. Length of service credit shall not be granted for other types of unpaid leaves. (Education Code 45308)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

OPTION 2: (For districts with ADA under 400,000 that have an agreement with the exclusive representative of classified employees to determine length of service as employee's date of hire, and for districts with ADA over 400,000)

Length of service shall be determined by the date of hire. The employee who has been employed the shortest time by the district shall be laid off first. (Education Code 45308)

Note: The following paragraph applies to both Options 1 and 2. Pursuant to Education Code 45105 and 45259, persons employed in "restricted positions" are classified employees. However, they do not acquire permanent status or seniority credits unless they satisfy the conditions specified below.

For an employee in a "restricted position" under Education Code 45105 or 45259, the original date of employment in the restricted position shall be used to determine **his/her the** length of service, provided **he/she the employee** has completed six months of satisfactory service and has successfully passed the qualifying examination required for service in the class. (Education Code 45105)

(cf. 4200 - Classified Personnel)

AR 4217.3(c)

LAYOFF/REHIRE (continued)

Notice of Layoff **and Hearing Rights**

Note: **Education Code 45117 applies to both districts that have adopted the merit system and those that have not. Education Code 45117, as amended by AB 438 (Ch. 665, Statutes of 2021), specifies notice requirements and hearing rights the district must provide to permanent classified employees, as defined, who are subject to layoff due to lack of work or lack of funds, including that notice be given no later than March 15. If a permanent classified employee is not given the required notice and a right to a hearing in accordance with law, the employee is deemed reemployed for the next school year.** Education Code 45117 requires that classified employees be given prior written notice when they are subject to layoff due to lack of work or lack of funds. AB 1908 (Ch. 860, Statutes of 2012) amended Education Code 45117 to extend the timeline for such notice to 60 days, as provided below.

Pursuant to Education Code 45117, as amended by AB 438, a "permanent employee" is defined as an employee who was permanent at the time the notice or right to a hearing was required and an employee who became permanent after the date of the required notice.

Whenever a **permanent** classified employee is to be laid off for lack of work or lack of funds, **the Superintendent or designee shall, no later than March 15 and before the employee is given formal notice by the Governing Board, give to the employee** written notice **of the recommendation,** ~~shall be given to the employee informing him/her of the layoff, the reasons that the employee's services will not be required for the ensuing year, the date the layoff goes~~

~~into effect, any displacement rights, and reemployment rights, and the employee's right to a hearing. The district shall adhere to the notice, hearing, and layoff procedures in Education Code 45117, Government Code 11503 and 11505, and other applicable provisions of law. The notice shall be given:~~ (Education Code 45117)

An employee who is so notified may request a hearing to determine if there is cause for not reemploying the employee for the ensuing year. The request shall be in writing and shall be delivered to the person who sent notice to the employee, on or before March 15 but not less than seven days after the date the notice is served on the employee. Failure of an employee to request a hearing on or before the date specified shall constitute a waiver of the employee's right to a hearing. (Education Code 45117)

The Superintendent or designee shall serve an employee who timely requests a hearing with the District Statement of Reduction in Force documents. The employee has five calendar days from service of the District Statement of Reduction in Force documents to timely file a notice of participation with the district. The parties are entitled to discovery, if requested within 15 days of service of the District Statement of Reduction in Force documents. (Education Code 45117)

Note: Education Code 45117, as amended by AB 438, allows permanent classified employees given notice of a layoff to request a hearing before an administrative law judge. On or before May 7, the administrative judge is required to submit the proposed decision, containing a determination as to the sufficiency of the cause and a recommendation as to disposition regarding the layoff, to the Board for consideration and to affected employee(s).

AR 4217.3(d)

LAYOFF/REHIRE (continued)

If a hearing is requested by a permanent classified employee, the proceeding shall be conducted and a decision made by an administrative law judge in accordance with Government Code 11500-11529. The Board shall make a final decision regarding the sufficiency of the cause and disposition of the layoff upon receipt of the administrative law judge's proposed decision. None of the findings, recommendations, or determinations in the proposed decision prepared by the administrative law judge shall be binding on the Board. (Education Code 45117)

Following the Board's decision, the Superintendent or designee shall give final notice of termination to the affected employee(s) before May 15 unless a continuance was granted

after a request for hearing was made, in which case such date may be extended by the number of days of the continuance. (Education Code 45117)

Note: Pursuant to Education Code 45117, as amended by AB 438, the district may reduce classified staff due to lack of work or lack of funds when the Board determines, during the time between five days after the enactment of the Budget Act and August 15, that the district's total local control funding formula apportionment per unit of ADA for the fiscal year of the Budget Act has not increased by at least two percent.

If during the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies, the Board determines that the district's local control funding formula apportionment per unit of ADA for that fiscal year has not increased by at least two percent, and that it is therefore necessary to decrease the number of classified employees due to lack of work or lack of funds, the Board may issue a District Statement of Reduction in Force to those employees in accordance with a schedule of notice and hearing adopted by the Board, and layoff proceedings shall be carried out as required by law. (Education Code 45117)

1. — At least 60 days prior to the effective date of the layoff, if the layoff is for lack of work resulting from a bona fide reduction or elimination of service being performed.

2. — No later than April 29, if the layoff is for lack of funds due to the expiration of a specially funded program at the end of any school year. However, if the termination date of the specially funded program is other than June 30, the employee shall be given notice at least 60 days from the effective date of the layoff.

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

The district is not required to provide the 60-day notice in the event of an actual and existing financial inability to pay the salaries of classified employees or if the layoff is due to a lack of work resulting from conditions not foreseeable or preventable by the district. (Education Code 45117)

AR 4217.3(e)

LAYOFF/REHIRE (continued)

When classified positions are eliminated as a result of the expiration of a specifically funded program, the district shall give written notice to the affected employee(s) not less

than 60 days prior to the effective date of the layoff informing the employee(s) of the layoff date, any displacement rights, and employment rights. (Education Code 45117)

The district ~~also~~ is not required to provide **a layoff notice** ~~the 60-day notice~~ to any person hired as a short-term employee for a period not exceeding 60 days whose service may not be extended or renewed. (Education Code 45117)

Additionally, the district may release probationary classified employees without notice or hearing for reasons other than lack of work or lack of funds. (Education Code 45117)

Reemployment

Note: The following **optional** section specifies the rights of employees who are laid off or who take voluntary demotion or reduction in assigned time in lieu of layoff. Pursuant to Education Code 45308, laid-off classified employees have reemployment rights which are enforced in order of seniority rather than reverse order of layoff. In Tucker v. Grossmont Union High School District, a California appellate court ruled that a laid-off employee's reemployment right entitled **him the employee** to preference over any new applicant to available positions for which **he the employee** is qualified, **including positions in different classes from which the employee was laid off.**

Classified employees laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Reemployment shall be in order of seniority. Persons so laid off also have the right to apply and establish their qualification for vacant promotional positions within the district during the 39-month period. (Education Code 45114, 45298, 45308)

Note: Pursuant to San Mateo City School District v. Public Employment Relations Board, districts may adopt procedures which implement Education Code 45113 and 45114 as long as such procedures do not replace or set aside mandatory Education Code provisions. These procedures may be adopted pursuant to Board policy and/or collective bargaining agreement.

The following **optional** paragraph should be **deleted** by districts with a collective bargaining agreement that contains reemployment procedures, unless the district also has unrepresented classified employees.

When a vacancy occurs, the district shall give the employee with the most seniority an opportunity to accept or reject the position, by first calling the employee at **his/her the employee's** last known telephone number to notify **him/her the employee** of the vacancy and then sending written notice by certified and standard mail to **his/her the employee's** last known address. The employee shall advise the district of **his/her the** decision by any means

AR 4217.3(f)

LAYOFF/REHIRE (continued)

no later than 10 calendar days from the date the notice was sent. If the employee accepts, **he/she the employee** shall report to work no later than two calendar weeks from the vacancy notification date or on a later date specified by the district.

Note: The following paragraph is **optional** and may be modified to reflect district practice.

In order to be reemployed, the employee must be capable of performing the essential duties of the job with or without reasonable accommodations. When an otherwise eligible employee is unable to perform the essential duties of the job, **he/she the employee** shall be kept on the reemployment list until another opportunity becomes available or the period of reemployment eligibility expires, whichever occurs first.

(cf. 4032 - Reasonable Accommodation)

Note: An argument can be made that, absent a collective bargaining provision to the contrary, once a district has offered a laid-off classified employee a position pursuant to the employee's reemployment rights under Education Code 45298 and that employee has refused the position, the district has discharged its duty to that employee. Whether **or not** such action conflicts with an employee's statutory right to reemployment is unclear.

The following two **optional** paragraphs should be used only with the approval of the district's legal counsel; the number of refusals that will trigger the removal of the employee's name from the district's **reemployment** list should be modified accordingly.

Upon rejecting two offers of reemployment, the employee's name shall be removed from the reemployment list and **he/she the employee** will forfeit all reemployment rights to which **he/she the employee** would otherwise be entitled.

When an employee is notified of a vacancy and fails to respond or report to work within time limits specified by district procedures, **his/her the employee's** name shall be removed from the reemployment list and all reemployment rights to which **he/she the employee** would otherwise be entitled shall be forfeited.

~~Note: AB 2307 (Ch. 586, Statutes of 2012) amended Education Code 45298 to provide that laid-off classified employees who are reemployed in a new position but fail to complete the probationary period for the new position shall be returned to the reemployment list for the remainder of the 39-month period, as provided below.~~

~~Although Education Code 45298 applies to districts using the merit system, pursuant to Education Code 45114, other districts are also required to lay off and reemploy classified employees in accordance with Education Code 45298.~~

If an employee is reemployed in a new position and fails to complete the probationary period in the new position, he/she the employee shall be returned to the reemployment list for the

AR 4217.3(g)

LAYOFF/REHIRE (continued)

remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment. (Education Code 45114, 45298)

Reinstatement of Benefits

Note: The following optional section should be deleted by districts that do not reinstate laid-off employee benefits upon reemployment and those whose collective bargaining agreements address the issue.

When a laid-off employee is reemployed, all accumulated sick leave credit shall be restored.

A laid-off permanent employee shall be reemployed with all rights and benefits accorded to him/her at the time of layoff.

A laid-off probationary employee shall be reemployed as a probationary employee, and the previous time served toward the completion of the required probationary period shall be counted. He/she The employee shall also be reemployed with all rights and benefits accorded to a probationary employee at the time of layoff.

A laid-off employee, when reemployed, shall be placed on the salary step held at the time of layoff. An employee who was bumped into a lower class shall, when reinstated to the previous class, be placed on the salary step to which he/she the employee would have progressed had he/she the employee remained there. An adjusted anniversary date shall be established for step increment purposes so as to reflect the actual amount of time served in the district.

Voluntary Demotion or Reduction of Hours

Classified employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff, or in order to remain in their present position rather than be reclassified or reassigned, shall be granted the same rights as employees who are laid off. In addition, such employees shall retain eligibility to be considered for reemployment in their previously held class or position with increased assigned time, for an additional period of time up to 24 months as determined by the Governing Board on a class-by-class basis, provided that the same test of

fitness under which they qualified for appointment to that class shall still apply. (Education Code 45114, 45298)

Employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available and without limitation of time. If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority. (Education Code 45114, 45298)

Legal Reference: (see next page)

AR 4217.3(h)

LAYOFF/REHIRE (continued)

Legal Reference:

EDUCATION CODE

45101 Definitions

45103 Classified service in districts not incorporating the merit system

45105 Positions under various acts not requiring certification qualifications; classification

45113 Rules and regulations for classified service in districts not incorporating the merit system

45114 Layoff and reemployment procedures; definitions

45115 Layoff; ~~Re~~ reinstatement from service retirement

45117 Notice of layoff **and hearing rights**

45286 Limited term employees

45297 Right to take equivalent examination while employee in military service

45298 Reemployment of persons laid off; voluntary demotions or reductions in time; ~~districts adopting merit system~~

45308 Order of layoff and reemployment; length of service

45309 Reinstatement of permanent noncertified employees after resignation

GOVERNMENT CODE

11500-11529 Administrative adjudication; formal hearings

UNITED STATES CODE, TITLE 38

~~4301-4307~~ **4335 Veterans' Reemployment Rights Employment and reemployment rights of members of the uniformed services**

COURT DECISIONS

Tucker v. Grossmont Union High School District (2008) 168 Cal.App.4th 640

San Mateo City School District v. Public Employment Relations Board (1983) 33 Cal.3d 850, ~~866~~

Management Resources:

WEB SITES

California School Employees Association: <http://www.csea.com>

(11/11 11/12) 12/21

Policy Reference UPDATE Service

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Regulation 4217.3: Layoff/Rehire

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

Classified employees shall be subject to layoff for lack of work or lack of funds. (Education Code 45114, 45308)

A classified employee shall not be laid off if a short-term employee is retained to render a service that the classified employee is qualified to render. (Education Code 45117)

Order of Layoff Within a Classification/Determination of Seniority

Within each class, the order of layoff shall be determined by length of service. (Education Code 45114, 45308)

Length of service shall be determined by the date of hire. The employee who has been employed the shortest time by the district shall be laid off first. (Education Code 45308)

For an employee in a "restricted position" under Education Code 45105 or 45259, the original date of employment in the restricted position shall be used to determine his/her length of service, provided he/she has completed six months of satisfactory service and has successfully passed the qualifying examination required for service in the class. (Education Code 45105)

Notice of Layoff

Whenever a classified employee is to be laid off for lack of work or lack of funds, written notice shall be given to the employee, informing him/her of the layoff, the date the layoff goes into effect, any displacement rights, and reemployment rights. The notice shall be given: (Education Code 45117)

1. At least 60 days prior to the effective date of the layoff, if the layoff is for lack of work resulting from a bona fide reduction or elimination of service being performed.
2. No later than April 29, if the layoff is for lack of funds due to the expiration of a specially funded program at the end of any school year. However, if the termination date of the specially funded program is other than June 30, the employee shall be given notice at least 60 days from the effective date of the layoff.

The district is not required to provide the 60-day notice in the event of an actual and existing financial inability to pay the salaries of classified employees or if the layoff is due to a lack of work resulting from conditions not foreseeable or preventable by the district. (Education Code 45117)

The district also is not required to provide the 60-day notice to any person hired as a short-term employee for a period not exceeding 60 days whose service may not be extended or renewed. (Education Code 45117)

Reemployment

Classified employees laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Reemployment shall be in order of seniority. Persons so laid off also have the right to apply and establish their qualification for vacant promotional positions within the district during the 39-month period. (Education Code 45114, 45298, 45308)

When a vacancy occurs, the district shall give the employee with the most seniority an opportunity to accept or reject the position, by first calling the employee at his/her last known telephone number to notify him/her of the vacancy and then sending written notice by certified and standard mail to his/her last known address. The employee shall advise the district of his/her decision by any means no later than 10 calendar days from the date the notice was sent. If the employee accepts, he/she shall report to work no later than two calendar weeks from the vacancy notification date or on a later date specified by the district.

In order to be reemployed, the employee must be capable of performing the essential duties of the job with or without reasonable accommodations. When an otherwise eligible employee is unable to perform the essential duties of the job, he/she shall be kept on the reemployment list until another opportunity becomes available or the period of reemployment eligibility expires, whichever occurs first.

Upon rejecting two offers of reemployment, the employee's name shall be removed from the reemployment list and he/she will forfeit all reemployment rights to which he/she would otherwise be entitled.

When an employee is notified of a vacancy and fails to respond or report to work within time limits specified by district procedures, his/her name shall be removed from the reemployment list and all reemployment rights to which he/she would otherwise be entitled shall be forfeited.

If an employee is employed in a new position and fails to complete the probationary period in the new position, he/she shall be returned to the reemployment list for the remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment. (Education Code 45114, 45298)

Reinstatement of Benefits

When a laid-off employee is reemployed, all accumulated sick leave credit shall be restored.

A laid-off permanent employee shall be reemployed with all rights and benefits accorded to him/her at the time of layoff.

A laid-off probationary employee shall be reemployed as a probationary employee, and the previous time served toward the completion of the required probationary period shall be counted. He/she shall also be reemployed with all rights and benefits accorded to a probationary employee at the time of layoff.

A laid-off employee, when reemployed, shall be placed on the salary step held at the time of layoff. An employee who was bumped into a lower class shall, when reinstated to the previous class, be placed on the salary step to which he/she would have progressed had he/she remained there. An adjusted anniversary date shall be established for step increment purposes so as to reflect the actual amount of time served in the district.

Voluntary Demotion or Reduction of Hours

Classified employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff, or in order to remain in their present position rather than be reclassified or reassigned, shall be granted the same rights as employees who are laid off. In addition, such employees shall retain eligibility to be considered for reemployment in their previously held class or position with increased assigned time, for an additional period of time up to 24 months as determined by the Board of Education on a class-by-class basis, provided that the same test of fitness under which they qualified for appointment to that class shall still apply. (Education Code 45114, 45298)

Employees who take voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall have the option of returning to a position in their former class or to positions with increased assigned time as vacancies become available and without limitation of time. If there is a valid reemployment list, they shall be ranked on that list in accordance with their proper seniority. (Education Code 45114, 45298)

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

State References

Description

Ed. Code 4115	Layoff: Reinstatement from service retirement
Ed. Code 45101	Definitions (including disciplinary action, cause)
Ed. Code 45103	Classified service in districts not incorporating the merit system
Ed. Code 45105	Positions under various acts not requiring certification qualifications
Ed. Code 45113	Notification of charges, classified employees
Ed. Code 45114	Layoff and reemployment procedures; definitions
Ed. Code 45117	Notice of layoff, classified employees
Ed. Code 45286	Limited term employees
Ed. Code 45297	Right to take equivalent examination while employee in military service
Ed. Code 45298	Reemployment of persons laid off; voluntary demotions or reductions in time; districts adopting merit system
Ed. Code 45308	Order of layoff and reemployment; length of service
Ed. Code 45309	Reinstatement of permanent noncertified employees after resignation

Federal References

38 USC 4301-4307

Description

Veterans' Reemployment Rights

Management Resources References

Court Decision

DescriptionSan Mateo City School District v. Public Employment Relations Board (1983)
33 Cal.3d 850, 866

Court Decision

Tucker v. Grossmont Union High School District (2008) 168 Cal.App.4th 640

Website

California School Employees Association -

<https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==>**Cross References**

1240

Description

Volunteer Assistance -

<https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==>

1240

Volunteer Assistance -

<https://simbli.eboardsolutions.com/SU/AEEKKECijKNmVMzEslshyCblkw==>

4032

Reasonable Accommodation -

<https://simbli.eboardsolutions.com/SU/IP2ckslshv29XTxZtLjhsLsh3MLg==>

4112.9

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/8BF4XXtThplusHyMYDG4JT3fw==>

4112.9-E(1)

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/URm8f8Y9UWWByR30slshlaKDw==>

4112.9-E(3)

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/rqSp7LsvGwgeRBuO3CjudA==>

4121

Temporary/Substitute Personnel -

<https://simbli.eboardsolutions.com/SU/AsBoDgGI508ngQYc5plusY52g==>

4121

Temporary/Substitute Personnel -

<https://simbli.eboardsolutions.com/SU/jUGqXuU18XDO86onXzLApA==>

4161.11

Industrial Accident/Illness Leave -

<https://simbli.eboardsolutions.com/SU/nk80muslshEVIF5JIMsRmJ88w==>

4161.5

Military Leave -

<https://simbli.eboardsolutions.com/SU/WNo6nJXpCnhr0MYJ1cscTQ==>

4161.8

Family Care And Medical Leave -

<https://simbli.eboardsolutions.com/SU/NdKGwuhg5ubDSawZpkoDLA==>

4200

Classified Personnel -

<https://simbli.eboardsolutions.com/SU/Gfarf9slshWqzkn8n8quY1slsh1g==>

4200

Classified Personnel -

<https://simbli.eboardsolutions.com/SU/jhplusY9B5OsA5a9pmo0NV8wg==>

4212.9

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/Whi8UKXYLR1N5t2qid1APg==>

4212.9-E(1)

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/bKgNwdQAUULSpluscGFRsLmXQ==>

4212.9-E(2)

Employee Notifications -

<https://simbli.eboardsolutions.com/SU/zMD6tbalzFplus6SLtFFoB3Hg==>

4261.1

Personal Illness/Injury Leave -

<https://simbli.eboardsolutions.com/SU/uLAw49y7BLfuJvifsTzyIQ==>

4261.11

Industrial Accident/Illness Leave -

<https://simbli.eboardsolutions.com/SU/i1xPcckplus8APDKUDGrpS1jA==>

4261.5

Military Leave -

<https://simbli.eboardsolutions.com/SU/MplusUJlqcqvWCqsVGbUBx3Pw==>

- 4261.8 Family Care And Medical Leave -
<https://simbli.eboardsolutions.com/SU/U7mYSmHGslshCZq2CLgZmpcgQ==>
- 4312.9 Employee Notifications -
<https://simbli.eboardsolutions.com/SU/VQbO5zeg9aWBjyflPAVADQ==>
- 4312.9-E(1) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/TN2PDxjjZhNIWdb1qB5MSA==>
- 4312.9-E(2) Employee Notifications -
<https://simbli.eboardsolutions.com/SU/nEAdd6ffJchjaUXV7FgoEw==>
- 4361.11 Industrial Accident/Illness Leave -
<https://simbli.eboardsolutions.com/SU/3WslshERRP8U5mdFruBRgY10g==>
- 4361.5 Military Leave -
<https://simbli.eboardsolutions.com/SU/IQ43jTdnDUng53OxNuP1cw==>
- 4361.8 Family Care And Medical Leave -
<https://simbli.eboardsolutions.com/SU/QmgZplusKIFpplusoAELobo7U7Q==>

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM: David Farkas, Assistant Superintendent of Educational Leadership, Pupil Services and Safety Informational
Cynthia Monreal González, Action
Executive Director of Educational Services

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD POLICIES AND ADMINISTRATIVE REGULATIONS - 5000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Policies and Administrative Regulations:

- Revised AR 5125 - Student Records
- Revised AR 5145.3 - Nondiscrimination/Harassment
- Revised BP/AR 5148 - Child Care and Development
- Revised BP/AR 5148.2 - Before/After School Programs
- Revised BP/AR 5148.3 - Preschool/Early Childhood Education

RECOMMENDATION:

Approve First Reading and Adoption of Revised Board Policies and Administrative Regulations - 5000 series: Revised AR 5125 - Student Records, Revised AR 5145.3 - Nondiscrimination/Harassment, Revised BP/AR 5148 - Child Care and Development, Revised BP/AR 5148.2 - Before/After School Programs and Revised BP/AR 5148.3 - Preschool/Early Childhood Education.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

Students

BP 5148(a)

CHILD CARE AND DEVELOPMENT

Note: The following **optional** policy may be revised to reflect the type(s) of child care and development programs offered by the district.

The Child Care and Development Services Act (~~Education Code 8200-8499.10~~ **Welfare and Institutions Code 10207-10490**) establishes a variety of child care programs including resource and referral programs (~~Education Code 8210-8216~~ **Welfare and Institutions Code 10217-10224.5**; 5 CCR 18240-18248), alternative payment programs (~~Education Code 8220-8227.7~~ **Welfare and Institutions Code 10225-10234**; 5 CCR 18220-18231), migrant child care and development programs (~~Education Code 8230-8233~~ **Welfare and Institutions Code 10235-10238**), general child care and development programs (~~Education Code 8240-8244~~ **Welfare and Institutions Code 10240-10243**), and programs for children with special needs (**Welfare and Institutions Code 10260-10263** ~~Education Code 8250-8252~~).

Pursuant to Welfare and Institutions Code 10200-10206, ~~as added by SB 98 (Ch. 24, Statutes of 2020)~~, effective July 1, 2021, the state's responsibility for administering these programs ~~will transfer~~ **transferred** from the California Department of Education (CDE) to the California Department of Social Services (CDSS). **AB 131 (Ch. 116, Statutes of 2021) repeals the statutes governing such programs from the Education Code and reenacts them in the Welfare and Institutions Code. Pursuant to Welfare and Institutions Code 10205, all existing regulations relating to child care programs that have been adopted by CDE are expressly continued in force, unless they conflict with law.**

Education Code 8207, as added by AB 131, clarifies that the Superintendent of Public Instruction (SPI) and CDE retain administrative supervision of the California State Preschool Program (CSPP).

For requirements pertaining to before-school and after-school programs, including the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), see BP/AR 5148.2 - Before/After School Programs. **For requirements pertaining to preschool programs for children ages 3-4 pursuant to the CSPP, as amended by AB 130 (Ch. 44, Statutes of 2021) and AB 131, The California State Preschool Program (Education Code ~~8235-8239~~ 8200-8340) for children ages 3-4 is addressed in see** BP/AR 5148.3 - Preschool/Early Childhood Education.

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6175 - Migrant Education Program)

The Board shall enter into a contract with the California Department of Social Services (CDSS) for the provision of child care and development services by the district.

(cf. 3312 - Contracts)

BP 5148(b)

CHILD CARE AND DEVELOPMENT (continued)

Note: The following **optional** paragraph may be revised to reflect district practice. **Welfare and Institutions Code 10480-10487, as amended and renumbered by AB 131, Education Code 8499-8499.7** establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care and to develop policies to meet identified needs.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

Note: Pursuant to 5 CCR 18271, the district must have a written philosophical statement, goals, and objectives, approved by the Governing Board, which address each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation for required program components.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

Note: AB 131 allocates additional funds to provide subsidized child care programs with COVID-19 pandemic-related assistance. To receive the additional funding, a child care program that is funded to be

operational, but which is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, is required to provide distance learning services as specified by CDSS.

When a district child care program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning when required to do so as a condition of funding or when required by law.

Eligibility and Enrollment

Note: Pursuant to 5 CCR 18105, districts contracting to offer child care services are **mandated** to develop written admissions policies and procedures that conform to **the** requirements of 22 CCR 101218, as provided below. See the accompanying administrative regulation for additional language that fulfills this mandate.

BP 5148(c)

CHILD CARE AND DEVELOPMENT (continued)

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

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

(cf. 3540 - Transportation)

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Note: ~~Education Code 8263~~ **Welfare and Institutions Code 10271** and 5 CCR 18106 establish eligibility criteria and priorities for subsidized child care services, as provided below and in the accompanying administrative regulation.

Eligibility is generally limited to children who reside within district boundaries. However, **Welfare and Institutions Code 10332** ~~Education Code 8322~~ and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and in accordance with ~~shall establish~~ enrollment priorities **specified** in ~~accordance with Education Code 8263~~ **Welfare and Institutions Code 10271** and 5 CCR 18106.

Note: The following paragraph is **optional** and may be revised to reflect any district-established priorities for nonsubsidized services.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

Note: Pursuant to Education Code 48000, as amended by AB 130, a child's eligibility for transitional kindergarten enrollment may not impact family eligibility for a preschool or childcare program.

A child's eligibility for transitional kindergarten enrollment shall not impact family eligibility for a childcare or preschool program. (Education Code 48000)

(cf. 5111.1 - District Residency)

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

BP 5148(d)

CHILD CARE AND DEVELOPMENT (continued)

Staffing

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in ~~Education Code 8360-8370~~ **Welfare and Institutions Code 10380 - 10387.5** and 5 CCR 80105-80125. The district may request a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with ~~Education Code 8208(aa)~~ **Welfare and Institutions Code 10213.5** and 5 CCR 18295.

Health and Safety Code 1596.7995 requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055 requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Facilities

Note: **Optional** items #1-5 below present examples of methods that may be used to provide facilities for child care services and may be revised to reflect district practice.

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

BP 5148(e)

CHILD CARE AND DEVELOPMENT (continued)

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

Note: Pursuant to 5 CCR 4610, the district's uniform complaint procedures should be used to resolve any complaint alleging violation of state or federal laws governing educational programs, including child care and development programs; see BP/AR 1312.3 - Uniform Complaint Procedures. However, 5 CCR 4611, as amended by Register 2020, No. 21, provides that health and safety complaints regarding licensed facilities that operate a child care and development program should be referred to CDSS as described in the following paragraph and BP 1312.3.

Pursuant to 22 CCR 101156, all child care centers must be licensed by CDSS unless exempted by law. See the accompanying administrative regulation for information about child care programs that are exempted from licensure requirements. If all of the district's child care services are license-exempt, the following paragraph may be deleted.

For a licensed child care center, any complaint alleging health and safety violations shall be referred to CDSS. (5 CCR 4611)

Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

Note: 5 CCR 18279-18281 require child care and development programs to be evaluated through the standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale.

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The results of the evaluation shall be used to develop an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

(cf. 0500 - Accountability)

Legal Reference: (see next page)

BP 5148(f)

CHILD CARE AND DEVELOPMENT (continued)

Legal Reference:

EDUCATION CODE

8200-8340 California State Preschool Program, especially:

8207 Administration; operation of programs; services

~~8200-8499.10 Child Care and Development Services Act, especially:~~

~~8200-8209 General provisions for child care and development services~~

~~8210-8216 Resource and referral program~~

~~8220-8226 Alternative payment program~~

~~8230-8233 Migrant child care and development program~~

~~8235-8239 California state preschool program~~

~~8240-8244 General child care programs~~

~~8250-8252 Programs for children with special needs~~

~~8263 Eligibility and priorities for subsidized child development services~~

~~8263.3 Disenrollment of families due to reduced funding levels~~

~~8263.4 Enrollment of students ages 11-12 years~~

~~8273-8273.3 Fees~~

~~8360-8370 Personnel qualifications~~

~~8400-8409 Contracts~~

~~8482-8484.65 After-school education and safety program~~

~~8484.7-8484.8-8484.9 21st Century community learning centers~~

~~8493-8498 Facilities~~

~~8499-8499.7 Local planning councils~~

48000 Transitional kindergarten

~~49540-49546 Child care food program~~

~~49570 National School Lunch program~~

~~56244 Staff development funding~~

HEALTH AND SAFETY CODE

~~1596.70-1596.895 California Child Day Care Act~~

~~1596.90-1597.21 Day care centers~~

~~120325-120380 Immunization requirements~~

WELFARE AND INSTITUTIONS CODE

~~10200-10206 Early Childhood Development Act of 2020~~

10207-10490 Child Care and Development Services Act, especially:

10207-10215 General provisions

10217-10224.5 Resource and referral programs

10225-10234 Alternative payment programs

10235-10238 Migrant child care and development programs

10240-10243 General child care and development programs

10250-10252 Family child care home education networks

10260-10263 Child care and development services for children with special needs

10271 Eligibility, enrollment and priority of services; physical examinations; rules and regulations

10271.5 Income eligibility

10272.5 Order of disenrollment

Legal Reference continued: (see next page)

BP 5148(g)

CHILD CARE AND DEVELOPMENT (continued)

Legal Reference: (continued)

WELFARE AND INSTITUTIONS CODE (continued)

10273 Preferred placement for otherwise eligible children ages 11 or 12

10290 Fee schedule for families using preschool and child care and development services

10291 Families exempt from family fees

10315 Transfer of information to public schools

10322 Children residing in another district; use of facilities and personnel

10480-10487 Local planning councils

CODE OF REGULATIONS, TITLE 5

4610-4687 Uniform complaint procedures

18000-18434 Child care and development programs, especially:

18012-18122 General requirements

18180-18192 Federal and state migrant programs

18210-18213 Severely handicapped program

18220-18231 Alternative payment program

18240-18248 Resource and referral program

18270-18281 Program quality, accountability

18290-18292 Staffing ratios

18295 Waiver of qualifications for site supervisor

18300-18308 Appeals and dispute resolution

80105-80125 Commission on Teacher Credentialing, child care and development permits

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Programs

9831-9852 Head Start programs

9858-9858q Child care and development block grant

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch program

CODE OF FEDERAL REGULATIONS, TITLE 45

98.2-98.93 Child care and development fund

COURT DECISIONS

Management Resources: (see next page)

BP 5148(h)

CHILD CARE AND DEVELOPMENT (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES PUBLICATIONS

COVID-19 Licensed Child Care Facilities and Providers (FAQs)

Child Care & Development Division FAQ

Child Care Transition: The Early Childhood Development Act of 2020

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California Child Development Administrators Association: <http://www.ccdaa.org>

California Department of Education, Early Education and Support Division: <http://www.cde.ca.gov/sp/cd>

California Department of Education, Early Education Management Bulletins:

<http://www.cde.ca.gov/sp/cd/ci/allmbs.asp>

California Department of Social Services: <https://www.cdss.ca.gov>

California Head Start Association: <http://caheadstart.org>

California School-Age Consortium: <http://calsac.org>

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

National Association for the Education of Young Children: <http://www.naeyc.org>

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

(7/15 6/21) 12/21

Policy Reference UPDATE Service

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Policy 5148: Child Care And Development

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 10/21/2021 | **Last Reviewed Date:** 10/21/2021

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

The Board shall enter into a contract with the California Department of Social Services (CDSS) for the provision of child care and development services by the district.

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

Eligibility and Enrollment

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

Staffing

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.
Facilities

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

For a licensed child care center, any complaint alleging health and safety violations shall be referred to CDSS. (5 CCR 4611)

Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

Program Evaluation

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The results of the evaluation shall be used to develop an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

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

State References

Description

22 CCR 101151-101239.2	General requirements, licensed child care centers - https://simbli.eboardsolutions.com/SU/25FI2slsh36wTFm0vX8xZRbZg==
22 CCR 101212-101231	Continuing requirements - https://simbli.eboardsolutions.com/SU/H5IA5aJVfIBKHey0QgRA4A==
22 CCR 101237-101239.2	Facilities and equipment - https://simbli.eboardsolutions.com/SU/tHhaU35adyWpiEslshHV75I9Q==
5 CCR 18000-18434	Child care and development programs
5 CCR 18012-18122	General requirements
5 CCR 18180-18192	Federal and state migrant programs
5 CCR 18210-18213	Severely handicapped program
5 CCR 18220-18231	Alternative payment program
5 CCR 18240-18248	Resource and referral program
5 CCR 18270-18281	Program quality, accountability
5 CCR 18290-18292	Staffing ratios
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 18300-18308	Appeals and dispute resolution
5 CCR 4600-4687	Uniform complaint procedures
5 CCR 80105-80125	Commission on Teacher Credentialing, child care and development permits
Ed. Code 49540-49546	Child care food program
Ed. Code 49570	National School Lunch program
Ed. Code 56244	Staff development funding
Ed. Code 8200-8209	General provisions for child care and development services
Ed. Code 8200-8499.10	Child Care and Development Services Act
Ed. Code 8210-8216	Resource and referral program
Ed. Code 8220-8226	Alternative payment program
Ed. Code 8230-8233	Migrant child care and development program

Ed. Code 8235-8239	California state preschool program
Ed. Code 8240-8244	General child care programs
Ed. Code 8250-8252	Programs for children with special needs
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.3	Disenrollment of families due to reduced funding levels
Ed. Code 8263.4	Enrollment of students ages 11-12 years
Ed. Code 8273-8273.3	Fees
Ed. Code 8278.3	Child Care Facilities Revolving Fund
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8400-8409	Contracts
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8493-8498	Facilities
Ed. Code 8499-8499.7	Local planning councils
H&S Code 120325-120380	Immunization requirements
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers

Federal References

42 USC 1751-1769j
42 USC 9831-9852
42 USC 9858-9858q
45 CFR 98.2-98.93
7 CFR 210.1-210.31

Description

National School Lunch Program
Head Start programs
Child care and development block grant
Child care and development fund
National School Lunch Program

Management Resources References

California Department of Education Publication
Court Decision
Website
Website
Website
Website
Website

Description

Keeping Children Healthy in California's Child Care Environments: Recommendations to Improve Nutrition and Increase Physical Activity, 2010
12-07 Disenrollment due to Maximum Reimbursable Amount Reduction, Management Bulletin, July 2012
14-03a Revised Child Care and Development Fee Schedule, Management Bulletin, September 2014
Uniform Complaint Procedures, 2014
CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services, (2001) 91 Cal.App.4th 892
California Association for the Education of Young Children - <https://simbli.eboardsolutions.com/SU/r0qvYzEWUcRnpQGzFMfChw==>
California Child Development Administrators Association - <https://simbli.eboardsolutions.com/SU/u1w0eskqvplustY1cFMnplusfGA==>
California Department of Education, Early Education and Support Division - <https://simbli.eboardsolutions.com/SU/mlFpc7AJoSgC7plusTR909fDQ==>
California Department of Education, Early Education Management Bulletins - <https://simbli.eboardsolutions.com/SU/w7cd1JxsCl8B8VibCslshATUA==>
California Department of Social Services, Licensing Information - <https://simbli.eboardsolutions.com/SU/uiijslT1Eplusze40thvM2OPg==>

Website	California Head Start Association - https://simbli.eboardsolutions.com/SU/cEC8h6islsh8MaZGvA9AXzE7A==
Website	California School-Age Consortium - https://simbli.eboardsolutions.com/SU/laEri3DXJqbipluxNsl.8qbiA==
Website	National Association for the Education of Young Children - https://simbli.eboardsolutions.com/SU/TbWzyzenFO9Sw8JltPcjZQ==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUUsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==
1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/AEEKECijKNmVMzEslshyCblkw==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2l4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCvkVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/lSP74bct6ZWIEplusMslshUslshDk0g==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qie1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshlhcPcKReyWt0R0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQlrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauvs8P9pTGvA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9Lal1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyeplusb4fv7OWe2glJqdyg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/lAJDgoYlIDjrGK0VasaiTUA==

3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jzW7WZslsh41zbhhqz9g4m1aA==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/AKPJOKwwwzRYWQQEdVtKxAA==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/h2UUcLqR6nWn8M9XHlk1FQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/Qslsh03yMjDLRtnlQ7wtNmjLA==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/AXaYWsoBkMdIXi32NkoE8Q==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/JeYnngBXkg3FdONe8X1q2A==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/NFxbirloVqa1JsBTzUnJaLw==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/K3a7MNH1vgqBfVG0nwYlmw==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/E8TLBAkmlZNslsh64KyfXgj4A==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/X6d0PiFiIH2zk2K5JdzDg==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/GPT61WhRNQ8pHfa3UXX8Ng==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/Bgrve0Gbkwy2h7YR9OcBmQ==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/SjGkppplus4Jvmy3IFHQE2HY7g==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/8kslbpS7OxQBTiX2Y03LGA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVeSlshLqbFg==
5141	Health Care And Emergencies - https://simbli.eboardsolutions.com/SU/q3DyJG1cykCEbvwrC4GFrw==
5141	Health Care And Emergencies - https://simbli.eboardsolutions.com/SU/2SKcqtAzQjvIXs6uFEYUKQ==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/LUPslsh3GOWWIPrZOFht6vpluskg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/wzslshxB5PWuGpSLScMjshssMQ==
5141.26	Tuberculosis Testing - https://simbli.eboardsolutions.com/SU/2I6VGcQ4GcfNVkCB4PkdWQ==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/NloHQDWcviplus6dLFCvFFo9Q==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/1fLNvPE0plussZLupslshmautkbw==

5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtwFACcXQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/jgOyR5ZG6oxquyYQgJUHxw==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/1KEcWg3tdaMSHap3A6rQIA==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KzxmngnveoordTPegwXZQg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHmZPhFeqQ==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyLnCzDnQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViaylIA==

CSBA Sample Administrative Regulation

REVISED

Students

AR 5148(a)

CHILD CARE AND DEVELOPMENT

Note: The following administrative regulation reflects provisions generally applicable to programs under the Child Care and Development Services Act (~~Education Code 8200-8499.7 Welfare and Institutions Code 10207-10490~~). Such programs include resource and referral programs (~~Education Code 8210-8216 Welfare and Institutions Code 10217-10224.5~~; 5 CCR 18240-18248), alternative payment programs (~~Education Code 8220-8227.7 Welfare and Institutions Code 10225-10234~~; 5 CCR 18220-18231), migrant child care and development programs (~~Education Code 8230-8233 Welfare and Institutions Code 10235-10238~~), general child care and development programs (~~Education Code 8240-8244 Welfare and Institutions Code 10240-10243~~), and programs for children with special needs (~~Education Code 8250-8252 Welfare and Institutions Code 10260-10263~~). Pursuant to Welfare and Institutions Code 10200-10206, ~~as added by SB 98 (Ch. 24, Statutes of 2020)~~, effective July 1, 2021, the state's responsibility for administering these programs ~~will transfer~~ **transferred** from the California Department of Education (CDE) to the California Department of Social Services (CDSS). **Education Code 8207, as amended and renumbered by AB 131 (Ch. 116, Statutes of 2021), clarifies that the Superintendent of Public Instruction and the California Department of Education retain administrative supervision of the California State Preschool Programs.**

The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-~~8484.8~~ **8484.9**), and BP/AR 5148.3 - Preschool/Early Childhood Education for **California State Preschool Program (CSPP)** requirements.

The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the alternative payment program, 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the resource and referral program, 5 CCR 18244 mandates written referral policies and written complaint procedures.

In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development program.

Licensing

Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by CDSS unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not

limited to, any program that (1) is a "public recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and

AR 5148(b)

CHILD CARE AND DEVELOPMENT (continued)

the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled, or (7) is a CSPP program operated in a school building that meets specified health and safety requirements. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.

Pursuant to Health and Safety Code 1596.951, CDSS was required to adopt regulations by January 1, 2021 to create a new child care center license including components for serving infant, toddler, preschool, and school-age children; health and safety standards; and enhanced ability to transition children to the next age group. However, the regulations were delayed due to the COVID-19 pandemic. Pursuant to Health and Safety Code 1596.951, all child care centers are required to obtain this license by January 1, 2024.

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

Note: Items #1-7 and 9 below list components of child care and development programs that are required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (~~Education Code 8203.5~~ **Welfare and Institutions Code 10209.5**; 5 CCR 18272)

Program staff shall complete the developmental profile for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (~~Education Code 8203.5~~ **Welfare and Institutions Code 10209.5**; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

AR 5148(c)

CHILD CARE AND DEVELOPMENT (continued)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

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

(cf. 6174 - Education for English Learners)

3. A staff development program which complies with 5 CCR 18274

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

4. Parent/guardian involvement and education that comply with 5 CCR 18275 and include an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.23 - Asthma Management)

(cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. As applicable, a nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

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

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: Item #8 below is **optional** and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic devices.

AR 5148(d)

CHILD CARE AND DEVELOPMENT (continued)

8. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes a staff assessment, a parent/guardian survey, and an environment rating scale. Each contractor is required to submit a summary of the self-evaluation findings by June 1 of each year.

9. An annual plan for program evaluation which conforms with the state's system and includes a self-evaluation, parent/guardian survey, and environment rating scale (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

Health and Safety

Note: The following section is for use by districts that offer one or more licensed child care programs. Health and Safety Code 1596.7996 requires licensed child care programs to provide parents/guardians of enrolled children with a flyer developed by CDSS in conjunction with the California Department of Public Health, which contains specified information regarding lead exposure and blood testing. The flyer is available on the CDSS web site.

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Health and Safety Code 1597.16, a licensed child care center located in a building that was constructed before January 1, 2010 must have its drinking water tested for lead contamination as provided below. A licensed child care center is subject to the temporary suspension of its license if it fails to comply with the requirements to cease using any fountains and faucets where elevated lead levels may exist and to provide potable water.

If a licensed child care center is located in a building that was constructed before January 1, 2010, the center shall have its drinking water tested for lead contamination every five years following an initial test conducted between January 1, 2020 and January 1, 2023. The center shall notify the parents/guardians of enrolled children of the requirement to test a facility's drinking water and of the test results. If notified of elevated lead levels, the center shall immediately make inoperable and cease using the fountains and faucets where elevated lead levels may exist and shall obtain a potable source of water for children and staff at that location. (Health and Safety Code 1597.16)

AR 5148(e)

CHILD CARE AND DEVELOPMENT (continued)

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in **Welfare and Institutions Code 10275.5 and 5 CCR 18290-18292** based on the ages of the children served.

All persons employed at a licensed district child care center and all volunteers who provide care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If they meet all other requirements for employment or volunteering, as applicable, but need additional time to obtain and provide immunization records, they may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that they have been immunized as required. In addition, employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

AR 5148(f)

CHILD CARE AND DEVELOPMENT (continued)

Eligibility and Enrollment

Note: State funding is only available for services to families who meet the criteria for subsidized services as specified in ~~Education Code 8263~~ **Welfare and Institutions Code 10271 and 10271.5**. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on "Fees and Charges" below.

Pursuant to 5 CCR 18105, districts contracting ~~with CDE~~ to offer child care services are **mandated** to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

The following section should be revised to reflect the district's contract(s).

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and ~~Education Code 8208~~ **Welfare and Institutions Code 10213.5**. (~~Education Code 8208, 8263.4~~ **Welfare and Institutions Code 10213.5, 10273**; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The family's or child's eligibility must be certified by a person designated by the district.

Pursuant to ~~Education Code 8263.1~~ **Welfare and Institutions Code 10271.5**, income eligibility is based on an adjusted monthly family income at or below 85 percent of the state median income, adjusted for family size.

To participate in the district's subsidized child care program, families shall document both an eligibility basis and need for care ~~Eligible families shall be those who document both an eligibility basis and a need for care,~~ as follows: (~~Education Code 8263, 8263.1~~ **Welfare and Institutions Code 10271 and 10271.5**)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of **child** protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:

a. ~~Because the The unavailability of the The~~ parents/guardians ~~to care for and supervise their children for some portion of the day because they~~ are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for

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CHILD CARE AND DEVELOPMENT (continued)

English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the centralized eligibility list established in each county pursuant to ~~Education Code 8499.5 Welfare and Institutions Code 10231~~, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to ~~Education Code 8263 Welfare and Institutions Code 10271~~ and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (~~Education Code 8263 Welfare and Institutions Code 10271~~)

Second priority for enrollment shall be given to families, **regardless of the number of parents in the home**, who are income eligible, as defined in ~~Education Code 8263.1 Welfare and~~

Institutions Code 10271.5. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (~~Education Code 8263, 8263.4~~ **Welfare and Institutions Code 10271 and 10271.5**)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (~~Education Code 8263.4~~ **Welfare and Institutions Code 10273**)

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CHILD CARE AND DEVELOPMENT (continued)

Note: The following **optional** paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

After all children eligible for subsidized services have been enrolled, the district may enroll **other** children in accordance with the priorities established by the Governing Board.

Note: 5 CCR 18094 and 18118 require the district to provide written notification to the parent/guardian as to whether the application for subsidized services has been approved or denied. For this purpose, the district should use the state's Notice of Action form.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in ~~Education Code 8263.4~~ **Welfare and Institutions Code 10271.5**, and the family's ongoing eligibility shall be recertified at that

time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (~~Education Code 8263~~ **Welfare and Institutions Code 10271**)

The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination made during recertification or the update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the service is no longer wanted
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

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CHILD CARE AND DEVELOPMENT (continued)

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Note: ~~Education Code 8273~~ **Welfare and Institutions Code 10290** requires **CDSS, in consultation with CDE, the state** to establish a fee schedule for families using child care services, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above.

~~Education Code 8250~~ **Welfare and Institutions Code 10260** and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts

may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the state fee schedule, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (~~Education Code 8250, 8263, 8273, 8273.1, 8447~~ **Welfare and Institutions Code 10260, 10270, 10290, 10291, 10436**; 5 CCR 18078, 18108-18110)

Note: Pursuant to AB 131, and in response to the COVID-19 pandemic, additional funds are available to provide subsidized child care to families and to provide child care programs with COVID-19 pandemic-related assistance. Pursuant to Welfare and Institutions Code 10290, as added by AB 131, family fees may not be collected for families receiving subsidized child care services from child care programs administered by CDSS.

However, for the 2021-22 fiscal year, family fees shall not be collected as specified in Welfare and Institutions Code 10290.

~~However no~~ **No** fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (~~Education Code 8273.1~~ **Education Code 8253; Welfare and Institutions Code 10291**; 5 CCR 18110)

In addition, any family receiving child care on the basis of having **neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency, a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary,** may be exempt from these fees for up to 12 months. (~~Education Code 8273.1~~) (**Welfare and Institutions Code 10271 and 10291**)

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CHILD CARE AND DEVELOPMENT (continued)

Note: Pursuant to ~~Education Code 8273~~ **Welfare and Institutions Code 10290**, family fees must be assessed at initial enrollment and reassessed at recertification ~~or when the family data file is updated due to a change in status.~~

Pursuant to 5 CCR 18114, districts contracting to offer child care services are **mandated** to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative

definition of delinquency for alternative payment programs offered pursuant to ~~Education Code 8220-8224~~ **Welfare and Institutions Code 10225-10234**.

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (~~Education Code 8273~~ **Welfare and Institutions Code 10290**; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts that contract to offer child care services and wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees), and may be modified to delete diapers as appropriate for the age of the children served. ~~Education Code 8273.3~~ **Welfare and Institutions Code 10292** mandates that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to ~~Education Code 8273.3~~ **Welfare and Institutions Code 10292**, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (~~Education Code 8273.3~~ **Welfare and Institutions Code 10292**)

Disenrollment

Note: ~~Education Code 8263.3~~ **Welfare and Institutions Code 10272** specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (~~Education Code 8263.3~~ **Welfare and Institutions Code 10272.5**)

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CHILD CARE AND DEVELOPMENT (continued)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination and Immunizations

Note: ~~Education Code 8263~~ **Welfare and Institutions Code 10271** requires children enrolling in a child care center to obtain a physical examination and evaluation, including immunizations, unless a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. However, with respect to immunization requirements, Health and Safety Code 120335 eliminated the personal beliefs exemption unless the parent/guardian filed a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations.

Prior to or within six weeks of enrollment, a child enrolling in a child care center shall obtain a physical examination and evaluation and receive age-appropriate immunizations. (~~Education Code 8263~~ **Welfare and Institutions Code 10271**)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

The requirement for a physical examination and evaluation shall be waived if a parent/guardian submits a letter stating that such examination is contrary to the parent/guardian's religious beliefs. (~~Education Code 8263~~ **Welfare and Institutions Code 10271**)

A child may be exempted from the immunization requirements only if: (Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.

Note: Pursuant to Health and Safety Code 120372, a child care center may only accept a medical exemption request that is made by a licensed physician or surgeon on an electronic, standardized, statewide medical exemption certification form developed by the California Department of Public Health and transmitted using

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CHILD CARE AND DEVELOPMENT (continued)

the California Immunization Registry. However, Health and Safety Code 120370 requires that a child who has a medical exemption issued prior to January 1, 2020 be allowed to continue enrollment until the next grade span.

A medical exemption shall be submitted using the standardized medical exemption certification form developed by California Department of Public Health and transmitted using the California Immunization Registry. The request shall include, but not be limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary, including the date upon which a temporary medical exemption will expire. A temporary exemption shall not exceed one year. (Health and Safety Code 120372)

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to the parent/guardian's personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (~~Education Code 8263~~ **Welfare and Institutions Code 10271**)

(cf. 5141.22 - Infectious Diseases)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (~~Education Code 8208~~
Welfare and Institutions Code 10213.5)

2. Family emergency (~~Education Code 8208~~ **Welfare and Institutions Code**
10213.5)

Note: Pursuant to 5 CCR 18066, districts contracting to offer child care services are **mandated** to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

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CHILD CARE AND DEVELOPMENT (continued)

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (~~Education Code 8208~~ **Welfare and Institutions Code 10213.5**)

4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (~~Education Code 8208~~ **Welfare and Institutions Code 10213.5**)

Note: 5 CCR 18066 **mandates** a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 **mandates** that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the child's parent/guardian. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

Note: The following two paragraphs are for use by districts that operate one or more licensed child care centers, but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of the rights specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care

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CHILD CARE AND DEVELOPMENT (continued)

facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

In addition, if a parent/guardian disagrees with any district action to deny a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the

level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

Note: State contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports regarding any families receiving subsidized services during that month.

Welfare and Institutions Code 10315, as added by AB 131, requires a preschool or infant and toddler program to, when a child in a state-funded preschool or infant and toddler program will be transferring to a local public school, provide the parent/guardian with information from the previous year deemed beneficial to the student and the public school teacher, including, but not limited to, development issues, social interaction abilities, health background, and diagnostic assessments, if any. The preschool or infant and toddler program may, with the permission of the parent/guardian, transfer this information to the student's elementary school.

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CHILD CARE AND DEVELOPMENT (continued)

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required under the state contract.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(3/19 6/21) 12/21

Policy Reference UPDATE Service

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Regulation 5148: Child Care And Development

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 10/21/2021 | **Last Reviewed Date:** 10/21/2021

Licensing

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the developmental profile for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs
3. A staff development program which complies with 5 CCR 18274
4. Parent/guardian involvement and education that comply with 5 CCR 18275 and include an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress
5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed
6. A community involvement component that complies with 5 CCR 18277
7. As applicable, a nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)
8. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level
9. An annual plan for program evaluation which conforms with the state's system and includes a self-evaluation, parent/guardian survey, and environment rating scale (5 CCR 18270.5, 18279, 18280)

Health and Safety

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

If a licensed child care center is located in a building that was constructed before January 1, 2010, the center shall have its drinking water tested for lead contamination every five years following an initial test conducted between January 1, 2020 and January 1, 2023. The center shall notify the parents/guardians of enrolled children of the requirement to test a facility's drinking water and of the test results. If notified of elevated lead levels, the center shall immediately make inoperable and cease using the fountains and faucets where elevated lead levels may exist and shall obtain a potable source of water for children and staff at that location. (Health and Safety Code 1597.16)

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

All persons employed at a licensed district child care center and all volunteers who provide care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If they meet all other requirements for employment or volunteering, as applicable, but need additional time to obtain and provide immunization records, they may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that they have been immunized as required. In addition, employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263, 8263.1)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:
 - a. The unavailability of the parents/guardians to care for and supervise their children for some portion of

the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

- b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Education Code 8263.1, and the family's ongoing eligibility shall be recertified at that time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Education Code 8263)

The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination made during recertification or the update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the service is no longer wanted
4. The death of a parent/guardian or child

5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the state fee schedule, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. (Education Code 8273.1)

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination and Immunizations

Prior to or within six weeks of enrollment, a child enrolling in a child care center shall obtain a physical examination and evaluation and receive age-appropriate immunizations. (Education Code 8263)

The requirement for a physical examination and evaluation shall be waived if a parent/guardian submits a letter

stating that such examination is contrary to the parent/guardian's religious beliefs. (Education Code 8263)

A child may be exempted from the immunization requirements only if: (Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.

A medical exemption shall be submitted using the standardized medical exemption certification form developed by California Department of Public Health and transmitted using the California Immunization Registry. The request shall include, but not be limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary, including the date upon which a temporary medical exemption will expire. A temporary exemption shall not exceed one year. (Health and Safety Code 120372)

2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to the parent/guardian's personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Education Code 8263)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the child's parent/guardian. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of the rights specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

In addition, if a parent/guardian disagrees with any district action to deny a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, the parent/guardian may file a request for a hearing with the

Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required under the state contract.

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

State References

Description

22 CCR 101151-101239.2	General requirements, licensed child care centers - https://simbli.eboardsolutions.com/SU/25FI2slsh36wTFm0vX8xZRbZg==
22 CCR 101212-101231	Continuing requirements - https://simbli.eboardsolutions.com/SU/H5IA5aJVfIBKHey0QgRA4A==
22 CCR 101237-101239.2	Facilities and equipment - https://simbli.eboardsolutions.com/SU/tHhaU35adyWpiEslshHV75I9Q==
5 CCR 18000-18434	Child care and development programs
5 CCR 18012-18122	General requirements
5 CCR 18180-18192	Federal and state migrant programs
5 CCR 18210-18213	Severely handicapped program
5 CCR 18220-18231	Alternative payment program
5 CCR 18240-18248	Resource and referral program

5 CCR 18270-18281	Program quality, accountability
5 CCR 18290-18292	Staffing ratios
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 18300-18308	Appeals and dispute resolution
5 CCR 4600-4687	Uniform complaint procedures
5 CCR 80105-80125	Commission on Teacher Credentialing, child care and development permits
Ed. Code 49540-49546	Child care food program
Ed. Code 49570	National School Lunch program
Ed. Code 56244	Staff development funding
Ed. Code 8200-8209	General provisions for child care and development services
Ed. Code 8200-8499.10	Child Care and Development Services Act
Ed. Code 8210-8216	Resource and referral program
Ed. Code 8220-8226	Alternative payment program
Ed. Code 8230-8233	Migrant child care and development program
Ed. Code 8235-8239	California state preschool program
Ed. Code 8240-8244	General child care programs
Ed. Code 8250-8252	Programs for children with special needs
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.3	Disenrollment of families due to reduced funding levels
Ed. Code 8263.4	Enrollment of students ages 11-12 years
Ed. Code 8273-8273.3	Fees
Ed. Code 8278.3	Child Care Facilities Revolving Fund
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8400-8409	Contracts
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8493-8498	Facilities
Ed. Code 8499-8499.7	Local planning councils
H&S Code 120325-120380	Immunization requirements
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers

Federal References

- 42 USC 1751-1769j
- 42 USC 9831-9852
- 42 USC 9858-9858q
- 45 CFR 98.2-98.93
- 7 CFR 210.1-210.31

Description

- National School Lunch Program
- Head Start programs
- Child care and development block grant
- Child care and development fund
- National School Lunch Program

Management Resources References

- California Department of Education Publication

Description

- Keeping Children Healthy in California's Child Care Environments: Recommendations to Improve Nutrition and Increase Physical Activity, 2010

California Department of Education Publication	12-07 Disenrollment due to Maximum Reimbursable Amount Reduction, Management Bulletin, July 2012
California Department of Education Publication	14-03a Revised Child Care and Development Fee Schedule, Management Bulletin, September 2014
California Department of Education Publication	Uniform Complaint Procedures, 2014
Court Decision	CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services, (2001) 91 Cal.App.4th 892
Website	California Association for the Education of Young Children - https://simbli.eboardsolutions.com/SU/r0qvYzEWUcRnpQGzFMfChw==
Website	California Child Development Administrators Association - https://simbli.eboardsolutions.com/SU/u1w0eskqvplustY1cFMnplusfGA==
Website	California Department of Education, Early Education and Support Division - https://simbli.eboardsolutions.com/SU/mlFpc7AJoSgC7plusTR909fDQ==
Website	California Department of Education, Early Education Management Bulletins - https://simbli.eboardsolutions.com/SU/w7cd1JxsCl8B8VibCslshATUA==
Website	California Department of Social Services, Licensing Information - https://simbli.eboardsolutions.com/SU/uiijsLT1Eplusze40thvM2OPg==
Website	California Head Start Association - https://simbli.eboardsolutions.com/SU/cEC8h6islsh8MaZGvA9AXzE7A==
Website	California School-Age Consortium - https://simbli.eboardsolutions.com/SU/laEri3DXJqbiplusxNsl8qbiA==
Website	National Association for the Education of Young Children - https://simbli.eboardsolutions.com/SU/TbWzyzenFO9Sw8JltPcjZQ==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUUsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==
1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/AEEKECijKNmVMzEslshyCblkw==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2l4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCykVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDk0g==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==

1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qie1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshhcPcKReyWt0R0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQlrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauvp8P9pTGvA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9Lal1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyeplusb4fV7OWe2gJqdyg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/IAJDgoYIIDjrGK0VasaiTUA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jzW7WZslsh41zbhhqz9g4m1aA==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/AKPJOKwwzRYWQQEdVtKxAA==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/h2UUclQr6nWn8M9XHlk1FQ==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/Qslsh03yMjDLRtnlQ7wtNmjlA==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/AXaYWsoBkMdIXi32NkoE8Q==
4161.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/JeYnngBXkg3FdONe8X1q2A==
4261.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/NFxbirloVqa1JsBTzUnJaLw==
4361.2	Personal Leaves - https://simbli.eboardsolutions.com/SU/K3a7MNH1vgqBfVG0nwYlmw==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/E8TLBAkmlZNslsh64KyfXgj4A==
5022	Student And Family Privacy Rights - https://simbli.eboardsolutions.com/SU/X6d0PiFiH2zk2K5JdazDg==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/GPT61WhRNQ8pHfa3UXX8Ng==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/Bgrve0Gbkwy2h7YR9OcBmQ==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/SjGkplus4Jvmy3IFHQE2HY7g==
5117	Interdistrict Attendance - https://simbli.eboardsolutions.com/SU/8kslbpS7OxQBTiX2Y03LGA==

5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVeSlsLqbfFg==
5141	Health Care And Emergencies - https://simbli.eboardsolutions.com/SU/q3DyJG1cykCEbvwrC4GFrw==
5141	Health Care And Emergencies - https://simbli.eboardsolutions.com/SU/2SKcqtAzQjvlXs6uFFEYUKQ==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/LUPslsh3GOWWIPrZOFht6vpluskg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/wzslshxB5PWuGpSLScMjshshssMQ==
5141.26	Tuberculosis Testing - https://simbli.eboardsolutions.com/SU/2l6VGcQ4GcfNVkCB4PkdWQ==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/NloHQDWcviplus6dLfcVFFo9Q==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/1fLNvPE0plussZLupslshmautkbw==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtwEACcXQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/jgOyR5ZG6oxquyYQgJUHxw==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/1KEcWg3tdaMSHap3A6rQIA==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KzxmngnveoordTPegwXZQg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/dVtM4nsfrjRfZHMZPhFeqQ==
5148.2	Before/After School Programs - https://simbli.eboardsolutions.com/SU/JplusjOEjaslshslshVXqOmyNlczDnQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==

- 6154 Homework/Makeup Work - <https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==>
- 6175 Migrant Education Program - <https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>
- 6175 Migrant Education Program - <https://simbli.eboardsolutions.com/SU/5plussi8elBplusplusRvrBTViayIIA==>

CSBA Sample Board Policy

REVISED

Students

BP 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The following **optional** policy is for use by districts providing before-school and/or after-school programs and should be revised to reflect the program(s) offered by the district. For eligible programs in grades K-9, the district may apply for funding from the state's After School Education and Safety Program (ASES) (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center Program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176). The federal 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) (Education Code 8420-8428; 20 USC 7171-7176) provides funding for eligible programs in grades 9-12.

Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the Expanded Learning Opportunities (ELO) Program and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. For the 2021-22 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing in the 2022-23 school year, districts receiving funds are required to offer access to all students in grades TK-6 inclusive, and to ensure that access is provided to any student whose parent/guardian requests placement in an ELO program. Pursuant to Education Code 46120, on school days, ELO programs must include in-person before or after school programs and, on non-school days, intersession programs of specified lengths of time as described below and in the accompanying administrative regulation. Student participation in an ELO program is optional.

See the accompanying administrative regulation for major requirements of each program.

The following policy is applicable to all **four** programs, unless otherwise noted, and may be adapted by districts that offer other programs through district funding or alternative sources. If the district does not offer both a before-school and after-school program, it may modify the following policy as appropriate.

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0470 - COVID-19 Mitigation Plan)

(cf. 5147 - Dropout Prevention)
(cf. 5148 - Child Care and Development)
(cf. 6011 - Academic Standards)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

BP 5148.2(b)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: The following paragraph reflects a requirement for collaborative planning for both ASES (Education Code 8482.5) and ASSETs (Education Code 8422). 21st CCLC programs must be developed in collaboration with the school(s) the students attend, but collaboration with other entities is at the discretion of the district. Districts offering only 21st CCLC programs may revise the following paragraph to reflect district practice.

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5, **46120**)

Note: **The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 46120, as added by AB 130, districts are required to prioritize ELO programs at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunities programs across their attendance area. In addition, pursuant** to Education Code 8482.5, in awarding funding for ASES programs, the state gives priority to schools with at least 50 percent of students eligible for free or reduced-price meals. Pursuant to 20 USC 7174, funding for the 21st CCLC and ASSETs programs is restricted to schools receiving federal Title I funding. In addition, 20 USC 7174 and Education Code 8422 and 8484.8 give competitive priority for these federal programs to applications jointly submitted by school districts and community organizations for programs that (1) are located in schools that are implementing comprehensive or targeted support and improvement activities pursuant to 20 USC 6311 **or other schools determined by the district to be in need of intervention and support to improve student academic achievement and other outcomes;** (2) serve students at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or lacking strong positive role models; (3) provide activities not otherwise accessible to participating students or expand accessibility to high-quality services that may be available in the community; (4) continue or expand existing grants; and (5) for 21st CCLC programs, provide year-round expanded learning programming. For a further description of competitive priority for funding, see the California Department of Education's (CDE) "21st CCLC and ASSETs FAQs" and "Request for Applications for Programs Proposing to Serve High School Students."

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

Any **After School Education and Safety Program (ASES), 21st Century Community Learning Center Program (21st CCLC), 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs), or other program** to be established **pursuant to Education Code 8421, 8482.3 or 8484.75** shall be approved by the Board and the principal of each participating school.

BP 5148.2(c)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: The following **optional** paragraph is applicable to all programs. Pursuant to Education Code 8483.4 (applicable to both ASES and 21st CCLC), the program administrator is required to establish qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise students meet the minimum qualifications for an instructional aide pursuant to district policies; see the accompanying administrative regulation. A district offering an ASSETs program must establish its expectations for staff qualifications.

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 6142.7 - Physical Education and Activity)

Note: Education Code 8482.6 (applicable to ASES, 21st CCLC, and ELO programs) and Education Code 8422 (applicable to ASSETS programs), authorize the district to charge fees to participating families with certain exceptions as described below.

Option 1 below is for use by districts that choose not to charge family fees. Option 2 is for use by districts that will charge a permissible family fee to cover unfunded costs of the program.

OPTION 1: No fee shall be charged for participation in the program.

OPTION 2: A family fee may be charged to participating families based on the actual cost of services.

Note: The following paragraph is for use by districts selecting Option 2 that offer an ASSETS program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8422, ASSETS programs that charge fees to participating families are required to waive or reduce the fees for families with students who are eligible for free or reduced-price meals.

BP 5148.2(d)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

However, for the ASSETS program, a family fee shall be waived or reduced for families with students who are eligible for free or reduced-price meals. (Education Code 8422)

Note: The following paragraph is for use by districts selecting Option 2 that offer an ASES, 21st CCLC program, and/or ELO program, and may be modified to reflect program(s) offered by the district. Pursuant to Education Code 8482.6, as amended by AB 130, family fees may not be charged for these programs for a student who is eligible for free or reduced-price meals or if the district knows the participating student is a homeless youth or in foster care. In addition, a program that charges such fees is required to schedule fees on a sliding scale that considers family income and ability to pay.

For ASES, 21st CCLC, and/or Expanded Learning Opportunities programs, no fee shall be charged for a student who is eligible for free or reduced-price meals, or a student who the district knows is a homeless youth or in foster care. In addition, family fees shall be calculated on a sliding scale that considers family income and ability to pay. (Education Code 8482.6, 46120)

(cf. 3260 - Fees and Charges)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

Note: The remainder of this policy is for use by districts that selected either Option 1 or 2 above.

The following **optional** paragraph is for use by districts with programs serving students ages 11-12 years. **Welfare and Institutions Code 10273, as renumbered by AB 131 (Ch. 116, Statutes of 2021)**, provides that the preferred placement for students ages 11-12 years is in a before-school or after-school program rather than in subsidized child care and development services. When subsidized child care services are also available, students ages 11-12 years will be eligible for subsidized child care services only for the portion of care that is not available in a before-school or after-school program. See AR 5148 - Child Care and Development.

Eligible students **who are 11 or 12 years of age** shall be placed in a before-school or after-school program, if and when available, rather than subsidized child care and development services. During the time that the before-school or after-school program does not operate, such students may be provided the option of enrolling in child care and development services in accordance with the enrollment priorities established in AR 5148 - Child Care and Development. **(Welfare and Institutions Code 10273)**

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

To assist in evaluations of program effectiveness, the district may refer to the CDE Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality. In addition, CDE's publication A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools describes available assessment tools that are closely aligned with the program standards. These publications are available on CDE's web site.

BP 5148.2(e)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

To the extent consistent with state and federal privacy laws, Education Code 8484.1 authorizes the district to share specified student data (i.e., school day attendance data, statewide assessment scores English language development test placement or reclassification scores, California Healthy Kids Survey results in aggregate form, student engagement and behavioral data, and other academic measures, including grades and course completion) with the operator of an after-school program with which the district has a contract that includes a confidentiality agreement. The district should consult with legal counsel if it has any questions regarding the sharing of student data.

In addition, Education Code 8427 and 8484 require the after-school program to submit data on school and program attendance and program quality to the CDE; see the section "Reports" in the accompanying administrative regulation.

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

(cf. 0500 - Accountability)

Note: The following paragraph is for use by districts that offer an ASES, 21st CCLC, and/or ELO program, and may be adapted by districts that offer ASSETs or other programs. Pursuant to Education Code 8482.3 and 46120, as added by AB 130, require districts offering an ASES, 21st CCLC, and/or ELO program to review program goals, program content, and outcome measures, selected from among those listed in Education Code 8484, every three years and to retain documentation for five years.

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.

(cf. 3580 - District Records)

Legal Reference: (see next page)

BP 5148.2(f)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

8281.5 California Prekindergarten Planning and Implementation Grant Program

8295-8305 Child development program personnel qualifications

8420-8428 21st Century After-School Program for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

17264 New construction; accommodation of before- and after-school programs

35021.3 After-school physical recreation instructors

45125 Criminal record check

45330 Paraprofessionals; instructional aides

45340-45349 Paraprofessionals; instructional aides

46120 Expanded Learning Opportunities Program

49024 Criminal background check; Activity Supervisor Clearance Certificate

49430-49434 Nutrition standards

49540-49546 Child Care Food Program

49553 Free or reduced-price meals

69430-69460 Cal Grant program

WELFARE AND INSTITUTIONS CODE

10207-10490 Child Care and Development Services Act, especially:

10273 Preferred placement for otherwise eligible children ages 11 or 12

UNITED STATES CODE, TITLE 20

6311 State plans

6314 Title I schoolwide programs

7171-7176 21st Century Community Learning Centers

UNITED STATES CODE, TITLE 42

1766-1766a Child and Adult Care Food Program

11434a Education for homeless children and youths

CODE OF FEDERAL REGULATIONS, TITLE 7

226.17 Child care center nutrition standards

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Expanded Learning Opportunities Program FAQs, October 2021

Request for Applications: 21st Century Community Learning Centers Elementary/Middle Schools, September 2020

Request for Applications: 21st Century High School After School Safety and Enrichment for Teens, September 2020

21st CCLC and ASSETs FAQs, September 2020

Quality Program Improvement Plan Instructions: Instructions for Completing a Quality Program Improvement Plan for Expanded Learning Programs in California, August 2020

A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014

Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014

California After School Physical Activity Guidelines, 2009

Management Resources continued: (see next page)

BP 5148.2(g)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Management Resources continued:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

21st Century Community Learning Centers, Nonregulatory Guidance, February 2003

WEB SITES

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

California Department of Education, **Expanded Learning:** <https://www.cde.ca.gov/ls/ex>

California Healthy Kids Survey: <https://chks.wested.org>

California School-Age Consortium: <http://calsac.org>

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

Partnership for Children and Youth: <http://partnerforchildren.org>

U.S. Department of Agriculture: <http://www.fns.usda.gov/cnd/care/afterschool.htm>

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

(7/15 3/17) 12/21

Policy Reference UPDATE Service

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Policy 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Reviewed Date:** 06/13/2019

The Board of Education desires to provide before-school and/or after-school enrichment programs that support the regular education program in a supervised environment. In order to increase academic achievement of participating students, the content of such programs shall be coordinated with the district's vision and goals for student learning, local control and accountability plan, curriculum, and academic standards.

The district's program shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

To the extent feasible, the district shall give priority to establishing before-school and/or after-school programs in low-performing schools and/or programs that serve low-income and other at-risk students.

Any program to be established shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

The Superintendent or designee shall ensure that all staff who directly supervise students in the district's before-school and/or after-school program possess appropriate knowledge and experience. As needed, staff and volunteers shall receive ongoing training related to their job responsibilities.

Each program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, each program may include support services that reinforce the educational component and promote student health and well-being.

No fee shall be charged for participation in the program.

In regard to the After School Education and Safety program and/or 21st Century Community Learning Center program, no fee shall be charged for a student identified as a homeless or foster youth. (Education Code 8482.6)

The Board and the Superintendent or designee shall monitor student participation rates and shall identify multiple measures that shall be used to evaluate program effectiveness. Such measures may include, but are not limited to, student outcome data; program self-assessments; feedback from staff, participating students, and parents/guardians; and observations of program activities.

Every three years, the Superintendent or designee shall review the after-school program plan, including, but not limited to, program goals, program content, and outcome measures. Documentation of the program plan shall be maintained for a minimum of five years.

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

State References

Description

Ed. Code 17260-17268	Plans and specifications for school facilities - https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLOpZgig==
Ed. Code 35021.3	After-school physical recreation instructors
Ed. Code 45125	Criminal record check
Ed. Code 45330	Paraprofessionals; instructional aides
Ed. Code 45340-45349	Paraprofessionals; instructional aides
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49430-49434	Nutrition standards
Ed. Code 49540-49546	Child care food program
Ed. Code 49553	Free or reduced-price meals

Ed. Code 69430-69460	Cal Grant program
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.4	Enrollment of students ages 11-12 years
Ed. Code 8273.1	Family fees, exemptions
Ed. Code 8350-8359.1	Programs for CalWORKS recipients
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8420-8428	21st Century After-School Program for Teens
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8490-8490.7	Distinguished After School Health Recognition Program

Federal References

20 USC 6311	State plan
20 USC 6314	Title I schoolwide program
20 USC 7171-7176	21st Century Community Learning Centers
42 USC 11434a	Education for homeless children and youths
42 USC 1766-1766a	Child and Adult Care Food Program
7 CFR 226.17	Child care center nutrition standards

Description

Management Resources References

California Department of Education Publication	21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016
California Department of Education Publication	21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012
California Department of Education Publication	A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014
California Department of Education Publication	California After School Physical Activity Guidelines, 2009
California Department of Education Publication	Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016
California Department of Education Publication	Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014
California Department of Education Publication	Request for Application for Programs Proposing to Serve High School Students, September 2016
U.S. Department of Education Publication	21st Century Community Learning Centers, Nonregulatory Guidance, February 2003
Website	California Department of Education, Before and After School - https://simbli.eboardsolutions.com/SU/CzyMyeru1bHslshpMglcGX8Vg==
Website	U.S. Department of Agriculture - https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==
Website	California School-Age Consortium - https://simbli.eboardsolutions.com/SU/laEri3DXJqbiplusxNsl8qbiA==
Website	Partnership for Children and Youth - https://simbli.eboardsolutions.com/SU/bolflRuzs4PI63kJl3082w==
Website	California Healthy Kids Survey - https://simbli.eboardsolutions.com/SU/pB1UyKy4ocu6w934wTYg4g==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==

Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==
1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/AEEKECijKNmVMzEslshyCblkw==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2l4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCykVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDkOg==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qie1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshhcPcKReyWtOR0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQlrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauyv8P9pTGvA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9Lal1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyplusb4fv7OWe2glJqdyg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/IAJDgoYIIDjrGK0VsaITUA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jzW7WZslsh41zbhhqz9g4m1aA==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/AKPJOKwwzRYWQQEdVtKxAA==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==

5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/2fZOgaza7FWB0KouzttxEA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/eP7p7amj6UOAOB1iaTOjdw==
5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/HVJ3whplusWmlRf3r0CZdyxmQ==
5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/ITUqleslshUZvmhzwogt8P3Ww==
5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==
5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/XT46XMcmU8mJQZPC1xpMfQ==
5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/slshplusvMQK2l4plusWZA4Xslsht0nhOA==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/NloHQDWcviplus6dLFcVFFo9Q==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/1fLNvPE0plussZLupslshmautkbw==
5144	Discipline - https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==
5144	Discipline - https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYCs4w==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspow==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/gkWOz5MEY6BcHX7a996lAQ==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/0JkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6142.91	Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/jHkplusBplusnL6sM6K6C8Zc5KUw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/pmsd7bmplSu6Rm8EpxeyPw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRKtGg==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iExwZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==

6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkl5uw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViaylIA==
6176	Weekend/Saturday Classes - https://simbli.eboardsolutions.com/SU/5jms7slshX2fplus8DlzGDlaaMaw==
6177	Summer Learning Programs - https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==
6179	Supplemental Instruction - https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqIslshnQ==

CSBA Sample

Administrative Regulation

REVISED

Students

AR 5148.2(a)

BEFORE/AFTER SCHOOL PROGRAMS

Note: The district should revise the following administrative regulation to reflect the before and/or after school program(s) it offers and the grade levels at which the programs are offered. In addition to the program requirements described below, before-school and after-school programs may be subject to other district policies such as BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, and BP/AR 3550 - Food Service/Child Nutrition Program. The district should consult legal counsel if it has questions regarding the applicability of other laws to the district's programs.

Definitions

***Expanded learning opportunities* means before school, after school, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences. *Expanded learning opportunities* does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)**

***Unduplicated student* means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)**

Grades K-9

Note: The following section is for use by districts providing before-school and/or after-school programs funded by the state After School Education and Safety Program (ASES) (Education Code 8482-8484.65), the federal 21st Century Community Learning Center program (21st CCLC) (Education Code 8484.7-8484.9; 20 USC 7171-7176), or the Expanded Learning Opportunities (ELO) program (Education Code 46120).

ASES and 21st CCLC programs serve students who are in grades K-9 in an elementary, middle, or junior high school.

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

(cf. 6171 - Title I Programs)

AR 5148.2(b)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the Expanded Learning Opportunities (ELO) Program and allocates funding to districts under a formula based on a district's percentage of unduplicated students and average daily attendance. For the 2021-22 school year, districts receiving funds are required to offer access to ELO programs to all unduplicated students in grades TK-6 and to provide access to such programs to at least 50 percent of enrolled unduplicated students. For the 2022-23 school year, districts receiving funds are required to offer all students in grades TK-6 access to ELO programs, and ensure that access is provided to any student whose parent/guardian requests placement in a program. Districts are required to prioritize services at school sites in the lowest income communities, as determined by prior year percentages of students eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with ELO programs across their attendance area.

The following paragraph is for districts that receive ELO funds and should be deleted by districts that do not receive such funds.

The district's Expanded Learning Opportunities (ELO) program shall serve students in grades TK-6. For the 2021-22 school year, the district shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs to at least 50 percent of enrolled unduplicated students. Commencing with the 2022-23 school year, the district shall offer all students in grades TK-6 access to ELO programs, and ensure that access is provided to any student whose parent/guardian requests placement in a program. (Education Code 46120)

Education Code 8281.5, as added by AB 130 and amended by AB 167 (Ch. 252, Statutes of 2021), requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's ELO program, ASES Program, California state preschool program, Head Start programs, and other community-based early learning and care programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

Note: Pursuant to Education Code 8484.75, programs funded through the 21st CCLC program are generally subject to the same program requirements applicable to ASES programs, with the exception of specified provisions primarily related to allocation of funds. **In contrast, ELO programs are explicitly subject to some but not all of the ASES requirements pursuant to Education Code 46120. However, the California Department of Education's (CDE) Expanded Learning Opportunities FAQs emphasizes that districts are expected to uniformly apply the stricter ASES requirements to all programs since ASES, 21st CCLC, and ELO programs should be considered a single, comprehensive program. As such, the following section reflects the expectation that ELO programs will comply with all the requirements for ASES and 21st CCLC programs.**

AR 5148.2(c)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

The following section applies to **ASES, 21st CCLC, and ELO programs**, except where otherwise noted, and should be revised to reflect the program(s) offered by the district.

The district's **ASES, 21st CCLC, and ELO** program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, **8484.75, 46120**)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6154 - Homework/Makeup Work)

(cf. 6163.4 - Student Use of Technology)

Note: Education Code 8482.3 requires that the program include an educational enrichment component which may include physical fitness. Pursuant to Education Code 8483.55 and 8484.8, the **n** (CDE has developed voluntary California After School Physical Activity Guidelines which are available on its web site.

b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3, **8484.75, 46120**)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 6142.6 - Visual and Performing Arts)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6178 - Career Technical Education)

Note: Pursuant to Education Code 8482.3, after-school programs may offer snacks or meals that conform to applicable state or federal nutrition standards. Reimbursement for providing snacks is available through the National School Lunch Program and the Child and Adult Care Food Program (CACFP) for participating districts. Pursuant to the Healthy, Hunger-Free Kids Act of 2010 (42 USC 1766-1766a), after-school programs participating in the at-risk after-school care component of the CACFP may be reimbursed for serving full meals. Further information is available on the web sites of the CDE and U.S. Department of Agriculture.

2. Nutrition

AR 5148.2(d)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

a. If snacks or meals are made available in the program, they shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3, **8484.75, 46120**; 42 USC 1766-1766a; 7 CFR 226.17)

b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, **8484.75**)

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

Note: Education Code 8482.3 provides that a program may be offered at one or multiple school sites. Program applications and U.S. Department of Education (USDOE) nonregulatory guidance, 21st Century Community

Learning Centers, state that programs may be located off campus as long as the facility is as available and accessible to students as if it were located at a school.

3. Location of Program

a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, **8484.75**)

b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, **8484.75**)

(1) Fewer than 20 students participating in the program component

(2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation

(3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

AR 5148.2(e)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, **8484.75**)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, **8484.75**, 45330, 45344, 45344.5)

(cf. 4222 - Teacher Aides/Paraprofessionals)

Note: Pursuant to Education Code 8483.4, program staff and volunteers are required to meet health screening and fingerprint clearance requirements. Education Code 49024 provides that the requirement to obtain an Activity Supervisor Clearance Certificate prior to beginning a paid or volunteer position is satisfied by clearing a Department of Justice and Federal Bureau of Investigation criminal background check.

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4, **8484.75**)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

- c. The student-to-staff ratio shall be no more than 20 to 1, **except that programs serving transitional kindergarten or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1** (Education Code 8483.4, **8484.75, 46120**)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1, **8484.75**)

Note: Pursuant to Education Code 8483, as amended by AB 2622 (Ch. 265, Statutes of 2018), ASES programs that operate at a school site located in an area that has a population density of less than 11 persons per square mile may end operating hours not earlier than 5 p.m. The following paragraph can be revised to reflect district programs.

AR 5148.2(f)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483, **8484.75**)

Note: Pursuant to Education Code 46120, as added AB 130 and amended by AB 167, ELO programs must provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, are no less than nine hours of combined instructional time and expanded learning opportunities per instructional day.

c. **An ELO program shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, shall not be less than nine hours of combined instructional time and expanded learning opportunities per instructional day. (Education Code 46120)**

6. Admissions

a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6, **8484.75**)

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

b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

(1) First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, **and to students who are eligible for free or reduced-price meals.** (Education Code 8483, 8483.1, **8484.75**)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, **8484.75**)

AR 5148.2(g)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Note: Item #(2) below is for use by districts that maintain middle or junior high schools.

(2) Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, **8484.75**)

Note: Items #(3)-(5) are **optional** and may be revised or expanded to include enrollment priorities established by the district.

(3) Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.

(cf. 6179 - Supplemental Instruction)

(4) Any remaining capacity shall be filled by students selected at random.

(5) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

Note: Education Code 8483 and 8483.1 express legislative intent that elementary students attend the full program day of either the before-school or after-school program every day in which they participate. Education Code 8483 and 8483.1 allow districts to implement a flexible attendance schedule for students in middle or junior high school. Education Code 8483.1 specifies that, for before-school programs, students who attend less than one-half of the daily program hours may not be counted for attendance purposes.

Pursuant to Education Code 8483, districts offering an after-school program are **mandated** to establish a policy regarding reasonable early daily release of students from the after-school program. Education Code 8483.1 **mandates** districts offering a before-school program to establish a policy regarding reasonable late daily arrival of students. The following items should be revised to reflect district practice.

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that **the student** participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or the reasonable early daily release from the after-

AR 5148.2(h)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

Note: Item #8 below is for use by districts that offer a program during summer, intersession, or vacation periods. Pursuant to Education Code 8483.76, a school that establishes a before-school or after-school program is eligible to receive a supplemental grant to operate the program in excess of 180 regular school days or during any combination of summer, weekends, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded, per school year, to the school.

Pursuant to Education Code 46120, ELO programs are required to offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days during intersessional periods.

8. Summer/Intersession/Vacation Programs
 - a. **ELO programs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersessional periods.**
 - b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with

Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)

d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)

e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)

AR 5148.2(i)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Note: Education Code 8483.76 **mandates** that a district operating a six-hour program adopt an attendance and early release policy for the program that is consistent with the district's early release policy for the regular school day; see item #7 above. This policy must be included in the program plan submitted to CDE.

f. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Grades 9-12

Note: The following section is for use by districts providing before-school and/or after-school programs funded through 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program (Education Code 8420-8428; 20 USC 7171-7176).

Pursuant to Education Code 46120, districts may, but are not required to, serve students in grades 7-12 in ELO programs.

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs. (Education Code 8421)

The program shall be operated in accordance with the following guidelines:

1. Program Elements

a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)

(1) Tutoring

(2) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content

(3) Homework assistance

(4) College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460

b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)

AR 5148.2(j)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(1) Community service

(2) Career and technical education

(3) Job readiness

(4) Opportunities for mentoring and tutoring younger students

- (5) Service learning
- (6) Arts
- (7) Computer and technology training
- (8) Physical fitness
- (9) Recreation activities

(cf. 6142.4 - Service Learning/Community Service Classes)

Note: Education Code 8423 requires the ASSETs program to include a physical activity element. See CDE's [California After School Physical Activity Guidelines](#), available on its web site.

- c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)
- d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)
- e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)

2. Location of Program

- a. The district's program may operate on one or multiple school sites or at another location approved by CDE. (Education Code 8421)
- b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)

AR 5148.2(k)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

3. Hours of Operation

- a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
- b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Volunteers

Note: The following **optional** section is for use by districts that choose to create a registry of volunteer after-school physical recreation instructors or other volunteers pursuant to Education Code 35021.3, and may be used by districts that provide an ASES, 21st CCLC, ASSETs, **ELO**, or any other local program. When the district opts to use a registry created by a county office of education pursuant to Education Code 35021.3 rather than develop its own, the following section may be revised to inform district staff about the county registry and encourage its use.

Pursuant to Education Code 35021.3, after-school instruction in physical recreation provided by a volunteer does not count toward satisfaction of physical education requirements pertaining to the number of instructional minutes or course completion for high school graduation; see BP/AR 6142.7 - Physical Education and Activity and BP 6146.1 - High School Graduation Requirements.

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

Note: Education Code 35021.3 requires volunteers to submit to a criminal background check and authorizes, but does not require, the district to contribute funds to pay for all or part of the background check. Pursuant to Education Code 35021.3, the district may expand the following paragraph to impose additional requirements on volunteers (e.g., certification in cardiopulmonary resuscitation).

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. **The volunteer shall** also submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

Note: The following section applies to ASES, 21st CCLC, and ASSETs programs.

AR 5148.2(1)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

Pursuant to Education Code 8426 and 8484, CDE may terminate a grant if, for three consecutive years, the program fails to demonstrate measurable program outcomes or fails to attain 75 percent of its proposed attendance levels. For this purpose, CDE may consider a comparison of participating and nonparticipating students at the same school site or other factors.

The Superintendent or designee shall annually submit to CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis

Note: Education Code 8427 requires programs to submit evidence of a program quality improvement process that is based on standards developed by CDE. CDE's program quality standards, Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, are available on its web site.

2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 - Accountability)

(3/17 12/17)

12/21

Policy Reference UPDATE Service

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Regulation 5148.2: Before/After School Programs

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Reviewed Date:** 06/13/2019

Grades K-8

The district's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K-8 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)
- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

2. Nutrition

- a. If snacks or meals are made available in the program, they shall conform to nutrition standards specified in Education Code 49430-49434 or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)
- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8)
 - i. Fewer than 20 students participating in the program component
 - ii. Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
 - iii. A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)
- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)
- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)
- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:
 - i. First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code 8483, 8483.1)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483)

- ii. Second priority for enrollment of middle school students shall be given to students who attend daily. (Education Code 8483, 8483.1)
- iii. Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.
- iv. Any remaining capacity shall be filled by students selected at random.
- v. A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

- a. A before-school program operating during summer, intersession, and/or vacation days shall be offered

for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

- b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)
- e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

The Superintendent or designee shall annually submit to the CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

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

State References

Description

Ed. Code 17260-17268	Plans and specifications for school facilities - https://simbli.eboardsolutions.com/SU/K93eKC5SslshBGM5azLOpZgig==
Ed. Code 35021.3	After-school physical recreation instructors
Ed. Code 45125	Criminal record check
Ed. Code 45330	Paraprofessionals; instructional aides
Ed. Code 45340-45349	Paraprofessionals; instructional aides
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49430-49434	Nutrition standards
Ed. Code 49540-49546	Child care food program

Ed. Code 49553	Free or reduced-price meals
Ed. Code 69430-69460	Cal Grant program
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.4	Enrollment of students ages 11-12 years
Ed. Code 8273.1	Family fees, exemptions
Ed. Code 8350-8359.1	Programs for CalWORKS recipients
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8420-8428	21st Century After-School Program for Teens
Ed. Code 8482-8484.65	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers
Ed. Code 8490-8490.7	Distinguished After School Health Recognition Program

Federal References

20 USC 6311	State plan
20 USC 6314	Title I schoolwide program
20 USC 7171-7176	21st Century Community Learning Centers
42 USC 11434a	Education for homeless children and youths
42 USC 1766-1766a	Child and Adult Care Food Program
7 CFR 226.17	Child care center nutrition standards

Description

Management Resources References

	Description
California Department of Education Publication	21st Century Community Learning Centers (21st CCLC) FAQs Elementary/Middle School Programs, September 2016
California Department of Education Publication	21st Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012
California Department of Education Publication	A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014
California Department of Education Publication	California After School Physical Activity Guidelines, 2009
California Department of Education Publication	Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016
California Department of Education Publication	Quality Standards for Expanded Learning in California: Creating and Implementing a Shared Vision of Quality, 2014
California Department of Education Publication	Request for Application for Programs Proposing to Serve High School Students, September 2016
U.S. Department of Education Publication	21st Century Community Learning Centers, Nonregulatory Guidance, February 2003
Website	California Department of Education, Before and After School - https://simbli.eboardsolutions.com/SU/CzyMyeru1bHslshpMglcGX8Vg==
Website	U.S. Department of Agriculture - https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==
Website	California School-Age Consortium - https://simbli.eboardsolutions.com/SU/laEri3DXJqbiplusxNsL8qbiA==
Website	Partnership for Children and Youth - https://simbli.eboardsolutions.com/SU/bolflRuzs4Pl63kJI3082w==
Website	California Healthy Kids Survey - https://simbli.eboardsolutions.com/SU/pB1UyKy4ocu6w934wTYg4g==

Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNiQRUuUsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/x1QewT4YgzruZITbYpBsCw==
1240	Volunteer Assistance - https://simbli.eboardsolutions.com/SU/AEEKECijKNmVMzEslshyCblkw==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2I4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKl7uugETmCykVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDkOg==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qje1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshhcPckReyWt0R0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQIrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauyv8P9pTGvA==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9La1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyeplusb4fv7OWe2gJqdyg==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/IAJDgoYIIDjrGK0V saiTUA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jzW7WZslsh41zbhhqz9g4m1aA==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/AKPJOKwwwzRYWQQEdVtKxAA==

5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/2fZOgaza7FWB0KouzttxEA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/eP7p7amj6UOAQB1iaTOjdw==
5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/HVJ3whplusWmlRf3r0CZdyxmQ==
5131.62	Tobacco - https://simbli.eboardsolutions.com/SU/ITUqleslshUZvmhzwogt8P3Ww==
5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==
5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/XT46XMcmU8mJQZPC1xpMfQ==
5141.21	Administering Medication And Monitoring Health Conditions - https://simbli.eboardsolutions.com/SU/slshplusvMQK2l4plusWZA4Xslsht0nhOA==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/NloHQDWcviplus6dLFcVFFo9Q==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/1fLNvPE0plussZLupslshmautkbw==
5144	Discipline - https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==
5144	Discipline - https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYCs4w==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspow==
5145.9	Hate-Motivated Behavior - https://simbli.eboardsolutions.com/SU/gkWOz5MEY6BcHX7a996lAQ==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/0JkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmshYRmlbkM9yFPPbpkow==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6142.91	Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/jHkplusBplusnL6sM6K6C8Zc5KUw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/pmsd7bmplSu6Rm8EpxeyPw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRKtGg==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iExwZ4UvyhY0uLg==

- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==>
- 6173 Education For Homeless Children -
<https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViayIIA==>
- 6176 Weekend/Saturday Classes -
<https://simbli.eboardsolutions.com/SU/5jms7slshX2fplus8DlzGDlaaMaw==>
- 6177 Summer Learning Programs -
<https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==>
- 6179 Supplemental Instruction -
<https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqIslshnQ==>

CSBA Sample Board Policy

REVISED

Students

BP 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following **optional** policy may be used by districts that operate their own preschool/early childhood education programs and/or collaborate to provide preschool opportunities within the community. CSBA's publication What Boards of Education Can Do about Kindergarten Readiness provides information about characteristics of effective preschool programs and actions that the district and Governing Board can take to encourage and/or provide high-quality preschool education.

Pursuant to AB 131 (Ch. 116, Statutes of 2021), the statutes that govern the California State Preschool Program (CSPP) were renumbered within the Education Code. In addition, pursuant to AB 131, the statutes that govern child care programs under the Child Care and Development Services Act were repealed from the Education Code and reenacted in the Welfare and Institutions Code. Education Code 8207, as added by AB 131, clarifies that the Superintendent of Public Instruction (SPI) and the California Department of Education (CDE) retain administrative supervision of the CSPP.

In December 2020, the SPI initiated the rulemaking process for revised implementing regulations for the CSPP. Once final, these regulations may affect this policy and the accompanying administrative regulation.

Education Code 8281.5, as added by AB 130 (Ch. 44, Statutes of 2021), establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at districts. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding CSPP programs or transitional kindergarten (TK) programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Pursuant to AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance. Education Code 8252, as amended and renumbered by AB 131, requires districts to waive family fees for all families receiving subsidized child care services from CSPP programs during the 2021-22 school year. See the accompanying administrative regulation for more information regarding waiver of fees.

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, **and** abilities, ~~and attributes~~

necessary for a successful transition into the elementary education program. The Board desires to provide a supervised, and cognitively rich environment **designed to facilitate the transition to kindergarten for three- and four-year-old children.**

Note: The following **optional** paragraphs may be used by all districts, regardless of whether they provide their own preschool programs, and may be revised to reflect district practice.

BP 5148.3(b)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

~~Education Code 8499-8499.7~~ **Welfare and Institutions Code 10480-10487** establish county-level child care and development planning councils, with members selected by the County Board of Supervisors and County Superintendent of Schools, to identify local priorities for child care, including preschool programs, and to develop policies to meet identified needs; see BP 5148 - Child Care and Development. Such councils may also develop centralized student eligibility lists; see section on "Enrollment Priority" in the accompanying administrative regulation.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

Note: The following **optional** section is for use by districts that choose to provide preschool/early childhood education programs for **three-year-old and four-year-old** children ~~ages 3-4 years~~ and should be revised to reflect district practice.

The district may contract with ~~the California Department of Education (CDE)~~ to offer a program through the ~~California State Preschool Program (CSPP)~~ pursuant to Education Code ~~8235-8239.1~~ **8200-8340**. ~~The CSPP consolidates a number of state programs that serve children ages 3-4, including state preschool programs (Education~~

~~Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children ages 3-4 (Education Code 8240-8244). Children ages 3-4 years~~ **Three-year-old and four-year-old children** from low-income or otherwise disadvantaged families may be eligible for subsidized services. See the accompanying administrative regulation for major program requirements for CSPP.

Pursuant to Education Code 8207, as amended by AB 131, CSPP programs may be part-day or full-day programs that are age and developmentally appropriate. See the accompanying administrative regulation for details.

Preschool programs may also receive funding through the state migrant child care and development program (~~Education Code 8230-8233~~ **Welfare and Institutions Code 10235-10238**), child care and development services for children with special needs program (~~Education Code 8250-8252~~ **Welfare and Institutions Code 10260-10263**), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or other funding sources available to the district.

BP 5148.3(c)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

Note: Pursuant to Health and Safety Code 1596.792, CSPP programs that are operated in a school building by a school district under contract with CDE are exempted from licensure and regulation requirements of Health and Safety Code 1596.70-1597.21. However, such CSPP programs are required to comply with other specified health and safety requirements, including the Field Act, California Building Standards Code, requirements for kindergarten classrooms specified in 5 CCR 14001-14306, and requirements for CSPP programs specified in 5 CCR 18000-18308.

Pursuant to Education Code 8205, as amended and renumbered by AB 131, any child under four years of age shall be served in a CSPP facility licensed in accordance with Title 22 of the California Code of Regulations.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs, including the requirement in 5 CCR 18271 that the Board approve a written philosophical statement, goals, and objectives addressing each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation and AR 5148 - Child Care and Development for further information about these required program components.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Note: Pursuant to Education Code 17375, as amended by AB 130 and AB 167 (Ch. 252, Statutes of 2021), districts may be awarded grants for the construction of new preschool classrooms or the modernization of existing preschool classrooms pursuant to the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program.

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

BP 5148.3(d)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: The following **optional** paragraph provides for coordination of the preschool program with the **transitional kindergarten (TK)** program and may be revised to reflect district practice. **Pursuant to Education Code 48000, as amended by AB 130 and AB 167, children whose fifth birthday is between September 2 and December 2 must be offered a TK program which operates as the first year of a two-year kindergarten requires districts receiving TK**

apportionment to offer to any child whose fifth birthday is between September 2 and December 2 a TK program as the first year of a two-year kindergarten program and revises the timespans for mandatory admittance requirements to be phased in starting in the 2022-23 school year to the 2025-2026 school year; see BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

Note: Pursuant to Education Code 48000, as amended by AB 130 and AB 167, a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program. Education Code 8205, as renumbered and amended by AB 131, clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose 5th birthday occurs after September 1 of the fiscal year in which they are enrolled in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (Education Code 8205, 48000)

(cf. 6011 - Academic Standards)

(cf. 6170.1 - Transitional Kindergarten)

Note: CDE has developed voluntary "preschool learning foundations" which describe the knowledge, skills, and competencies that children are expected to exhibit as they complete their first or second year of preschool. These standards address essential skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas

BP 5148.3(e)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

Note: Education Code 8203, as amended by AB 1363 (Ch. 498, Statutes of 2021), requires the quality indicators for CSPP programs to include activities and services that meet the needs of dual language learners for support in the development of their home language and English, and is reflected in the following paragraph.

The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (Education Code 8203)

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)

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

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs must include certain required components, as reflected in the accompanying administrative regulation.

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

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

(cf. 5030 - Student Wellness)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism **by families participating** in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

BP 5148.3(f)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code ~~8360-8370~~ **8205 and 8298, as renumbered and amended by AB 131**, and 5 CCR 80105-80125. The district may request from CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code ~~8208(aa)~~ **8205** and 5 CCR 18295.

Health and Safety Code 1596.7995 requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055 requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

~~Education Code 8450 authorizes the district to create a reserve fund and use 10 percent of it for purposes of professional development for CSPP instructional staff. Professional development resources pertaining to preschool/early childhood education are available through CDE and organizations such as the California Preschool Instructional Network.~~

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to the requirements of 5 CCR 18105. 5 CCR 18105 **mandates** that districts offering a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, as provided in the following paragraph. See the accompanying administrative regulation for additional language that fulfills this mandate.

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

Note: Education Code **8263-8208, 8210, and 8211, as amended and renumbered by AB 131**, and 5 CCR 18106 establish eligibility criteria and priorities for subsidized preschool services, as provided below and in the accompanying administrative regulation.

BP 5148.3(g)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Eligibility is generally limited to children who reside within district boundaries. However, Education Code **8322 8267, as amended and renumbered by AB 131**, and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code **8263 8208, 8210, and 8211** and 5 CCR 18106.

Note: The following paragraph is **optional**. Pursuant to Education Code **8235 8207, as amended and renumbered by AB 131**, programs operated under the CSPP **may be are** part-day **or full-day** programs **only**. ~~Education Code 8239 encourages the provision of "wraparound child care services" which combine part-day preschool and general child care services to provide a full day of services for qualifying families. See the accompanying administrative regulation for program requirements.~~

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's **part-day** preschool program is offered.

Note: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the local educational agency's expanding learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs. See BP 6170.1 - Transitional Kindergarten.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children

and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

Note: Pursuant AB 131, the Legislature allocated additional funds to provide subsidized child care and CSPP programs with COVID-19 pandemic-related assistance. To receive the additional funding, a CSPP program that is funded to be operational, but which is physically closed by local or state public health order or guidance due to the COVID-19 pandemic, is required to provide distance learning services as specified by CDE in Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors.

When a district CSPP program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning to preschool children when required to do so as a condition of funding or when required by law.

BP 5148.3(h)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Note: 5 CCR 18279-18281 require an annual evaluation using CDE's standardized "Desired Results for Children and Families" system. The system requires a self-evaluation that includes, but is not limited to, an assessment of the program by staff and the Board, a parent/**guardian** survey, and an environment rating scale using forms selected by CDE. In addition, every three years, CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency which reviews compliance with program requirements. The FPM/CMR instrument is available on CDE's web site.

Education Code 8203.1 establishes the early learning quality rating and improvement system (QRIS) block grant to support continuous local improvement efforts that increase the number of low-income children in high-quality preschool programs. Grant funds may be awarded to eligible local consortia, which then allocate funds to districts and other agencies contracting to provide CSPP programs. Pursuant to Education Code 8203.1, QRIS is based on a tiered rating structure with progressively higher quality standards for each tier. It is designed to (1) provide supports and incentives for programs, teachers, and administrators to reach higher levels of quality; (2) monitor and evaluate program impacts on child outcomes; and (3) disseminate information to parents/guardians and the public about program quality. For further information about the QRIS block grant, see CDE's web site and its publication [Dream Big for Our Youngest Children](#).

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

Note: The following paragraph is for use by districts that offer a CSPP program and may be revised to reflect the type(s) of programs offered by the district. Education Code **8235.5 8212, as renumbered by AB 131**, requires districts to use the uniform complaint procedures, with modifications as necessary, to investigate and resolve health and safety complaints in license-exempt CSPP programs. 5 CCR 4610 requires that such complaints be addressed

through the procedures described in 5 CCR 4690-4694, as added by Register 2020, No. 21. See BP/AR 1312.3 - Uniform Complaint Procedures.

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code **8235.5 8212**; 5 CCR 4610, 4611, 4690-4694)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

BP 5148.3(i)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference:

EDUCATION CODE

~~8200-8499.10 Child Care and Development Services Act, especially:~~

~~8200-8209 General provisions for child care and development services~~

~~8230-8233 Migrant child care and development program~~

~~8235-8239.1 California State Preschool Program~~

~~8240-8244 General child care and development programs~~

~~8250-8252 Programs for children with special needs~~

~~8263 Eligibility and priorities for subsidized child development services~~

~~8263.3 Disenrollment of families due to reduced funding levels~~

~~8264.8 Center-based child care programs, staffing ratios~~

~~8273.1 Family fees~~

~~8400-8409 Contracts, administrative appeal procedure~~

~~8493-8498 Facilities, capital outlay~~

~~8499.3-8499.7 Local child care and development planning councils~~

8200-8340 California State Preschool Program, especially:
8203.5 Contracts to provide child care and development services
8205 Definitions
8207 Administration; operation of programs; services
8208 Eligibility of three- or four-year-old child for state preschool program
8209 Physical examination and immunizations
8210 Priority for part-day programs
8211 Priority for full-day programs
8212 Complaints related to preschool health and safety issues
8213 Income eligibility
8214 Order of disenrollment
8217 Enrollment of four-year-old children in state preschool programs
8220-8221 Family literacy services
8241 Staffing ratios for center-based program
8252-8254 Family fees
8281.5 California Prekindergarten Planning and Implementation Grant Program
8298 Program director qualifications
17375 California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program
44065 Interchange between certificated and classified positions
44256 Credential types
48000 Transitional kindergarten
48985 Notification, primary language other than English
HEALTH AND SAFETY CODE
1596.70-1596.895 California Child Day Care Act
1596.90-1597.21 Day care centers
120325-120380 Immunization requirements

Legal Reference continued: (see next page)

BP 5148.3(j)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference: (continued)

WELFARE AND INSTITUTIONS CODE
10207-10490 Child Care and Development Services Act, especially:
10207-10215 General provisions
10217-10224.5 Resource and referral programs

10225-10234 Alternative payment programs

10235-10238 Migrant child care and development programs

10240-10243 General child care and development programs

10250-10252 Family child care home education networks

10260-10263 Child care and development services for children with special needs

10480-10487 Local planning councils

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4690-4694 Health and safety complaints in license-exempt preschool programs

18000-18434 Child care and development programs, especially:

18130-18136 California State Preschool Program

18272-18281 General Program Requirements

18295 Waiver of qualifications for site supervisor

80105-80125 Permits authorizing service in child development programs

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311-6322 Title I, relative to preschool

6371-6376 Early Reading First

6381-6381k Even Start family literacy programs

6391-6399 Education of migratory children

UNITED STATES CODE, TITLE 42

9831-9852c Head Start programs

9857-9858r Child Care and Development Block Grant

CODE OF FEDERAL REGULATIONS, TITLE 45

1301.1-1305.2 Head Start

Management Resources: (see next page)

BP 5148.3(k)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program Quality Requirements During the COVID-19 Pandemic, September 29, 2021

Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021

Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors, September 17, 2021

California Preschool Learning Foundations

Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality

Improvement System Advisory Committee, 2010

Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016

Good Start, Grow Smart, April 2002

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

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

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

California Department of Social Services: <https://www.cdss.ca.gov/>

California Head Start Association: <http://caheadstart.org>

California Preschool Instructional Network: <http://www.cpin.us>

Child Development Policy Institute: <http://www.cdpi.net>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>

First 5 Association of California: <http://www.ccfc.ca.gov>

National Institute for Early Education Research: <http://nieer.org>

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

(10/18 12/20) 12/21

Policy Reference UPDATE Service

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Policy 5148.3: Preschool/Early Childhood Education

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, abilities, and attributes necessary for a successful transition into the elementary education program. The Board desires to provide children ages 3-4 years access to developmentally appropriate activities in a safe, adequately supervised, and cognitively rich environment.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

(cf. 6011 - Academic Standards)

(cf. 6170.1 - Transitional Kindergarten)

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)

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

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

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

(cf. 5030 - Student Wellness)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR

18105; 22 CCR 101218)

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's part-day preschool program is offered.

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code 8235.5; 5 CCR 4610, 4611, 4690-4694)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

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

State References

Description

22 CCR 101151-101239.2	General requirements, licensed child care centers - https://simbli.eboardsolutions.com/SU/25FI2slsh36wTFm0vX8xZRbZg==
22 CCR 101212-101231	Continuing requirements - https://simbli.eboardsolutions.com/SU/H5IA5aJVfIBKHey0QgRA4A==
22 CCR 101237-101239.2	Facilities and equipment - https://simbli.eboardsolutions.com/SU/tHhaU35adyWpiEslshHV75I9Q==
5 CCR 18000-18434	Child care and development programs
5 CCR 18130-18136	California State Preschool Program
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 80105-80125	Commission on Teacher Credentialing, child care and development permits
Ed. Code 44065	Interchange between certificated and classified positions
Ed. Code 44256	Credential types
Ed. Code 48000	Transitional kindergarten
Ed. Code 48985	Notification, primary language other than English
Ed. Code 8200-8209	General provisions for child care and development services
Ed. Code 8200-8499.10	Child Care and Development Services Act

Ed. Code 8230-8233	Migrant child care and development program
Ed. Code 8235-8239.1	California State Preschool Program
Ed. Code 8240-8244	General child care and development programs
Ed. Code 8250-8252	Programs for children with special needs
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.3	Disenrollment of families due to reduced funding levels
Ed. Code 8264.8	Center-based child care programs, staffing ratios
Ed. Code 8273.1	Family fees
Ed. Code 8360-8370	Personnel qualifications
Ed. Code 8400-8409	Contracts, administrative appeal procedure
Ed. Code 8493-8498	Facilities, capital outlay
Ed. Code 8499.3-8499.7	Local child care and development planning councils
H&S Code 120325-120380	Immunization requirements
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers

Federal References

20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311-6322	Title I, relative to preschool
20 USC 6371-6376	Early Reading First
20 USC 6381-6381k	Even Start Family Literacy Program
20 USC 6391-6399	Education of migratory children
42 USC 9831-9852c	Head Start programs
42 USC 9857-9858r	Child Care and Development Block Grant
45 CFR 1301.1-1305.2	Head Start

Description

Management Resources References

Management Resources References	Description
California Department of Education Publication	Prekindergarten Learning Development Guidelines, 2000
California Department of Education Publication	Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009
California Department of Education Publication	First Class: A Guide for Early Primary Education, 1999
California Department of Education Publication	Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010
California Department of Education Publication	California Preschool Learning Foundations
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
U.S. Department of Education Publication	Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016
U.S. Department of Education Publication	Good Start, Grow Smart, April 2002
Website	National Institute for Early Education Research - https://simbli.eboardsolutions.com/SU/pplusslshPZjf4uPW5p0kSwjUDslshg==
Website	California Association for the Education of Young Children - https://simbli.eboardsolutions.com/SU/r0qvYzEWUcRnpQGzFMfChw==
Website	California Head Start Association - https://simbli.eboardsolutions.com/SU/cEC8h6islsh8MaZGvA9AXzE7A==

Website	California Preschool Instructional Network - https://simbli.eboardsolutions.com/SU/N3QGi0WWttDd0nJwtrINew==
Website	Child Development Policy Institute - https://simbli.eboardsolutions.com/SU/JcRQgQP6XSt92dn6KuXCHw==
Website	First 5 California - https://simbli.eboardsolutions.com/SU/sEYslsh3n3gnmyslsh1pLxXzislsrQ==
Website	California County Superintendents Educational Services Association - https://simbli.eboardsolutions.com/SU/FJy7Gf2djdDpluso3aMdrnckQ==
Website	Cities, Counties and Schools Partnership - https://simbli.eboardsolutions.com/SU/makXEsuA78ItxmYCEXg7RA==
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Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeF40hG2l4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCvkVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDk0g==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qie1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshlhcPcKReyWt0R0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQlrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauvp8P9pTGvA==
3541	Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/7N9bBLdH2rplusLh3dBRI3O1g==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9Lal1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyeplusb4fV7OWe2gJqdyg==

4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/h2UUClqR6nWn8M9XHik1FQ==
5020	Parent Rights And Responsibilities - https://simbli.eboardsolutions.com/SU/slshWYDIkeWFYgAPyDeQIHP1g==
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5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
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5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
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5141.26	Tuberculosis Testing - https://simbli.eboardsolutions.com/SU/2I6VGcQ4GcfNVkCB4PkdWQ==
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5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==
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5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/OJkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1zBmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==

- 6170.1 Transitional Kindergarten -
<https://simbli.eboardsolutions.com/SU/A4MkNKCOvj3FKslshVo2lslshWqg==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
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- 6173 Education For Homeless Children -
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- 6175 Migrant Education Program -
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- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8elBplusplusRvrBTViaylIA==>

CSBA Sample

Administrative Regulation

REVISED

Students

AR 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

Note: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code ~~8235-8239.1~~ **8200-8340, as renumbered and amended by AB 131 (Ch. 116, Statutes of 2021)**. ~~The CSPP consolidates state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children 3-4 years of age (Education Code 8240-8244).~~

The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (~~Education Code 8230-8233~~ **Welfare and Institutions Code 10235-10238, as renumbered and amended by AB 131**), child care and development services for children with special needs program (~~Education Code 8250-8252~~ **Welfare and Institutions Code 10260-10263, as renumbered and amended by AB 131**), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

In addition to the program requirements described below, **other district policies may be applicable to** preschool programs ~~as may be subject to other policies~~ contained throughout the district's policy manual. ~~(e.g. See~~ BP/AR 1240 - Volunteer Assistance, AR 3514.2 - Integrated Pest Management, BP/AR 3550 - Food Service/Child Nutrition Program, and BP/AR 5148 - Child Care and Development. Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's preschool program.

Education Code 8205, as amended by AB 131, clarifies that four-year-old children who are eligible to participate in a CSPP program include those children whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a California State Preschool Program (CSPP) and whose parent/guardian has opted to retain or enroll such child in a CSPP program.

***Three-year-old children* means children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a program approved by the California Department of Education (CDE) under the California State Preschool Program (CSPP). Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a CSPP program on or after their third birthday. (Education Code 8205)**

***Four-year-old children* means children who will have their fourth birthday on or before December 1 of the fiscal year in which they are enrolled in a CSPP program, or a child whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled**

in a CSPP program and whose parent or guardian has opted to retain or enroll them in a CSPP program. (Education Code 8205)

When approved by ~~the California Department of Education (CDE)~~ under the ~~California State Preschool Program (CSPP)~~, the district may operate one or more part-day **or full-day** preschool programs in accordance with law and the terms of its contract with CDE.

AR 5148.3(b)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 5148 - Child Care and Development)

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs must include certain required components, as reflected in Items 1-7 below. Item 8 is a recommended practice that may be revised to reflect the district's program.

The district's CSPP program shall include all of the following: (Education Code 8207)

- 1. Age and developmentally appropriate activities for children**
- 2. Supervision**
- 3. Parenting education and parent engagement**
- 4. Social services that include, but are not limited to, identification of child and family needs and referral to appropriate agencies**
- 5. Health services**
- 6. Nutrition**
- 7. Training and career ladder opportunities, documentation of which shall be provided to CDE**
- 8. Physical activity to support children's health**

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs. These requirements include, but are not limited to, the program components listed in 5 CCR 18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.

Pursuant to Education Code 8203.5, as amended and renumbered by AB 131, contracts between the California Department of Education (CDE) and districts for CSPP programs must include a requirement that a developmental profile be maintained for each child.

The district's preschool program shall include all required program components, ~~as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development,~~ for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation, ~~as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development. (5 CCR 18271-28281)~~

AR 5148.3(c)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Minimum Hours/Days of Operation

Note: Pursuant to Education Code 8207, as amended and renumbered by AB 131, CSPP programs may be part-day or full-day. The following section may be revised to reflect district programs.

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. **(Education Code 8207; 5 CCR 18136)**

The district's full-day program shall operate for a minimum of 246 days per year, unless the contract specifies a lower number of days of operation. (Education Code 8207)

Staffing

Note: Education Code 8241, as amended and renumbered by AB 131, provides staffing ratios that apply until the Superintendent of Public Instruction (SPI) promulgates regulations to establish such ratios for center-based programs. Pursuant to Education Code 8241, CSPP programs must maintain a ratio of at least one adult to every eight children and at least one teacher to every 24 children.

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. ~~If the district~~

~~cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (Education Code 8241, 5 CCR 18135, 18290)~~

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Note: Health and Safety Code 1596.7995 requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055 adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code 1596.7995.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

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(cf. 0470 - COVID-19 Mitigation Plan)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

~~Wraparound Child Care Services~~

~~Note: The following section is optional. Because preschool programs operated under the CSPP are part-day programs only, Education Code 8329 encourages districts to contract with the California Department of Education (CDE) to offer "wraparound child care services" which combine preschool and general child care services to provide a full day of services for eligible families. Such programs must be consistent with requirements for general child~~

~~care and development programs offered pursuant to Education Code 8240-8244; see BP/AR 5148 – Child Care and Development.~~

~~In accordance with its contract with CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)~~

~~Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. Within this period of time, the part-day preschool program shall operate 175-180 days. After the completion of the preschool program, a part-time general child care and development program may operate a full day for the remainder of the year. (Education Code 8239)~~

Family Literacy Services

Note: The following section is **optional**. Contingent upon funding in the state Budget Act, Education Code ~~8238 and 8238.4 8220 and 8221, as renumbered by AB 131,~~ provide for the ~~Superintendent of Public Instruction SPI~~ to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district preschool program receives funding for family literacy services pursuant to Education Code ~~8238.4-8221,~~ the Superintendent or designee shall coordinate the provision of: (Education Code ~~8238-8220~~)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

2. Parenting education for parents/guardians of children in participating classrooms to support their child's development of literacy skills, including, but not limited to, parent education in:

- a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children
 - d. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve academic skills of parents/guardians

(cf. 6200 - Adult Education)

4. Staff development for teachers in participating classrooms that includes, but is not limited to:
- a. Development of a pedagogical knowledge, including, but not limited to, improved instructional and behavioral strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms
 - c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
 - d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment Priorities for Part-Day CSPP Programs

Note: **Education Code 8208, as amended and renumbered by AB 131, revises the eligibility criteria and enrollment priorities for part-day CSPP programs and adds eligibility criteria and enrollment priorities for full-day CSPP programs.** The following section reflects eligibility criteria and enrollment

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

priorities for the **part-day CSPP programs** pursuant to state law and regulations. **See the section on "Eligibility and Enrollment Priorities for Full-Day CSPP Programs" below for full-day program requirements.**

5 CCR 18105 **mandates** that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, including, but not limited to, criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted.

Children eligible for the district's CSPP program include those who will have their third or fourth birthday on or before December 1 of the fiscal year that they are being served. Children who have their third birthday on or after December 2 may be enrolled on or after their third birthday. (Education Code 8208, 8235, 8236)

A three-year-old or four-year-old child is eligible for a part-day CSPP program if the child's family is one of the following: (Education Code 8208)

- 1. A current aid recipient**
- 2. Income eligible**
- 3. Homeless**
- 4. One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected or exploited**

After all eligible three- and four-year-old children have been enrolled as provided above, a part-day CSPP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Education Code 8213. No more than 10 percent of all the children enrolled in the CSPP program shall be from families above the income eligibility threshold. (Education Code 8208)

In addition, after all otherwise eligible children have been enrolled as provided in the paragraphs above, a part-day CSPP program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children are children with disabilities. Such children with disabilities enrolled in part-day CSPP program shall not count towards the 10-percent limit described above. (Education Code 8208)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

A CSPP program operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced price lunch may enroll four-year-old children after all otherwise eligible children have been enrolled as provided in the paragraphs above. (Education Code 8208 and 8217)

The district shall certify eligibility and enroll families into their program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to enrollment, a child shall be deemed eligible for a part-day CSPP program for the remainder of the program year. (Education Code 8208)

The district shall give priority for part-day CSPP programs as follows: (Education Code 8210)

1. The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If the district is unable to enroll a child in this first priority category, the district shall refer the child's parent/guardian to local resources and referral services so that services for the child can be located.

2. The second priority for services shall be given to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten (TK) program. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent of Public Instruction (SPI) at the time of enrollment, shall be enrolled first.

If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child with disabilities shall be enrolled

first. If there are no families with a child with disabilities, the child that has been on the waiting list for the longest time shall be admitted first.

3. The third priority shall be given to eligible three-year-old children. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

4. The fourth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

eligibility income threshold, as described in Education Code 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.

5. The fifth priority, after all otherwise eligible children have been enrolled, shall be a child with disabilities whose family's income is above the income eligibility threshold, as described in Education Code 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.

6. After all otherwise eligible children have been enrolled in the first through fifth priority categories, as described in Items #1-5 above, a CSPP program site operating within the attendance boundary of a school where at least 80 percent of students are eligible for free and reduced price lunch as described in Education Code 8217 may enroll any four-year-old children whose families reside within the attendance boundary of the qualified elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

Eligibility and Enrollment Priorities for Full-Day CSPP Programs

Note: Pursuant to Education Code 8208, as amended and renumbered by AB 131, districts may operate full-day CSPP programs. Education Code 8211, as added by AB 131, sets eligibility criteria and enrollment priorities for full-day CSPP programs.

A three-year-old or four-year-old child is eligible for a full-day CSPP program if the family meets both of the following requirements: (Education Code 8208)

1. The child's family is a current aid recipient, income eligible, homeless, or one whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected, or exploited.

2. The child's family needs the childcare services because of either the following:

a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services; as being or at risk of being neglected, abused, or exploited; or as being homeless

b. The parents/guardians are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

in an educational program for English language learners or to attain a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

After all families meeting the criteria specified in Items #1 and 2 above have been enrolled, a full-day CSPP program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria in Item #2 above. (Education Code 8208)

After all otherwise eligible children have been enrolled as provided above, a CSPP program operating within the attendance boundary of a school where at least 80 percent of students

are eligible for free and reduced price lunch as described in Education Code 8217 may enroll any four-year-old child. (Education Code 8208)

Upon establishing initial eligibility or ongoing eligibility for a full-day CSPP program, a family shall be considered to meet all eligibility and need requirements for those services for not less than 12 months, shall receive those services for not less than 12 months before having eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 12 months. However, a family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Education Code 8213, and the family's ongoing eligibility for services shall at that time be recertified. In addition, a family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of the family's eligibility before recertification. (Education Code 8208)

To be eligible for subsidized services, families shall meet at least one requirement in each of the following areas: (Education Code 8235, 8239, 8263, 8263.1)

1. — The family is a current aid recipient, income eligible, homeless, and/or one whose children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited.

2. — The family needs child care services due to either of the following circumstances:

a. — The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless.

(cf. 6173 - Education for Homeless Children)

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b. — The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or for the attainment of a high school diploma or general educational development certificate; are employed or seeking

employment; are seeking permanent housing for family stability; or are incapacitated.

Note: Pursuant to Education Code 8263, as amended by SB 75 (Ch. 51, Statutes of 2019), a family may be eligible for a full-day CSPP program without meeting the requirements related to the need for child care services if all families meeting those requirements have been enrolled.

If all families meeting at least one of the criteria specified in item #2 have been enrolled, a full-day CSPP program may provide services to families who do not meet any of those criteria, provided the criteria in item #1 are met. (Education Code 8263)

Enrollment Priority

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5 **Welfare and Institutions Code 10231**, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children ages 3-4 who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236, 8236.3; 5 CCR 18131)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

After all children with first priority are enrolled, the district shall give second priority to eligible children 4 years of age who are not enrolled in a transitional kindergarten (TK) program prior to enrolling eligible children 3 years of age. (Education Code 8236, 8236.3)

Note: Education Code 8236.3 **8217**, as added by SB 75, establishes enrollment priorities for schools where at least 80 percent of students are eligible for free or reduced-price meals. First and second priority for enrollment in such programs is the same as for other programs as described in the preceding two paragraphs.

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

If a CSPP program is operating within the attendance boundaries of a school where at least 80 percent of the students are eligible for free or reduced-price meals, third priority for enrollment shall be for families who meet the criteria of Education Code 8263 specified in items #1-2 in the section "Eligibility" above. Any remaining slots may be open to any families not otherwise eligible, provided that the families prove residency within the attendance boundary of the school and priority is given to families with the lowest income. (Education Code 8236.3)

Note: Education Code 8235 allows CSPP programs to provide services to children with disabilities whose family income is above the income eligibility threshold. Such children do not count towards the 10 percent limitation for otherwise ineligible children as described below.

After all otherwise eligible children have been enrolled, the program may provide services to children with disabilities who are ages 3-4 and whose family income is above the income eligibility threshold. (Education Code 8235)

In addition, after enrolling all eligible children, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income exceeds the income eligibility threshold by no more than 15 percent. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to **Education Code 8499.5 Welfare and Institutions Code 10231**, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

Notice of Action

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.

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Upon receiving a parent/guardian's application for services, the Superintendent or designee shall review the application and documentation and shall certify the eligibility of the family or child.

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Parent Hearing" below.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Parent Hearing" below.

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the parent/guardian no longer wants the service

4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

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PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file including, but not limited to, a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR **18081, 18084**, 18130, 18133, ~~18081, 18084~~)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Combined Preschool/Transitional Kindergarten Classroom

Note: Education Code **8235-8207, as amended and renumbered by AB 131**, and 48000 allow districts to place 4-year-old children enrolled in a CSPP program into a TK program and to commingle children from both programs in the same classroom as long as all of the requirements of each program are met and the district adheres to the requirements listed in the following section. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the TK program pursuant to Education Code 48000.

When a child is eligible for both the preschool program and the district's TK program, the district may place the child in a classroom which is commingled with children from both programs as long as the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code **8235-8207**, 48000)

1. An early childhood environment rating scale, as specified in 5 CCR 18281, shall be completed for the classroom.

2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272.
3. The classroom shall be taught by a teacher who holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256.
4. The classroom shall comply with the adult-child ratio specified in Education Code 8264.8.
5. Contractors of the district shall report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068.
6. The classroom shall not include children enrolled in TK for a second year or children enrolled in a regular kindergarten classroom.

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(cf. 5111 - Admission)

(cf. 6170.1 - Transitional Kindergarten)

Fees and Charges

Fees for participation in the district's **full-day CSPP preschool** program shall be assessed and collected in accordance with the fee schedule established by the **Superintendent of Public Instruction (SPI) in conjunction with the California Department of Social Services.** (Education Code **8273-8252**; 5 CCR 18078)

Note: Pursuant to AB 131, the Legislature allocated additional funds to provide subsidized child care to families and to provide CSPP programs with COVID-19 pandemic-related assistance. Education Code 8252, as amended by AB 131, provides that family fees may not be collected for families receiving subsidized child care services from CSPP programs administered by CDE for the 2021-2022 school year.

According to CDE Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, families must promptly receive a refund for any fees collected for the month of July 2021 and any families disenrolled due to delinquent family fees for fiscal year 2021-22 must be promptly reenrolled if the family so desires.

However, for the 2021-2022 school year, family fees shall not be collected as specified in Education Code 8252.

(cf. 3260 - Fees and Charges)

However, In addition, no fee shall be charged to an **income**-eligible family whose child is enrolled in a part-day preschool program or a family that is receiving CalWORKs cash aid. (Education Code **8273.1-8253**; 5 CCR 18110)

A family may be exempt from the fees for up to 12 months if the child qualifies for preschool on the basis of being the recipient of child protective services or as being, or at risk of being, abused or neglected. (Education Code **8253**)

Note: Education Code **8273.3-8254, as amended and renumbered by AB 131,** authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but **mandates** that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code **8273.3-8254,** the fees cannot exceed \$25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers and/or whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A

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child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code **8273.3 8254**)

Disenrollment Based on Reduced Funding

Note: Education Code **8263.3 8214, as amended and renumbered by AB 131,** specifies the order by which families will be disenrolled from **subsidized preschool services child care and development services** when funding levels are reduced. **The following list applies that order of disenrollment to CSPP programs but takes into account the priority specified in Education Code 8236 to enroll children 4 years of age before enrolling children 3 years of age.**

When necessary to disenroll families from subsidized preschool services, ~~When necessary due to a reduction in state reimbursements,~~ families shall be disenrolled in **reverse priority order for services as specified in Education Code 8210 and 8211 and as described above in the sections "Eligibility and Enrollment Priority for Part-Day CSPP Programs" and "Eligibility and Enrollment Priority for Full-Day CSPP Programs." (Education Code 8214)**

~~the following order: (Education Code 8236, 8263.3)~~

~~1. Children 3 years of age whose families have the highest income in relation to family size shall be disenrolled first, followed by children 4 years of age whose families have the highest income in relation to family size.~~

~~At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.~~

~~2. Families of children 3 or 4 years of age who are receiving child protective services or who have been documented to be at risk of being neglected or abused, regardless of income, shall be disenrolled last.~~

Expulsion/Unenrollment Based on Behavior

A district preschool program shall not expel or unenroll a child based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Education Code ~~8239.1~~ **8222**)

1. Inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher in an effort to maintain the child's safe participation in the program

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2. If the child has an individualized family service plan (IFSP) or individualized education program (IEP), with written parent/guardian consent, contact the agency or

district employee responsible for such plan or program to seek consultation in regard to serving the child

(cf. 6159 - Individualized Education Program)

3. If the child does not have an IFSP or IEP, consider if it is appropriate to complete a universal screening of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, implementing behavior supports within the program, and considering an IEP for the child

If the district has taken the actions specified in items #1-3 above and the child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. **The district may then unenroll the child. The district shall have up to 180 days to complete the actions described above. Within 180 days of the start of the process, the district may unenroll the child.** (Education Code ~~8239.1~~ **8222**)

Note: A joint statement by the U.S. Department of Education and U.S. Department of Health and Human Services, [Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings](#), clarifies that preschool children with disabilities who are eligible for services under the Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482) are entitled to the same disciplinary protections that apply to all other IDEA-eligible students with disabilities, may not be subjected to impermissible disciplinary changes of placement for misconduct that is caused by or related to their disability, and must continue to receive educational services consistent with their right to a free appropriate public education. The statement indicates the need for the child's individualized education program (IEP) team to consider the use of positive behavioral interventions and supports when developing or modifying the IEP to reduce the need for discipline of a child with disabilities and avoid suspension or expulsion from a preschool program.

Children with disabilities may only be suspended or expelled in conformance with the procedures and limitations of the Individuals with Disabilities Education Act.

Parent Hearing

Note: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

If a parent/guardian disagrees with any district action to deny the child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise

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change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to CDE. (5 CCR 18120-18122)

(10/18 12/20) 12/21

Policy Reference UPDATE Service

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Regulation 5148.3: Preschool/Early Childhood Education

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

When approved by the California Department of Education (CDE) under the California State Preschool Program (CSPP), the district may operate one or more part-day preschool programs in accordance with law and the terms of its contract with CDE.

(cf. 5148 - Child Care and Development)

The district's preschool program shall include all required program components, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development, for the educational program, the creation of a developmental profile for each child, staff development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation. (5 CCR 18271-28281)

Minimum Hours/Days of Operation

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. (Education Code 8235; 5 CCR 18136)

Staffing

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (5 CCR 18135, 18290)

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

Wraparound Child Care Services

In accordance with its contract with CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)

Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. Within this period of time, the part-day preschool program shall operate 175-180 days. After the completion of the preschool program, a part-time general child care and development program may operate a full day for the remainder of the year. (Education Code 8239)

Family Literacy Services

When any district preschool program receives funding for family literacy services pursuant to Education Code 8238.4, the Superintendent or designee shall coordinate the provision of: (Education Code 8238)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development
2. Parenting education for parents/guardians of children in participating classrooms to support their child's development of literacy skills, including, but not limited to, parent education in:
 1. Providing support for the educational growth and success of their children
 2. Improving parent-school communications and parental understanding of school structures and expectations
 3. Becoming active partners with teachers in the education of their children
 4. Improving parental knowledge of local resources for the identification of and services for developmental disabilities, including, but not limited to, contact information for the district special education referral
3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve academic skills of parents/guardians
(cf. 6200 - Adult Education)
4. Staff development for teachers in participating classrooms that includes, but is not limited to:
 - a. Development of a pedagogical knowledge, including, but not limited to, improved instructional and behavioral strategies
 - b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms
 - c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities
 - d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility

Children eligible for the district's CSPP program include those who will have their third or fourth birthday on or before December 1 of the fiscal year that they are being served. Children who have their third birthday on or after December 2 may be enrolled on or after their third birthday. (Education Code 8208, 8235, 8236)

To be eligible for subsidized services, families shall meet at least one requirement in each of the following areas: (Education Code 8235, 8239, 8263, 8263.1)

1. The family is a current aid recipient, income eligible, homeless, and/or one whose children are recipients of protective services or have been identified as being, or at risk of being, abused, neglected, or exploited.
2. The family needs child care services due to either of the following circumstances:
 - a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless.

(cf. 6173 - Education for Homeless Children)

- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are engaged in an educational program for English language learners or for the attainment of a high school diploma or general educational development certificate; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

If all families meeting at least one of the criteria specified in item #2 have been enrolled, a full-day CSPP program may provide services to families who do not meet any of those criteria, provided the criteria in item #1 are met. (Education Code 8263)

Enrollment Priority

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children ages 3-4 who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236, 8236.3; 5 CCR 18131)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

After all children with first priority are enrolled, the district shall give second priority to eligible children 4 years of age who are not enrolled in a transitional kindergarten (TK) program prior to enrolling eligible children 3 years of age. (Education Code 8236, 8236.3)

If a CSPP program is operating within the attendance boundaries of a school where at least 80 percent of the students are eligible for free or reduced-price meals, third priority for enrollment shall be for families who meet the criteria of Education Code 8263 specified in items #1-2 in the section "Eligibility" above. Any remaining slots may be open to any families not otherwise eligible, provided that the families prove residency within the attendance boundary of the school and priority is given to families with the lowest income. (Education Code 8236.3)

After all otherwise eligible children have been enrolled, the program may provide services to children with disabilities who are ages 3-4 and whose family income is above the income eligibility threshold. (Education Code 8235)

In addition, after enrolling all eligible children, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income exceeds the income eligibility threshold by no more than 15 percent. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

Notice of Action

Upon receiving a parent/guardian's application for services, the Superintendent or designee shall review the application and documentation and shall certify the eligibility of the family or child.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that the parent/guardian no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file including, but not limited to, a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 18130, 18133, 18081, 18084)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Combined Preschool/Transitional Kindergarten Classroom

When a child is eligible for both the preschool program and the district's TK program, the district may place the child in a classroom which is commingled with children from both programs as long as the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code 8235, 48000)

1. An early childhood environment rating scale, as specified in 5 CCR 18281, shall be completed for the classroom.
2. All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272.
3. The classroom shall be taught by a teacher who holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256.
4. The classroom shall comply with the adult-child ratio specified in Education Code 8264.8.
5. Contractors of the district shall report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068.
6. The classroom shall not include children enrolled in TK for a second year or children enrolled in a regular kindergarten classroom.

(cf. 5111 - Admission)

(cf. 6170.1 - Transitional Kindergarten)

Fees and Charges

Fees for participation in the district's preschool program shall be assessed and collected in accordance with the fee

schedule established by the Superintendent of Public Instruction (SPI). (Education Code 8273; 5 CCR 18078)

(cf. 3260 - Fees and Charges)

However, no fee shall be charged to an income-eligible family whose child is enrolled in a part-day preschool program or a family that is receiving CalWORKs cash aid. (Education Code 8273.1; 5 CCR 18110)

A family may be exempt from the fees for up to 12 months if the child qualifies for preschool on the basis of being the recipient of child protective services or as being, or at risk of being, abused or neglected. (Education Code 8273.1)

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers and/or whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment Based on Reduced Funding

When necessary due to a reduction in state reimbursements, families shall be disenrolled in the following order: (Education Code 8236, 8263.3)

1. Children 3 years of age whose families have the highest income in relation to family size shall be disenrolled first, followed by children 4 years of age whose families have the highest income in relation to family size.

At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.

2. Families of children 3 or 4 years of age who are receiving child protective services or who have been documented to be at risk of being neglected or abused, regardless of income, shall be disenrolled last.

(cf. 6159 - Individualized Education Program)

Expulsion/Unenrollment Based on Behavior

A district preschool program shall not expel or unenroll a child based on the child's behavior, unless the district first takes the following actions to address the child's behavior: (Education Code 8239.1)

1. Inform the parents/guardians of the child's persistent and serious challenging behaviors and consult with the parents/guardians and teacher in an effort to maintain the child's safe participation in the program
2. If the child has an individualized family service plan (IFSP) or individualized education program (IEP), with written parent/guardian consent, contact the agency or district employee responsible for such plan or program to seek consultation in regard to serving the child
3. If the child does not have an IFSP or IEP, consider if it is appropriate to complete a universal screening of the child, including, but not limited to, screening the child's social and emotional development, referring the parents/guardians to community resources, implementing behavior supports within the program, and considering an IEP for the child

If the district has taken the actions specified in items #1-3 above and the child's continued enrollment would present a serious safety threat to the child or other enrolled children, the district shall refer the parents/guardians to other potentially appropriate placements, the local child care resource and referral agency, or any other referral service available in the local community. Within 180 days of the start of the process, the district may unenroll the child. (Education Code 8239.1)

Children with disabilities may only be suspended or expelled in conformance with the procedures and limitations of the Individuals with Disabilities Education Act.

Parent Hearing

If a parent/guardian disagrees with any district action to deny the child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, the parent/guardian may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, the parent/guardian may, within 14 calendar days, appeal the decision to CDE. (5 CCR 18120-18122)

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

State References

Description

22 CCR 101151-101239.2	General requirements, licensed child care centers - https://simbli.eboardsolutions.com/SU/25FI2slsh36wTFm0vX8xZRbZg==
22 CCR 101212-101231	Continuing requirements - https://simbli.eboardsolutions.com/SU/H5IA5aJVfIBKHey0QgRA4A==
22 CCR 101237-101239.2	Facilities and equipment - https://simbli.eboardsolutions.com/SU/tHhaU35adyWpiEslshHV75I9Q==
5 CCR 18000-18434	Child care and development programs
5 CCR 18130-18136	California State Preschool Program
5 CCR 18295	Waiver of qualifications for site supervisor
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 80105-80125	Commission on Teacher Credentialing, child care and development permits
Ed. Code 44065	Interchange between certificated and classified positions
Ed. Code 44256	Credential types
Ed. Code 48000	Transitional kindergarten
Ed. Code 48985	Notification, primary language other than English
Ed. Code 8200-8209	General provisions for child care and development services
Ed. Code 8200-8499.10	Child Care and Development Services Act
Ed. Code 8230-8233	Migrant child care and development program
Ed. Code 8235-8239.1	California State Preschool Program
Ed. Code 8240-8244	General child care and development programs
Ed. Code 8250-8252	Programs for children with special needs
Ed. Code 8263	Eligibility and priorities for subsidized child development services
Ed. Code 8263.3	Disenrollment of families due to reduced funding levels
Ed. Code 8264.8	Center-based child care programs, staffing ratios
Ed. Code 8273.1	Family fees
Ed. Code 8360-8370	Personnel qualifications

Ed. Code 8400-8409	Contracts, administrative appeal procedure
Ed. Code 8493-8498	Facilities, capital outlay
Ed. Code 8499.3-8499.7	Local child care and development planning councils
H&S Code 120325-120380	Immunization requirements
H&S Code 1596.70-1596.895	California Child Day Care Act
H&S Code 1596.90-1597.21	Day care centers

Federal References

20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 6311-6322	Title I, relative to preschool
20 USC 6371-6376	Early Reading First
20 USC 6381-6381k	Even Start Family Literacy Program
20 USC 6391-6399	Education of migratory children
42 USC 9831-9852c	Head Start programs
42 USC 9857-9858r	Child Care and Development Block Grant
45 CFR 1301.1-1305.2	Head Start

Description

Management Resources References

	Description
California Department of Education Publication	Prekindergarten Learning Development Guidelines, 2000
California Department of Education Publication	Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009
California Department of Education Publication	First Class: A Guide for Early Primary Education, 1999
California Department of Education Publication	Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010
California Department of Education Publication	California Preschool Learning Foundations
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
U.S. Department of Education Publication	Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016
U.S. Department of Education Publication	Good Start, Grow Smart, April 2002
Website	National Institute for Early Education Research - https://simbli.eboardsolutions.com/SU/pplusslshPZjf4uPW5p0kSwjUDslshg==
Website	California Association for the Education of Young Children - https://simbli.eboardsolutions.com/SU/r0qvYzEWUcRnpQGzFMfChw==
Website	California Head Start Association - https://simbli.eboardsolutions.com/SU/cEC8h6islsh8MaZGvA9AXzE7A==
Website	California Preschool Instructional Network - https://simbli.eboardsolutions.com/SU/N3QGi0WWttDd0nJwtrINew==
Website	Child Development Policy Institute - https://simbli.eboardsolutions.com/SU/JcRQgQP6XSt92dn6KuXCHw==
Website	First 5 California - https://simbli.eboardsolutions.com/SU/sEYslsh3n3gnmyslsh1pLxXzislshRQ==
Website	California County Superintendents Educational Services Association - https://simbli.eboardsolutions.com/SU/FJy7Gf2dJxDpluso3aMdrnckQ==
Website	Cities, Counties and Schools Partnership - https://simbli.eboardsolutions.com/SU/makXEsuA78ltxmYCEXg7RA==

Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==

Cross References

Description

1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2I4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCykVahHQ==
1330	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDkOg==
1330-E(1)	Use Of School Facilities - https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==
1330.1	Joint Use Agreements - https://simbli.eboardsolutions.com/SU/Q9uum7Qie1RKInyyMCvRYA==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshlhcPcKReyWt0R0w==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVvKlqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdlfWd1d1YKcqBTg==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQIrdQ6mqHw==
3280	Sale Or Lease Of District-Owned Real Property - https://simbli.eboardsolutions.com/SU/rCoU3YDeQjauvp8P9pTGvA==
3541	Transportation Routes And Services - https://simbli.eboardsolutions.com/SU/7N9bBLdH2rplusLh3dBRI3O1g==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/x6z14fFB8Ac4fASZ9Lal1w==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/FDEyeplusb4fV7OWe2gJqdyg==
4112	Appointment And Conditions Of Employment - https://simbli.eboardsolutions.com/SU/h2UUClqR6nWn8M9XHik1FQ==
5020	Parent Rights And Responsibilities - https://simbli.eboardsolutions.com/SU/slshWYDIkeWFYgAPyDeQIHP1g==
5020	Parent Rights And Responsibilities - https://simbli.eboardsolutions.com/SU/R3U5JpeoplusoVTWmp6aTfsw==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
5111	Admission - https://simbli.eboardsolutions.com/SU/Ny7YU3vDyLU4bVvSmqWfMg==

5111	Admission - https://simbli.eboardsolutions.com/SU/ggCIQfDwslshpV97BtplusBPZYpA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVEslshLqbFg==
5141.26	Tuberculosis Testing - https://simbli.eboardsolutions.com/SU/2I6VGcQ4GcfNVkCB4PkdWQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/jgOyR5ZG6oxquyYQgJUHxw==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/1KEcWg3tdaMShap3A6rQIA==
5141.32	Health Screening For School Entry - https://simbli.eboardsolutions.com/SU/nXFGAlcdg5TseX0vSC3nyw==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KzxmngnveoordTPegwXZQg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esIT8pQ==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/0JkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmshYRmlbkM9yFPPbpkow==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==
6164.4	Identification And Evaluation Of Individuals For Special Education - https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==
6170.1	Transitional Kindergarten - https://simbli.eboardsolutions.com/SU/A4MkNKCOvj3FKslshVo2IslshWqg==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcHOQQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==

6175

Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>

6175

Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8eiBplusplusRvrBTViayIIA==>

CSBA Sample

Administrative Regulation

REVISED

Students

AR 5125(a)

STUDENT RECORDS

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Note: Guidance issued by the U.S. Department of Education (USDOE) and U.S. Department of Health and Human Services clarifies that a student's immunization and health record maintained by the district is a "student record" subject to the Family Educational Rights and Privacy Act (FERPA).

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information

(*cf.* 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

Note: USDOE guidance, Balancing Student Privacy and School Safety, clarifies that records created by the district's law enforcement unit, such as student images appearing on security videotapes, are not considered student records under FERPA as long as the records are created for a law enforcement purpose.

3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

AR 5125(b)

STUDENT RECORDS (continued)

4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family

Note: Pursuant to 34 CFR 99.3, the definition of "personally identifiable information" includes a personal identifier such as a student's social security number. Education Code 49076.7 prohibits districts from collecting or soliciting social security numbers, or the last four digits of social security numbers, from students or their parents/guardians unless otherwise required to do so by state or federal law. If a social security number is collected under such circumstances, it must be classified as personally identifiable information and is subject to the restrictions related to access or de-identification of records specified in 34 CFR 99.30-99.39 and this administrative regulation.

4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

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STUDENT RECORDS (continued)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Note: Education Code 49063 requires districts to include the criteria for defining "legitimate educational interest" and "school officials and employees" in their annual notification; see section "Notification of Parents/Guardians" below.

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

Note: 34 CFR 99.31 defines "school officials and employees" for purposes of determining who may be given personally identifiable information from student records, as provided below. In 73 Fed. Reg. 74815 (2008), USDOE stated that local agencies are in the best position to determine the types of parties who may serve as school officials. Examples cited include school transportation officials (including bus drivers), school nurses, practicum and fieldwork students, unpaid interns, consultants, contractors, volunteers, and other outside parties providing institutional services and performing institutional functions, provided that each of the requirements in 34 CFR 99.31 has been met.

School officials and employees are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

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STUDENT RECORDS (continued)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025)

2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

Note: Pursuant to Education Code 56041.5, all the rights accorded to the parent/guardian of a student with disabilities, including the right to access student records, are transferred to the student at 18 years of age except when the student has been declared incompetent under state law.

3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

Note: Education Code 49076 and 34 CFR 99.31 require that access to relevant records be given to parents/guardians of a dependent child, defined by 26 USC 152 as one who lives with a parent/guardian for more than half the taxable year, meets the specified age requirements, has not provided more than half of one's own support during that year, and has not filed a joint tax return with a spouse.

1. Parents/guardians of a **student 18 years of age or older who is a** dependent child as defined in 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)

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STUDENT RECORDS (continued)

4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Note: 34 CFR 99.34 requires the district to make a reasonable attempt to notify the parent/guardian or adult student when the district discloses certain information as described in the following paragraph. However, if the district includes a statement in its annual parental notification that the district may forward education records under such circumstances, it is not obligated to individually notify parents/guardians or adult students. The following **optional** paragraph may be deleted by districts that include such a statement in their annual parental notification. See section below entitled "Notification of Parents/Guardians."

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

Note: Item #6 below is for use by districts that maintain high schools. Education Code 69432.9 provides that all students in grade 12 will be considered Cal Grant applicants and will have their grade point average (GPA) submitted to the Student Aid Commission, unless they opt out or are permitted under Commission rules to submit test scores in lieu of the GPA. Education Code 69432.9 requires that the report be submitted on a standardized form provided by the Commission. Pursuant to Education Code 69432.92, the Commission may also require that districts submit verification of high school graduation or its equivalent for all students who graduated in the prior academic year, except for students who have opted out.

Education Code **69432.9** ~~49432.9~~ requires that parents/guardians be notified that their child's GPA will be forwarded unless they opt out within the time period specified in the notice. This notification could be included in the annual parental notification issued pursuant to Education Code 48980.

STUDENT RECORDS (continued)

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

7. Federal, state, and local officials, as needed for an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

Note: Pursuant to Education Code 49076, county placing agencies authorized to assess the effectiveness of a state or federally funded program on behalf of federal, state, or local officials and agencies may be allowed access to student records. Education Code 49076 also authorizes districts, county offices of education, and county placing agencies to develop cooperative agreements to facilitate confidential access to and exchange of student information by email, facsimile, electronic format, or other secure means, provided the agreement complies with the requirements of 34 CFR 99.35.

8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)

9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

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STUDENT RECORDS (continued)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)

11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)

12. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

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

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STUDENT RECORDS (continued)

(cf. 6173.1 - Education for Foster Youth)

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the

agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

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STUDENT RECORDS (continued)

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Discretionary Access

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

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

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31,

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STUDENT RECORDS (continued)

organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)

a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.

b. The information is destroyed when no longer needed for the purposes for which the study is conducted.

c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)

5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

Note: Education Code 49076 includes "contractors" and "consultants," as defined in the section "Definitions" above, among the categories of individuals to whom a student's personally identifiable information may be disclosed under certain circumstances. Unlike 34 CFR 99.31, however, Education Code 49076 prohibits disclosure of such information to volunteers and other parties.

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

Note: Items #7 and 8 below are for use by districts that maintain high schools.

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may

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STUDENT RECORDS (continued)

be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31)

8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

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

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-identification of Records

Note: 20 USC 1232(g) and Education Code 49076 authorize the district to release student records for specified purposes (e.g., to federal and state officials conducting program audits or to organizations conducting studies) without parent/guardian consent after the removal of all "personally identifiable information" as defined in the section entitled "Definitions" above and provided that the district has made a reasonable determination that a student's identity will not be personally identifiable through single or multiple releases. Education Code 49074 further authorizes the district to provide de-identified statistical data to public or private agencies, postsecondary

institutions, or educational research organizations when such actions would be "in the best educational interests of students."

34 CFR 99.31 lists objective standards under which districts may release information from de-identified records. These standards are applicable to both requests for individual, redacted records and requests for statistical information from multiple records.

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

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STUDENT RECORDS (continued)

Process for Providing Access to Records

Note: Education Code 49069 **mandates** procedures for notifying parents/guardians of the location of student records if not centrally located. The following paragraph may be expanded to include notification procedures.

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

Note: 5 CCR 431 **mandates** districts to establish written procedures to ensure the security of student records. The following three paragraphs reflect this mandate and should be modified to reflect any specific physical, technological, or administrative controls developed by the district.

34 CFR 99.31 requires districts to use "reasonable methods" to (1) ensure that school officials, employees, and outside contractors obtain access to only those records, both paper and electronic, in which they have a legitimate educational interest and (2) identify and authenticate the identity of parents/guardians, students, school officials, and any other party to whom the district discloses personally identifiable information from education records. In

addition, 34 CFR 99.31 specifies that a district which does not use physical or technological access controls (e.g., a locked file cabinet or computer security limiting access) must ensure that its administrative policy for controlling access is effective and remains in compliance with the "legitimate educational interest" requirement.

The Analysis to Comments and Changes (73 Fed. Reg. 237, page 74817) suggests a balance of physical, technological, and administrative controls to prevent unauthorized access and to ensure that school officials do not have unrestricted access to the records of all students. The Analysis also clarifies that the reasonableness of the method depends, in part, on the potential harm involved. For example, high-risk records, such as social security numbers or other information that could be used for identity theft, should receive greater and more immediate protection.

In addition, as a condition of participation in an interagency data information system (e.g., California Longitudinal Pupil Achievement Data System), Education Code 49076 requires that the district develop security procedures or devices by which unauthorized personnel cannot access data in the system and procedures or devices to secure privileged or confidential data from unauthorized disclosure.

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

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STUDENT RECORDS (continued)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

Note: 34 CFR 99.30 specifies information that must be included in the parent/guardian consent form, as provided below. The provisions in the following two paragraphs are required pursuant to the California Attorney General's model policy developed pursuant to Education Code 234.7. See the Office of the Attorney General's publication Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by

the parent/guardian or adult student, the district shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Note: Education Code 49069 and 5 CCR 431 **mandate** that the district adopt procedures for granting parent/guardian requests to inspect, review, and obtain copies of records.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Note: Education Code 49069 **mandates** procedures for the availability of qualified certificated personnel to interpret records when requested. The following paragraph may be expanded to include specific procedures for persons to request and receive the assistance of certificated personnel.

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064)

AR 5125(n)

STUDENT RECORDS (continued)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

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

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

Note: Although Education Code 49064 does not require the district to record access by individuals specified in items #1-5 below, the district may consider recording access by all individuals as part of the reasonable administrative controls required by 34 CFR 99.31; see section above entitled "Process for Providing Access to Records."

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

Note: Pursuant to Education Code 234.7, any request for student information by a law enforcement agency for the purpose of enforcing immigration laws must be reported to the Superintendent and the Board; see the accompanying Board policy. Therefore, it is recommended that the custodian of records make an entry in the log regarding any such requests, as provided in item #6 below.

6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

Duplication of Student Records

Note: Education Code 49069 **mandates** that the district adopt procedures for granting parent/guardian requests for copies of student records pursuant to Education Code 49065.

AR 5125(o)

STUDENT RECORDS (continued)

To provide copies of any student record, the district may charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)

Changes to Student Records

Only a parent/guardian having legal custody of a student or **an adult a student who is 18 years of age or is attending an institution of postsecondary education** may challenge the content of a record or offer a written response to a record. (Education Code 49061)

(cf. 5125.3 - Challenging Student Records)

No additions or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code ~~49062.5~~, 49070; 5 CCR 437)

Note: In CALPADS' "Update FLASH #158, Guidance for Changing a Student's Legal Name in CALPADS", the California Department of Education states that a request to change a student's legal name must be supported by legal documentation such as a court record, birth certificate, or passport.

Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.

Any challenge to the content of a student's record shall be filed in accordance with the process specified in AR 5125.3 - Challenging Student Records. (Education Code 49070)

(cf. 5125.3 - Challenging Student Records)

~~Note: AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to require districts to update a student's or former student's records to change the student's name and/or gender, as specified below:~~

~~When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or~~

~~other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)~~

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STUDENT RECORDS (continued)

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

~~If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)~~

- ~~1. The date of the request~~
- ~~2. The date the requested records were reissued to the former student~~
- ~~3. A list of the records that were requested by and reissued to the former student~~
- ~~4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender~~
- ~~5. The name of the employee who completed the request~~
- ~~6. The current and former names and/or genders of the student~~

~~Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3—Challenging Student Records.~~

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student

2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student
4. Name and address of parent/guardian of minor student

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STUDENT RECORDS (continued)

- a. Address of minor student if different from the above
- b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or organizations who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

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STUDENT RECORDS (continued)

(cf. 6159 - Individualized Education Program)

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

5. Language training records

(cf. 6174 - Education for English Learners)

6. Progress slips/notices required by Education Code 49066 and 49067

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action

9. Parent/guardian authorization or prohibition of student participation in specific programs

10. Results of standardized tests administered within the past three years

(cf. 6162.51 - State Academic Achievement Tests)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data

(cf. 5144 - Discipline)

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

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STUDENT RECORDS (continued)

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

Note: Education Code 48201 requires districts to request records of a transferring student regarding acts that resulted in the student's suspension or expulsion from the previous school, as specified below. Once the record is received, the Superintendent or designee must inform the student's teachers of the acts; see AR 4158/4258/4358 - Employee Security.

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5119 - Students Expelled From Other Districts)

Note: Pursuant to Education Code 49068, a district is required to transfer a copy of a student's records to another school in which the student is enrolled or intends to enroll within 10 school days of receiving a request for the records. However, this is not applicable in circumstances where a more restrictive timeline is required. For example, a district is required to transfer the records of a student who is a foster youth to the new school within two business days, pursuant to Education Code 48853.5.

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

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STUDENT RECORDS (continued)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 48985, 49063; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so

7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights

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STUDENT RECORDS (continued)

8. The cost, if any, charged for duplicating copies of records

9. The categories of information defined as directory information pursuant to Education Code 49073

10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law

11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

Note: Pursuant to 34 CFR 99.34, if the district's annual parental notification contains the information described in **optional** item #13 below, the district does not need to attempt to individually notify a parent/guardian or adult student when the district discloses an education record to officials of another school, school system, or postsecondary institution (see item #5 in the list of persons/agencies with legitimate educational interests in the section entitled "Access for Limited Purpose/Legitimate Educational Interest" above).

13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

Note: The following paragraph reflects the Attorney General's model policy developed pursuant to Education Code 234.7.

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Student Records from Social Media

Note: The following **optional** section is for use by districts that have adopted a program, pursuant to Education Code 49073.6, to gather or maintain any information obtained from students' social media activity that pertains directly to school safety or student safety. Districts that adopt such a program, as specified in the accompanying Board policy, must comply with the requirements described below. Districts that have not adopted such a program should delete the following section.

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STUDENT RECORDS (continued)

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the district obtained from the student's social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.

5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:

a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or the student's parent/guardian

b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

Updating Name and/or Gender of Former Students

Note: AB 711 (Ch. 179, Statutes of 2019) added Education Code 49062.5 and amended Education Code 49070 to require a districts to update a student's or former student's records to reflect a change to the former student's name and/or gender, as specified below.

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STUDENT RECORDS (continued)

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to ~~reflect~~ **include** the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. ~~The district is not required to modify records that the former student has not requested for modification or reissuance.~~ (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request

2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name **and/or** gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records. **(Education Code 49062.5)**

(5/18 12/19) 12/21

Policy Reference UPDATE Service

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Regulation 5125: Student Records

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 10/15/2020 | **Last Reviewed Date:** 10/15/2020

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 34 CFR 99.3)

1. Directory information
2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8
4. Records created or received by the district after an individual is no longer a student and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members

3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

School officials and employees are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

1. Parents/guardians of a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)

2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)
4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)
5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)
6. Federal, state, and local officials, as needed for an audit or evaluation of, or compliance with, a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
7. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)
8. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

9. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
10. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
11. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

12. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's

parent/guardian within 24 hours. (Education Code 49076)

13. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

14. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)
15. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)
16. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))
17. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

18. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

Discretionary Access

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.
4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)
6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the district, excluding volunteers or other parties (Education Code 49076)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

De-identification of Records

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the district shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

Duplication of Student Records

To provide copies of any student record, the district may charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

Changes to Student Records

Only a parent/guardian having legal custody of a student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

No additions or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code 49062.5, 49070; 5 CCR 437)

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records.

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years
11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data
4. Verified reports of relevant behavioral patterns

5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of rights regarding student records, including a parent/guardian's right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records

6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

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

State References

Description

5 CCR 16020-16027	Destruction of records of school districts
5 CCR 430-438	Individual student records
Bus. Code 22580-22582	Privacy Rights for California Minors in the Digital World - https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==
Bus. Code 22584-22585	Student Online Personal Information Protection Act - https://simbli.eboardsolutions.com/SU/FnauJhplusaffvcCQodyGJjng==
Bus. Code 22586-22587	Early Learning Personal Information Protection Act - https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFEOYAFARQ==
CCP. 1985.3	Subpoena duces tecum - https://simbli.eboardsolutions.com/SU/XUPBrSACIFia2c1R7772slshw==
Ed. Code 17604	Delegation of powers to agents
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 48201	Student records for transfer students who have been suspended/expelled
Ed. Code 48853.5	Foster youth; placement, immunizations
Ed. Code 48902	Notification of law enforcement of specified violations
Ed. Code 48904-48904.3	Withholding grades, diplomas, or transcripts
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 48980	Parental notifications
Ed. Code 48985	Notices in parent/guardian's primary language
Ed. Code 49060-49079	Student records
Ed. Code 49091.14	Parental review of curriculum
Ed. Code 51745	Independent study

Ed. Code 56041.5	Rights of students with disabilities
Ed. Code 56050	Surrogate parents
Ed. Code 56055	Foster parents
Ed. Code 69432.9	Cal Grant program; notification of grade point average
Fam. Code 3025	Access to records by noncustodial parents
Fam. Code 6552	Caregiver's authorization affidavit
Gov. Code 6252-6260	Inspection of public records
H&S Code 120440	Immunizations; disclosure of information
Pen. Code 245	Assault with deadly weapon
W&I Code 16010	Health and education records of a minor
W&I Code 681	Truancy petitions
W&I Code 701	Juvenile court law

Federal References

16 CFR Part 312
 20 USC 1232g
 20 USC 1232h
 26 USC 152
 34 CFR 300.501
 34 CFR 99.1-99.67
 42 USC 11434a

Description

Children's Online Privacy Protection Rule
 Family Educational Rights and Privacy Act (FERPA) of 1974
 Protection of Pupil Rights Amendment
 Definition of dependent child
 Opportunity to examine records for parents of student with disability
 Family Educational Rights and Privacy Act
 McKinney-Vento Homeless Assistance Act; definitions

Management Resources References

CA Office of the Attorney General Publication

 CSBA Publication

 Federal Register

 National School Boards Association Publication

 U.S. Department of Education Publication

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Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018

 Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

 Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855

 Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014

 Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, Oct 2007

 Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008

 IDEA and FERPA Confidentiality Provisions, 2014

 National School Boards Association - <https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==>

 U.S. Department of Education, Family Policy Compliance Office - <https://simbli.eboardsolutions.com/SU/qBuG5WOLFslshHhh9trjQ16OA==>

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3312	Contracts - https://simbli.eboardsolutions.com/SU/ypySW5bYSpEyYt3f9slshq8XA==
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5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/RIEajRrHVHaPY49S8F93Cg==
5145.12	Search And Seizure - https://simbli.eboardsolutions.com/SU/kWsBhUGnqmZEopRm1e7oVA==
5145.13	Response To Immigration Enforcement - https://simbli.eboardsolutions.com/SU/R3FcYAwKSkHz7pO9Y0rQIQ==
5145.13	Response To Immigration Enforcement - https://simbli.eboardsolutions.com/SU/HrCj1IQplus445eslsh3plus9b8PXg==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxsishg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspow==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/l8t8YmbBtflYlmdwbnRbEw==
5145.7	Sexual Harassment - https://simbli.eboardsolutions.com/SU/PKu1VD5F78ewJR2U04xZ7Q==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/0JkPhkrzoku8uZkFigAplus0A==
5148	Child Care And Development - https://simbli.eboardsolutions.com/SU/RtqmslshYRmlbkM9yFPPbpkow==

- 5148.3 Preschool/Early Childhood Education -
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- 5148.3 Preschool/Early Childhood Education -
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- 6142.7 Physical Education And Activity -
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- 6142.7 Physical Education And Activity -
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- 6145.2 Athletic Competition -
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- 6145.2 Athletic Competition -
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- 6158 Independent Study -
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- 6158 Independent Study -
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- 6159 Individualized Education Program -
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- 6159 Individualized Education Program -
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- 6159.1 Procedural Safeguards And Complaints For Special Education -
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- 6159.1 Procedural Safeguards And Complaints For Special Education -
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- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
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- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
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- 6159.3 Appointment Of Surrogate Parent For Special Education Students -
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- 6159.3 Appointment Of Surrogate Parent For Special Education Students -
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- 6162.5 Student Assessment -
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- 6162.51 State Academic Achievement Tests -
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- 6162.51 State Academic Achievement Tests -
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- 6162.8 Research -
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- 6162.8 Research - <https://simbli.eboardsolutions.com/SU/GufhYU14PASzIBv7KiDMfw==>
- 6163.4 Student Use Of Technology -
<https://simbli.eboardsolutions.com/SU/VoppNbk4pBgl2gPK2huvrQ==>
- 6163.4-E(1) Student Use Of Technology -
<https://simbli.eboardsolutions.com/SU/cMfybPZNNyLJKpE7JPMKxg==>
- 6164.2 Guidance/Counseling Services -
<https://simbli.eboardsolutions.com/SU/0jslshf1IF2LPmZM3bXas7Xvg==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMks1v1Aw==>

6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
6173.3	Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/KhyYZOplus0AAslhTH8EJqpsJZgg==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==
6175	Migrant Education Program - https://simbli.eboardsolutions.com/SU/5plussi8eIBplusplusRvrBTViayIIA==
9011	Disclosure Of Confidential/Privileged Information - https://simbli.eboardsolutions.com/SU/ciplusM9jHmN8A9EYsTDyBc4Q==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/QfknZ1iziDTUxplussARKweQ==
9321-E(1)	Closed Session - Board Meeting Agenda Descriptions for Closed Session Items - https://simbli.eboardsolutions.com/SU/yzFfplKv29py7c0GU7E5Hw==
9321-E(2)	Closed Session - Reports of Closed Session Actions - https://simbli.eboardsolutions.com/SU/slshQyLOCsux502vo1sZybyqOg==

CSBA Sample

Administrative Regulation

REVISED

Students

AR 5145.3(a)

NONDISCRIMINATION/HARASSMENT

Note: The following **mandated** administrative regulation provides measures that may be implemented by a district to comply with state and federal laws and regulations prohibiting unlawful discrimination at school or in school-sponsored or school-related activities, including discriminatory harassment, intimidation, and bullying, of any student based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected category or association with a person or group with one or more of these actual or perceived characteristics. Federal and state law also prohibit retaliation against those who engage in activity to protect civil rights.

5 CCR 4621 **mandates** the district to identify in its policies and procedures the person(s), position(s), or unit(s) responsible for ensuring compliance with applicable state and federal laws and regulations governing educational programs, including the receiving and investigating of complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying. In addition, 34 CFR 106.8 and other federal regulations **mandate** districts that receive federal financial assistance to adopt procedures for the "prompt and equitable" resolution of student and employee discrimination complaints, including the designation of one or more responsible employees to ensure district compliance with federal laws and regulations governing the district's educational programs.

During the Federal Program Monitoring process, California Department of Education (CDE) staff will check to ensure that the district's procedures list the specific title(s) of the employee(s) responsible for investigating complaints. The U.S. Department of Education's (USDOE) Office for Civil Rights (OCR) is the agency responsible for the administrative enforcement of federal antidiscrimination laws and regulations in programs and activities that receive federal financial assistance from the department. In reviewing a district's discrimination policies and procedures, OCR will examine whether the district has identified the employee(s) responsible for coordinating compliance with federal civil rights laws, including the investigation of complaints.

The following paragraph identifies the employee(s) designated to coordinate the district's efforts to comply with state and federal civil rights laws as the same person designated to investigate and resolve discrimination complaints under AR 1312.3 - Uniform Complaint Procedures. Districts may modify the following paragraph to designate different district employees to serve these functions. Note also that a district may designate more than one employee to coordinate compliance and/or receive and investigate complaints, although each employee designated as a coordinator/compliance officer must be properly trained.

34 CFR 106.8, as amended by 85 Fed. Reg. 30026, requires that the employee designated by the district to coordinate its responsibilities under Title IX be referred to as the Title IX Coordinator. The Title IX Coordinator is responsible for receiving complaints of sexual harassment and determining whether the complaint should be

appropriately addressed through AR 1312.3 or the federal Title IX complaint procedures pursuant to 34 CFR 106.44-106.45. The Title IX Coordinator may be the same person designated below and in AR 1312.3. See AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

AR 5145.3(b)

NONDISCRIMINATION/HARASSMENT (continued)

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

(title or position)

(address)

(telephone number)

(email)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

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

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

Note: As part of its responsibility to monitor district compliance with legal requirements concerning discrimination pursuant to Education Code 234.1, CDE is required to ensure that the district posts its nondiscrimination policies in all schools, offices, staff lounges, and student government meeting rooms.

In addition, federal regulations enforced by OCR require the district to notify students, parents/guardians, and employees of its policies prohibiting discrimination on the basis of sex (34 CFR 106.8, 106.9), disability (34 CFR 104.8 and 28 CFR 35.107), and age (34 CFR 110.25) and of related complaint procedures. For notification requirements specifically pertaining to sexual harassment, see BP/AR 5145.7 - Sexual Harassment.

AR 5145.3(c)

NONDISCRIMINATION/HARASSMENT (continued)

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications

Note: Education Code 234.6, ~~as added by AB 34 (Ch. 282, Statutes of 2019)~~, requires a district, ~~starting with the 2020-21 school year~~, to post its nondiscrimination policies on its web site as specified below. In addition to the policies listed below, if the district has a policy in regard to the prevention and response to hate violence, it is also required to be posted, and the following item should be modified accordingly. See BP 5145.9 - Hate-Motivated Behavior.

2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

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

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 5145.9 - Hate-Motivated Behavior)

Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post the definitions specified below:

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

Note: Education Code 221.61 requires districts and public schools to post on their web sites information related to Title IX (20 USC 1681-1688). Education Code 234.6, as added by AB 34, requires districts, beginning in the 2020-21 school year, to post the Title IX information required pursuant to 221.61 in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. Additionally, districts are required to provide a link to the Title IX information included on CDE's website pursuant to Education Code 221.6, in the same manner. A comprehensive list of rights based on the federal regulations implementing Title IX can be found in Education Code 221.8. A district that does not maintain a web site may comply by posting the information below on the web site of its county office of education. A school without a web site may comply by posting the information on the web site of the district or county office of education.

AR 5145.3(d)

NONDISCRIMINATION/HARASSMENT (continued)

4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
 - a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address
 - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) web site

~~Note: Education Code 234.6, as added by AB 34, requires a district, starting in the 2020-21 school year, to post a link to statewide resources as specified below.~~

5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

AR 5145.3(e)

NONDISCRIMINATION/HARASSMENT (continued)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.

7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory

school environment for all students, ~~including transgender, and gender-nonconforming students~~. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

Note: Both federal and state laws contain requirements for translation of certain information and documents. Title VI of the Civil Rights Act of 1964 requires school districts to ensure meaningful access to their programs and activities by persons with limited English proficiency. OCR has interpreted this to require that, whenever information is provided to parents/guardians, districts must notify limited-English-proficient (LEP) parents/guardians in a language other than English in order to be adequate. OCR enforces this requirement consistent with the Department of Justice's 2003 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. Under the Guidance, a recipient of federal funds has an obligation to provide language assistance to LEP individuals based on balancing four factors: (1) the number or proportion of LEP individuals likely to encounter or be served by the program, (2) the frequency with which LEP individuals come in contact with the program, (3) the nature and importance of the services provided by the program, and (4) the resources available to the recipient and costs. State law is more specific than federal law. Education Code 48985 requires translation of certain information and documents if 15 percent or more of students enrolled in the school speak a single primary language other than English.

8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

AR 5145.3(f)

NONDISCRIMINATION/HARASSMENT (continued)

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, ~~including transgender, and gender-nonconforming students.~~

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

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

Note: Item #11 below may be revised to reflect district practice. In some situations, the district may need to provide assistance to a student to protect the student from harassment or bullying. Each situation will need to be analyzed to determine the most appropriate course of action to meet the needs of the student, based on the circumstances involved.

11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

AR 5145.3(g)

NONDISCRIMINATION/HARASSMENT (continued)

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

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

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

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

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

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

(cf. 5144 - Discipline)

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

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

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

Process for Initiating and Responding to Complaints

Note: Education Code 234.1 requires that districts adopt a process for receiving and investigating complaints of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying. Such a process, which is required to be consistent with the uniform complaint procedures (UCP) specified in 5 CCR 4600-4670, must include (1) a requirement that school personnel who witness an act take immediate steps to intervene when safe to do so, (2) a timeline for investigating and resolving complaints, (3) an appeal process, and (4) translation of forms when required by Education Code 48985. In addition, federal regulations require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). OCR guidance on federal civil rights requirements notes that districts may have a responsibility to respond to notice of discrimination whether or not a formal complaint is filed.

Complaints of sexual harassment must be addressed through the federal Title IX complaint procedures established pursuant to 34 CFR 106.44-106.45, as added by 85 Fed. Reg. 30026, if the alleged conduct meets the federal definition of sexual harassment. Pursuant to 34 CFR 106.30, sexual harassment includes (1) a district employee conditioning the provision of a district aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 and 34 USC 12291. Allegations that do not meet this definition should be addressed through the district's UCP. See BP/AR 5145.7 - Sexual Harassment and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

AR 5145.3(h)

NONDISCRIMINATION/HARASSMENT (continued)

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

Note: Though a formal complaint must be in writing pursuant to 5 CCR 4600, the district's obligation to provide a safe school environment for its students overrides the need to comply with formalities. Thus, once the district receives notice of an incident, whether verbally or in writing, it is good practice to begin the investigation of the report and to take steps to stop any prohibited conduct and address any effect on students. The following paragraph reflects such practice and is consistent with OCR recommendation.

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for

complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

AR 5145.3(i)

NONDISCRIMINATION/HARASSMENT (continued)

Note: **The terms and definitions used below are consistent with California law, case law, and generally accepted terms within academia and in publications issued by state and federal agencies such as CDE and OCR, including provisions in the California Gender Recognition Act that recognize three gender options, female, male, and nonbinary, and define "nonbinary" and other related terms such as "intersex" and "transgender". In addition to consistency with the above, the definition of "gender identity" below** ~~The term "gender identity" is not specifically defined in the Education Code. The following definition is consistent with case law and generally accepted terms within academia, as well as~~ the Resolution Agreement between the Arcadia Unified School District, ~~OCR the U.S. Department of Education Office for Civil Rights,~~ and the U.S. Department of Justice, Civil Rights Division, which defines "gender identity" as "one's internal sense of gender, which may be different from one's assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the student's core identity."

The following section is also consistent with OCR's fact sheet "Supporting Intersex Students: A Resource for Students, Families, and Educators," issued in October 2021 and CDE's "Update FLASH #158, Guidance for Changing a Student's Gender in CALPADS," which provides guidance on changing a student's gender and/or legal name on the student's mandatory permanent record.

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity,

appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

***Intersex student* means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.**

***Nonbinary student* means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.**

AR 5145.3(j)

NONDISCRIMINATION/HARASSMENT (continued)

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are

sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's ~~transgender status~~ **gender identity** to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against **intersex, nonbinary,** transgender, and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's ~~transgender status~~ **gender identity**, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

AR 5145.3(k)

NONDISCRIMINATION/HARASSMENT (continued)

To ensure that **intersex, nonbinary,** transgender, and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

Note: Timelines included in items #1-2 below may be modified to reflect district practice.

Pursuant to state and federal law, a district has the responsibility to ensure a safe, nondiscriminatory school environment for all students and equal access to the educational program for intersex, nonbinary, transgender, or gender non-conforming students. As part of its obligation, the district must keep a student's private information, including a student's gender, gender identity, or gender expression, confidential. CDE's "School Success and Opportunity Act (Assembly Bill 1266) Frequently Asked Questions," references a transgender student's informational privacy right under Article I, Section I of the California Constitution as protecting the student's gender identity from disclosure. However, CDE specifies that, pursuant to 34 CFR 99.36, disclosure of such information to appropriate parties is permitted in connection with an emergency, as necessary to protect the health or safety of the student or other individuals. Therefore, a district is required to take measures such as those specified in the following paragraph, to prevent unintentional release of students' private information and should contact legal counsel before disclosing a student's gender identity without the student's consent.

1. Right to privacy: A student's **intersex, nonbinary,** transgender, or gender-nonconforming status is the student's private information, ~~and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity~~

as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

AR 5145.3(l)

NONDISCRIMINATION/HARASSMENT (continued)

~~and the~~ **The district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's **intersex, nonbinary**, transgender, or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as an **intersex, nonbinary**, transgender, or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.**

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the **student's intersex, nonbinary**, transgender, or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the **intersex, nonbinary,** transgender, or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or

AR 5145.3(m)

NONDISCRIMINATION/HARASSMENT (continued)

educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as an **intersex, nonbinary,** transgender, or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

Note: Pursuant to Education Code 221.5, a district is required to permit a student to use facilities and participate in sex-segregated school programs and activities consistent with the student's gender identity, regardless of the gender listed on the student's educational records. ~~Because Education Code 221.5 affords transgender students these rights, districts in California are not impacted by the February 22, 2017 action of the USDOE and U.S. Department of Justice to rescind earlier federal guidance which had indicated that, under Title IX, students must be allowed to use sex-segregated facilities in accordance with their gender identity.~~ In implementing state law, districts may review recommended practices in the USDOE's Office of Elementary and Secondary Education's Examples of Policies and Emerging Practices for Supporting Transgender Students. For more information on the rights of transgender students, see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access

facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is **intersex, nonbinary,** transgender, or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

AR 5145.3(n)

NONDISCRIMINATION/HARASSMENT (continued)

Note: **Education Code 49062.5 and 49070, as added and amended by AB 711 (Ch. 179, Statutes of 2019), respectively, require districts to update a former student's records to change the student's name and/or gender as specified below. See AR 5125 - Student Records. Pursuant to 5 CCR 432, a district is required to maintain for each student a mandatory permanent student record that includes the student's legal name, sex, and other specified details. While 5 CCR 4910 refers to "sex" as the "biological condition or quality of being a female or male human being," it also defines "gender" to mean "sex," which includes "a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth." When responding to a request to change the gender or legal name of intersex, nonbinary, transgender, or gender non-conforming students, districts should be mindful of laws prohibiting gender-based discrimination. In CALPADS' "Update FLASH #158, Guidance for Changing a Student's Gender in CALPADS", CDE distinguishes the process for updating a student's legal name from the process for updating a student's gender. According to CDE, a district must receive formal documentation that a student's name has been legally changed before the student's recorded legal name may be changed in the student's mandatory permanent student record (official record). When documentation is not provided, CDE states the district should nonetheless update all other school records (unofficial records such as attendance sheets, report cards, and school identification) to reflect the name change. On the other hand, to change a student's gender in the student's official records, CDE states that there is no specific requirement regarding formal documentation or process that a district should review or require in determining the gender to be recorded in the official records. Pursuant to Education Code 49061, only a parent/guardian may authorize a change to a student's gender in the student's official record. The district should consult legal counsel in developing a policy in this regard.**

5. Student Records: **Upon each student's enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.**

A student's legal name ~~or gender~~ as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. ~~When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)~~ **A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061)**

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

AR 5145.3(o)

NONDISCRIMINATION/HARASSMENT (continued)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress and Grooming)

(5/20 7/20) 12/21

Policy Reference UPDATE Service

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Regulation 5145.3: Nondiscrimination/Harassment

Status: ADOPTED

Original Adopted Date: 06/13/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

(title or position)

(address)

(telephone number)

(email)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

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

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 5131.2 - Bullying)
(cf. 5145.9 - Hate-Motivated Behavior)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)

- a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address
 - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
 - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
 - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
 - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
 - d. A link to the Title IX information included on the California Department of Education's (CDE) web site
5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
 6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
 7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.
(*cf. 5145.6 - Parental Notifications*)
 8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.
(*cf. 1240 - Volunteer Assistance*)
(*cf. 4131 - Staff Development*)
(*cf. 4231 - Staff Development*)
(*cf. 4331 - Staff Development*)

10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
11. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
(cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is

the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6153 - School-Sponsored Trips)
(cf. 7110 - Facilities Master Plan)
5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's

records. (Education Code 49062.5, 49070)

(*cf.* 5125 - Student Records)

(*cf.* 5125.1 - Release of Directory Information)

(*cf.* 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

(*cf.* 5132 - Dress and Grooming)

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

State References

5 CCR 432

Description

Student records

5 CCR 4600-4670

Uniform complaint procedures

5 CCR 4900-4965

Nondiscrimination in elementary and secondary education programs

Civ. Code 1714.1

Liability of parent or guardian for act of willful misconduct by a minor - <https://simbli.eboardsolutions.com/SU/NSkneFduiYWusJFnU3r9Q==>

Ed. Code 200-262.4

Educational equity; prohibition of discrimination on the basis of sex - <https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==>

Ed. Code 48900.3

Suspension or expulsion for act of hate violence

Ed. Code 48900.4

Suspension or expulsion for threats or harassment

Ed. Code 48904

Liability of parent/guardian for willful student misconduct

Ed. Code 48907

Exercise of free expression; rules and regulations

Ed. Code 48950

Speech and other communication

Ed. Code 48985

Translation of notices

Ed. Code 49020-49023

Athletic programs

Ed. Code 49060-49079

Student records

Ed. code 49060-49079

Student records

Ed. Code 51500

Prohibited instruction or activity

Ed. Code 51501

Prohibited means of instruction

Ed. Code 60044

Prohibited instructional materials

Gov. Code 11135

Nondiscrimination in programs or activities funded by state

Pen. Code 422.55

Definition of hate crime

Pen. Code 422.6

Civil rights; crimes

Federal References

Description

20 USC 1681-1688

Title IX of the Education Amendments of 1972

28 CFR 35.107

Nondiscrimination on basis of disability; complaints

29 USC 794

Rehabilitation Act of 1973, Section 504

34 CFR 100.3

Prohibition of discrimination on basis of race, color or national origin

34 CFR 104.7

Designation of responsible employee for Section 504

34 CFR 104.8	Notice
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Prohibition of discrimination based on age
34 CFR 99.31	Disclosure of personally identifiable information
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

Management Resources References

Description

CA Office of the Attorney General Publication	Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018
Court Decision	Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Court Decision	Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130
CSBA Publication	Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017
First Amendment Center Publication	Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006
U.S Dept of Ed Office for Civil Rights Publication	Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD, (2013) OCR 09-12-1020, DOJ 169-12C-70
U.S. Dept of Health & Human Services Publication	Guid. to Fed Fin. Assist. Recipients Re. Title VI Prohibition Against Nat'l Origin Discrimination Affect Limited English Proficient Persons, Aug. 2013
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
U.S. DOE, Office for Civil Rights Publication	Notice of Non-Discrimination, Fact Sheet, August 2010
Website	First Amendment Center - https://simbli.eboardsolutions.com/SU/jzlfta62CjSCuo68JOXF1w==
Website	California Office of the Attorney General - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	California Safe Schools Coalition - https://simbli.eboardsolutions.com/SU/WemZSI34fz0YvWHUM4trDg==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==
0415	Equity - https://simbli.eboardsolutions.com/SU/3HcjCjKXOwFBX0NUyV6GWw==

0450 Comprehensive Safety Plan -
<https://simbli.eboardsolutions.com/SU/ymrUEwzWRGOLmy5dybtyiw==>

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0470 COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/SiSNfRBCgke1plusJnTsbDR8w==>

1312.1 Complaints Concerning District Employees -
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1312.3 Uniform Complaint Procedures -
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<https://simbli.eboardsolutions.com/SU/XswpsOM6AvMPamfzbl8Vug==>

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4219.21 Professional Standards -
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5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/1iOUp6c5HdLm7bq0FbPbCg==
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5125.1	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/VplussOE8US1DVte1kbeN6K3Q==
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5125.1-E(1)	Release Of Directory Information - https://simbli.eboardsolutions.com/SU/UO2j3yqobJ6YRTuLeugtIA==
5131	Conduct - https://simbli.eboardsolutions.com/SU/xIz9Gc1UJLhCCQT5CCGHtg==
5131.2	Bullying - https://simbli.eboardsolutions.com/SU/kWRplusbnOoZSIWwJmVGTs0Zw==
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5131.5	Vandalism And Graffiti - https://simbli.eboardsolutions.com/SU/XIDmdaf8Z5OMmxytVn78Bg==
5132	Dress And Grooming - https://simbli.eboardsolutions.com/SU/SMxDWML4ovtTEI9NUdAMslshw==
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5137	Positive School Climate - https://simbli.eboardsolutions.com/SU/AvfPMzgRujCuQplusRsgkkgFA==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/zjW2XEy3C4MCxcRGQ9t2aA==
5141.27	Food Allergies/Special Dietary Needs - https://simbli.eboardsolutions.com/SU/NloHQDWcvplus6dLfcVFFo9Q==
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5141.4	Child Abuse Prevention And Reporting - https://simbli.eboardsolutions.com/SU/oQ5qkpluswaNVsZFi4HHMlfwg==
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- 5145.12 Search And Seizure -
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- 6143 Courses Of Study -
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- 6144 Controversial Issues -
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- 6145 Extracurricular And Cocurricular Activities -
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- 6163.4 Student Use Of Technology -
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- 6163.4-E(1) Student Use Of Technology -
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- 6164.2 Guidance/Counseling Services -
<https://simbli.eboardsolutions.com/SU/0jslshf1IF2LPmZM3bXas7Xvg==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>

6173.1

Education For Foster Youth -

<https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>

SA YSIDRO SCHOOL DISTRICT GOVERNING BOARD AGENDA

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Cynthia Monreal González,
Executive Director of Educational Services
David Farkas, Assistant Superintendent of
Educational Leadership, Pupil Services and
Safety

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD POLICIES AND ADMINISTRATIVE REGULATIONS - 6000 SERIES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Policies and Administrative Regulations:

- Revised BP/AR 6112 - School Day
- Revised BP 6120 - Response to Instruction and Intervention
- Revised BP/AR 6143 - Courses of Study
- Revised BP/AR 6158 - Independent Study,
- Revised BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education
- Revised BP/AR 6164.41 - Children with Disabilities Enrolled by their Parents in Private School
- Revised BP/AR 6164.5 - Student Success Teams
- Revised BP 6170.1 - Transitional Kindergarten

RECOMMENDATION:

Approve First Reading and Adoption of Revised Board Policies and Administrative Regulations - 6000 series: Revised BP/AR 6112 - School Day, Revised BP 6120 - Response to Instruction and Intervention, Revised BP/AR 6143 - Courses of Study, Revised BP/AR 6158 - Independent Study, Revised BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education, Revised BP/AR 6164.41 - Children with Disabilities Enrolled by their Parents in Private School, Revised BP/AR 6164.5 - Student Success Teams and Revised BP 6170.1 - Transitional Kindergarten.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A

(Amount)

N/A

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Policy

REVISED

Instruction

BP 6164.41(a)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

Note: If the Special Education Local Plan Area (SELPA) in which the district participates maintains a policy on this topic, then the following policy and administrative regulation may be deleted and/or modified for consistency with the SELPA's procedures. **Districts that delete and/or modify this policy should consult legal counsel as appropriate.**

Pursuant to **Education Code 56171 and** 20 USC 1412(a)(3) ~~and Education Code 56171~~, districts, county offices of education, or SELPAs, as appropriate, are required to locate, identify, and evaluate all children with disabilities enrolled by their parents/guardians in private schools, including religious schools. ~~As amended by 71 Fed. Reg. 156,~~ 34 CFR 300.131 **and 34 CFR 300.134 requires require** the district, after a timely and meaningful consultation with private school representatives, to conduct a thorough "child find" process to determine the number of **parentally placed parentally-placed** children with disabilities attending private schools located in the district, including those residing outside of the district or in another state. ~~Previously, the Individuals with Disabilities Education Act (IDEA) assigned the responsibility for "child find" to the district where the child resided. However, with these amendments,~~ **Pursuant to 34 CFR 300.131**, the responsibility for "child find" is that of the district where the private school is located.

Education Code 56301 **mandates** that districts, county offices of education, or SELPAs, as appropriate, have policies and procedures to locate, identify, and evaluate all children with disabilities enrolled by their parents/guardians in private schools, including religious schools. See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education for language regarding "child find" procedures for other district residents.

The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46593, lists examples of "child find" activities such as distributing informational brochures, providing regular public service announcements, staffing exhibits at health fairs and other community activities, and creating direct liaisons with private schools. ~~The following paragraph~~ **This policy** may be modified to reflect the specific child find activities that the district will undertake.

The requirements of this policy and administrative regulation do not apply to those situations in which a district has placed a student with a disability in a private school as a means of fulfilling the district's obligations to provide a free appropriate public education (FAPE) or when the parent/guardian has made a unilateral placement of the student in a private school because the provision of FAPE by the district is an issue. See BP/AR 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education.

The Governing Board recognizes its obligations under **state and** federal ~~and state law~~ to **locate**, identify, **evaluate**, and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district.

(cf. 0430 - Comprehensive Local Plan for Special Education)

~~Note: Education Code 56301 mandates that districts, county offices of education, or SELPAs, as appropriate, have policies and procedures to locate, identify, and evaluate all children with disabilities enrolled by their parents/guardians in private schools, including religious schools. See BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education for language regarding "child find" procedures for other district residents.~~

BP 6164.41(b)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

~~The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46593, lists examples of "child find" activities such as distributing informational brochures, providing regular public service announcements, staffing exhibits at health fairs and other community activities, and creating direct liaisons with private schools. The following paragraph may be modified to reflect the specific child find activities that the district will undertake.~~

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the district are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the district. (**Education Code 56171**; 34 CFR 300.131; ~~Education Code 56171~~)

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

Note: Pursuant to 34 CFR 300.132 and 300.133, a district must spend a "proportionate share" of federal funds on ~~parentally placed~~ **parentally-placed** private school children with disabilities. See the accompanying administrative regulation. However, the law is unclear as to the district's obligation to provide services to such children if the district's proportionate share of federal funds has been expended before the end of the school year or if an identified student's needs do not fall within the types of services agreed to in the consultation process with private school representatives. Legal counsel should be consulted as appropriate.

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents/**guardians** in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

Legal Reference: (see next page)

BP 6164.41(c)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56020-56035 Definitions

56170-56177 Children in private schools

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.130-~~300.140~~ **300.144** Children with disabilities enrolled by their parents in private schools

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

U.S. UNITED STATES DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

Questions and Answers on Serving Children with Disabilities Placed by Their Parents ~~at~~ in Private Schools, April 2011 March 2006

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

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

<http://www.ed.gov/about/offices/list/osers>

(3/07) 9/21

Policy Reference UPDATE Service

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Policy 6164.41: Children With Disabilities Enrolled By Their Parents In Private School

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education recognizes its obligations under federal and state law to identify and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district.

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the district are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the district. (34 CFR 300.131; Education Code 56171)

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

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

State References

- Ed. Code 56000
- Ed. Code 56020-56035
- Ed. Code 56170-56177
- Ed. Code 56195.8
- Ed. Code 56300-56385
- Ed. Code 56500-56509
- Ed. Code 56600-56606

Description

- Special education; legislative findings and declarations
- Definitions
- Children enrolled in private schools
- Adoption of policies
- Identification and referral, assessment
- Procedural safeguards
- Evaluation, audits and information

Federal References

- 20 USC 1232g
- 20 USC 1400-1482
- 29 USC 794
- 34 CFR 300.1-300.818
- 34 CFR 300.130-300.140

Description

- Family Educational Rights and Privacy Act (FERPA) of 1974
- Individuals with Disabilities Education Act
- Rehabilitation Act of 1973, Section 504
- Assistance to states for the education of students with disabilities
- Children with disabilities enrolled by their parents in private schools

Management Resources References

- Court Decision
- Federal Register
- U.S. Department of Education Publication
- Website
- Website

Description

- Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997
- Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
- Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools, March 2006
- California Department of Education, Special Education - <https://simbli.eboardsolutions.com/SU/wbtzINw8puwslshjTsrnVmBCA==>
- U.S. Department of Education, Office of Special Education Programs - <https://simbli.eboardsolutions.com/SU/v4I2D9cNplus2KZ0yVtPslshvZhg==>

Cross References

Description

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- 0430 Comprehensive Local Plan For Special Education -
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- 0430 Comprehensive Local Plan For Special Education -
<https://simbli.eboardsolutions.com/SU/O3NplusXslshFxm3Z7PVLEnBKeyQ==>
- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>
- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/m8kR6OqcnpKBslshBUOCscN6Q==>
- 6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education -
<https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education -
<https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>

CSBA Sample Administrative Regulation

REVISED

Instruction

AR 6164.41(a)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

Definitions

Note: 34 CFR 300.131 requires the district to conduct a thorough "child find" process to determine the number of ~~parentally-placed~~ **parentally-placed** children with disabilities attending private schools located in the district. The requirements of this administrative regulation do not apply to those situations in which a district has placed a student with a disability in a private school as a means of fulfilling the district's obligations to provide a free appropriate public education (FAPE) or when the parent/guardian has made a unilateral placement of the student in a private school when the provision of FAPE is an issue. See BP/AR 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education.

~~Parentally-placed~~ **Parentally-placed** *private school children with disabilities* means children with disabilities who are voluntarily enrolled by their parents/guardians in a private school or facility within district boundaries, including children who are attending a private school or facility within district boundaries but who reside in another district or state. (34 CFR 300.130, 300.131)

Private school or facility means a private full-time day school, including a religious school, located within district boundaries, that has filed an affidavit with the California Department of Education pursuant to Education Code 33190 and is registered in the California Private School Directory.

Consultation with Private School Representatives

The Superintendent or designee shall consult with all private school representatives and representatives of parents/guardians of ~~parentally-placed~~ **parentally-placed** private school children with disabilities during the design and development of equitable services for the children. In order to ensure a meaningful and timely consultation, the consultation shall include: **(Education Code 56301; ~~20 USC 1412(a)(3)~~ 20 USC 1412(a)(10)(A)(iii); 34 CFR 300.134; Education Code 56301)**

1. The child find process and how ~~parentally-placed~~ **parentally-placed** private school children suspected of having a disability can participate equitably

Note: In the Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, the U.S. Department of Education (USDOE) lists the following as examples of practices for keeping parents/guardians, teachers, and private school officials informed of the child find process: holding professional development sessions for private school teachers on Individuals with Disabilities Education Act's evaluation and reevaluation requirements; posting flyers in private school facilities to inform stakeholders of the availability of child find; and facilitating round table discussion with community members.

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6164.41(b)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

2. **The manner in which** ~~How~~ parents/guardians, teachers, and private school officials will be informed of the child find process

Note: Pursuant to 34 CFR 300.132 and 300.133, a district must spend a "proportionate share" of federal funds on ~~parentally-placed~~ **parentally-placed** private school children with disabilities. "Proportionate share" is a calculation based on the total number of eligible students in the district that are enrolled in both public and private schools, based on the formula detailed in 34 CFR 300.133.

3. The determination of the proportionate share of federal funds available to serve ~~parentally-placed~~ **parentally-placed** private school children with disabilities and how this share is calculated
4. How the consultation process **among district staff, private school officials, and representatives of parents of parentally-placed private school children with disabilities** will operate throughout the school year to ensure that identified children can meaningfully participate in equitable services
5. ~~How~~ **The provision of equitable special education and related services including how,** when, and by whom **such** services will be provided including a discussion about the types of services, alternate service delivery mechanisms, how services will be apportioned if funds are insufficient to serve all of the identified children, and how and when those decisions will be made

6. In the event that the district and private school disagree on the provision of or the types of services, how the district will provide the private school officials with a written explanation of the reasons that the district chose to not provide the services

Note: **20 USC 1412 and** 34 CFR 300.136 **specifies specify** that a private school official may file a complaint with the California Department of Education (CDE) if **he/she the official** believes that the district did not engage in meaningful, timely consultation or did not give due consideration to the views of the private school official. The district must forward appropriate documentation to the CDE or, if necessary, to the **U.S. Department of Education (USDOE) USDOE**.

When meaningful and timely consultation has occurred, the district shall obtain a written affirmation signed by the representatives of participating private schools. If the private school representatives do not provide the affirmation within a reasonable period of time, the district shall forward documentation of the consultation process to the California Department of Education. (**Education Code 56172; 20 USC 1412; 34 CFR 300.135; Education Code 56172**)

After the consultation has occurred, the district shall ensure an annual count of the number of **parentally placed parentally-placed** children with disabilities attending private schools

AR 6164.41(c)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

located within the district. This count shall be conducted between October 1 and December 1 each year and shall be used to determine the amount the district must spend on providing equitable services to the children in the subsequent fiscal year. (34 CFR 300.133)

Provision of Services

Note: Pursuant to 34 CFR 300.137, a **parentally placed parentally-placed** private school child has no individual right to receive the special education services that **he/she** would have **been** received in the public school. Rather, the public school must meet with private school officials and representatives of private school children with disabilities to decide how to spend the money on all of the identified children.

A child with a disability **parentally placed parentally-placed** in a private school has no individual right to receive some or all of the special education and related services that **he/she** would **have been** received if enrolled in public school. Such a child may receive a different amount of services than students with disabilities in public schools. (34 CFR 300.137, 300.138)

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

Note: The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46592, **makes clear clarifies** that the law (20 USC 1412 and 34 CFR 300.131 ~~and 20 USC 1412~~) requires the district where the private school is located, not the district where the child resides, to conduct individual evaluations and subsequent reevaluations of children for purposes of determining the provision of equitable services. **However, the Analysis of Comments to the federal regulations acknowledges that a district of residence could be required to evaluate a child even if it is not the district where the private school is located if the parent requests such an evaluation for purposes of having a program of FAPE made available to the child by the district of residence.**

In its Questions and Answers on Serving Children with Disabilities Placed by their Parents in Private School, USDOE has emphasized that districts may not require a private school to implement a response to intervention (RTI) process before evaluating parentally-placed private school children.

The district shall evaluate all identified ~~parentally-placed~~ **parentally-placed** private school children with disabilities for purposes of considering them for equitable services. This evaluation shall be conducted in accordance with the timelines and procedures for evaluating public school students with disabilities pursuant to 34 CFR 300.300-300.311 **and as specified in BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education**, including **obtaining parent/guardian consent and** providing the parent/guardian with a copy of the procedural safeguards notice. (34 CFR 300.131, 300.504)

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

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

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6164.41(d)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

Note: According to the Analysis of Comments, 71 Fed. Reg. 156, pg. 46593, if after an evaluation, the district where the private school is located determines that the child needs special education and related services, it would be the responsibility of the district where the child resides to make FAPE available. According to **the USDOE's -in Questions and Answers on Serving Children with Disabilities Placed by Their Parents at in Private Schools**, if the parent/guardian makes clear **his/her the** intention to keep the child enrolled in private school, then the district of residence need not make FAPE available to the child nor develop an individualized education program (IEP). In such a case, it is recommended that the district obtain written confirmation of that intention from the parent/guardian, as specified below.

If the child resides in the district and is eligible for an individualized education program (IEP), the district shall make a free appropriate public education (FAPE) available to the child. However, the district ~~shall not~~ **is not required to** develop an IEP if the parent/guardian makes clear ~~his/her~~ **the** intention to keep the child enrolled in private school. In such situations, the district shall obtain written certification confirming the parent/guardian's intention to keep ~~his/her~~ **the** child enrolled in private school, including the fact that ~~he/she~~ **the parent/guardian** is not interested in the development of an IEP or the district's offer of FAPE. If the parent/guardian does not provide confirmation in writing, the district shall obtain oral confirmation of the parent/guardian's intention and confirm the conversation in writing.

~~In order to ensure that each child entitled to special education and related services from the district receives an offer of a free appropriate public education (FAPE), the district where the child resides shall develop an individualized education program (IEP) for each identified child who attends a private school located in the district and who resides in the district.~~

~~However, the district shall not develop an IEP if the parent/guardian makes clear his/her intention to keep the child enrolled in private school. In such situations, the district shall obtain written certification confirming the parent/guardian's intention to keep his/her child enrolled in private school, including the fact that he/she is not interested in the development of an IEP or the district's offer of FAPE. If the parent/guardian does not provide confirmation in writing, the district shall obtain oral confirmation of the parent/guardian's intention and confirm the conversation in writing.~~

Note: In the Analysis of Comments, 71 Fed. Reg. 156, pg. 46593, ~~the~~ USDOE acknowledges there may be a situation where two different districts are evaluating the same child, although for different purposes. 34 CFR 300.622 requires parent/guardian consent for the release of information about ~~parentally placed~~ **parentally-placed** private school children.

If the child resides in a different district, then this district and the district of residence shall work together to ensure that the parent/guardian receives an offer of FAPE in accordance with law.

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CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

Note: 34 CFR 300.138 requires the district to develop an individual services plan (ISP) for each identified child that describes the specific equitable services that will be provided by the district, as agreed to by the district and private school representatives during the consultation process. According to the USDOE's ~~in~~ Questions and Answers on Serving Children with Disabilities Placed by Their Parents ~~at-in~~ Private Schools, the individual services plan (ISP) will be more limited than **an** IEP developed for public school children.

The district shall develop and implement ~~an individual services plan (ISP)~~ for each identified ~~private school~~ child with a disability **enrolled by their parents/guardians in a private school within the district's boundaries** ~~an individual services plan (ISP)~~ that describes the equitable services that the district will provide, as ~~agreed to~~ **determined** by the district ~~after and private school representatives~~ **during** the consultation process **with private school representatives**. (34 CFR 300.138)

Note: The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46592-46593 clarifies that the ISP must, to the extent appropriate, meet the IEP content, development, review, and revision requirements **described in 20 USC 1414**.

The ISP shall be developed, reviewed, and revised consistent with **20 USC 1414** ~~34 CFR 300.121-300.324~~. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the district shall use other methods to ensure the representative's participation, including individual or conference calls. (34 CFR 300.137, 300.138)

(cf. 6159 - Individualized Education Program)

Note: 34 CFR 300.142 details how federal funds may be used by the district to pay for the personnel services described below.

The district may provide services on the private school premises, including a religious school, to the extent consistent with law. The services shall be provided by personnel meeting the same standards as personnel providing services in the public school **except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the special education teacher qualification requirements specified in 34 CFR 300.156**. The personnel shall either be district employees or contractors of the district. (34 CFR 300.138, 300.139)

The district shall offer transportation to the child if services are provided on a site other than the child's school and the ISP team determines that transportation is necessary for the child to benefit from or participate in the services provided in the ISP. Depending on the timing of the services, the district shall provide transportation from the child's school or home to the service site and from the service site to the child's school or home. (34 CFR 300.139)

AR 6164.41(f)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL (continued)

The district may place equipment and supplies in a private school for the period of time necessary to provide the services pursuant to the ISP. All such equipment shall remain the property of the district and must be able to be removed without **remodeling or** causing damage to the private school. The district shall remove the equipment when no longer required by the child, when the child no longer attends the private school, or when removal is necessary to prevent unauthorized use. (34 CFR 300.144)

(3/07 7/16) 9/21

Policy Reference UPDATE Service

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Regulation 6164.41: Children With Disabilities Enrolled By Their Parents In Private School

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

Definitions

Parentally placed private school children with disabilities means children with disabilities who are voluntarily enrolled by their parents/guardians in a private school or facility within district boundaries, including children who are attending a private school or facility within district boundaries but who reside in another district or state. (34 CFR 300.130, 300.131)

Private school or facility means a private full-time day school, including a religious school, located within district boundaries, that has filed an affidavit with the California Department of Education pursuant to Education Code 33190 and is registered in the California Private School Directory.

Consultation with Private School Representatives

The Superintendent or designee shall consult with all private school representatives and representatives of parents/guardians of parentally placed private school children with disabilities during the design and development of equitable services for the children. In order to ensure a meaningful and timely consultation, the consultation shall include: (20 USC 1412(a)(3); 34 CFR 300.134; Education Code 56301)

1. The child find process and how parentally placed private school children suspected of having a disability can participate equitably
2. How parents/guardians, teachers, and private school officials will be informed of the child find process
3. The determination of the proportionate share of federal funds available to serve parentally placed private school children with disabilities and how this share is calculated
4. How the consultation process will operate throughout the school year to ensure that identified children can meaningfully participate in equitable services
5. How, where, and by whom equitable services will be provided including a discussion about the types of services, alternate service delivery mechanisms, how services will be apportioned if funds are insufficient to serve all of the identified children, and how and when those decisions will be made
6. In the event that the district and private school disagree on the provision of or the types of services, how the district will provide the private school officials with a written explanation of the reasons that the district chose to not provide the services

When meaningful and timely consultation has occurred, the district shall obtain a written affirmation signed by the representatives of participating private schools. If the private school representatives do not provide the affirmation within a reasonable period of time, the district shall forward documentation of the consultation process to the California Department of Education. (34 CFR 300.135; Education Code 56172)

After the consultation has occurred, the district shall ensure an annual count of the number of parentally placed children with disabilities attending private schools located within the district. This count shall be conducted between October 1 and December 1 each year and shall be used to determine the amount the district must spend on providing equitable services to the children in the subsequent fiscal year. (34 CFR 300.133)

Provision of Services

A child with a disability parentally placed in a private school has no individual right to receive some or all of the special education and related services that he/she would receive if enrolled in public school. Such a child may receive a different amount of services than students with disabilities in public schools. (34 CFR 300.137, 300.138)

The district shall evaluate all identified parentally placed private school children with disabilities for purposes of considering them for equitable services. This evaluation shall be conducted in accordance with the timelines and procedures for evaluating public school students with disabilities pursuant to 34 CFR 300.300-300.311, including providing the parent/guardian with a copy of the procedural safeguards notice. (34 CFR 300.131, 300.504)

In order to ensure that each child entitled to special education and related services from the district receives an offer

of a free appropriate public education (FAPE), the district where the child resides shall develop an individualized education program (IEP) for each identified child who attends a private school located in the district and who resides in the district.

However, the district shall not develop an IEP if the parent/guardian makes clear his/her intention to keep the child enrolled in private school. In such situations, the district shall obtain written certification confirming the parent/guardian's intention to keep his/her child enrolled in private school, including the fact that he/she is not interested in the development of an IEP or the district's offer of FAPE. If the parent/guardian does not provide confirmation in writing, the district shall obtain oral confirmation of the parent/guardian's intention and confirm the conversation in writing.

If the child resides in a different district, then this district and the district of residence shall work together to ensure that the parent/guardian receives an offer of FAPE in accordance with law.

The district shall develop and implement an individual services plan (ISP) for each identified private school child with a disability that describes the equitable services that the district will provide, as agreed to by the district and private school representatives during the consultation process. (34 CFR 300.138)

The ISP shall be developed, reviewed, and revised consistent with 34 CFR 300.121-300.324. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the district shall use other methods to ensure the representative's participation, including individual or conference calls. (34 CFR 300.137, 300.138)

The district may provide services on the private school premises, including a religious school, to the extent consistent with law. The services shall be provided by personnel meeting the same standards as personnel providing services in the public school. The personnel shall either be district employees or contractors of the district. (34 CFR 300.138, 300.139)

The district shall offer transportation to the child if services are provided on a site other than the child's school and the ISP team determines that transportation is necessary for the child to benefit from or participate in the services provided in the ISP. Depending on the timing of the services, the district shall provide transportation from the child's school or home to the service site and from the service site to the child's school or home. (34 CFR 300.139)

The district may place equipment and supplies in a private school for the period of time necessary to provide the services pursuant to the ISP. All such equipment shall remain the property of the district and must be able to be removed without causing damage to the private school. The district shall remove the equipment when no longer required by the child, when the child no longer attends the private school, or when removal is necessary to prevent unauthorized use. (34 CFR 300.144)

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

State References

	Description
Ed. Code 56000	Special education; legislative findings and declarations
Ed. Code 56020-56035	Definitions
Ed. Code 56170-56177	Children enrolled in private schools
Ed. Code 56195.8	Adoption of policies
Ed. Code 56300-56385	Identification and referral, assessment
Ed. Code 56500-56509	Procedural safeguards
Ed. Code 56600-56606	Evaluation, audits and information

Federal References

	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 300.1-300.818	Assistance to states for the education of students with disabilities

34 CFR 300.130-300.140

Children with disabilities enrolled by their parents in private schools

Management Resources References

Court Decision

Description

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Federal Register

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

U.S. Department of Education Publication

Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools, March 2006

Website

California Department of Education, Special Education - <https://simbli.eboardsolutions.com/SU/wbtzINw8puwslshjTsrMvmBCA==>

Website

U.S. Department of Education, Office of Special Education Programs - <https://simbli.eboardsolutions.com/SU/v4I2D9cNplus2KZ0yVtPslshvZhg==>

Cross References

Description

0430

Comprehensive Local Plan For Special Education - <https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==>

0430

Comprehensive Local Plan For Special Education - <https://simbli.eboardsolutions.com/SU/O3NplusXslshFxM3Z7PVLEnBKeyQ==>

6159

Individualized Education Program - <https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>

6159

Individualized Education Program - <https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>

6159.1

Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/m8kR6OqcnpKBslshBUOCscN6Q==>

6159.1

Procedural Safeguards And Complaints For Special Education - <https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>

6164.4

Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>

6164.4

Identification And Evaluation Of Individuals For Special Education - <https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>

CSBA Sample Board Policy

REVISED

Instruction

BP 6164.4(a)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

Note: **If the Special Education Local Plan Area (SELPA) in which the district participates maintains a policy on this topic, then the following policy and administrative regulation may be deleted and/or modified for consistency with the SELPA's procedures. Districts that delete and/or modify this policy should consult legal counsel as appropriate.**

Education Code 56300 and 34 CFR 300.111 require each district, SELPA, or county office of education to actively seek out all residents from birth to age 21 (~~not "through" age 21~~) who have disabilities as defined by Education Code 56026. The district, SELPA, or county office is also required to include a "child find" process to identify children with disabilities placed by their parents/guardians in private schools; see BP/AR 6164.41 - Children with Disabilities Enrolled by Their Parents in Private Schools.

Pursuant to Education Code 56320.1, ~~Identification-identification~~, evaluation, assessment, and instructional planning procedures for children younger than age 3 must conform with Education Code 56425-56432 and the California Early Intervention Services Act (Government Code 95000-95029). Pursuant to Government Code 95014, ~~The~~ the California Department of Education and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing, or severe orthopedic impairments; the Department of Developmental Services and its regional centers must provide services to all other eligible children in this age group. ~~The law~~ Government Code 95014 also requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code 56441.11 sets forth eligibility criteria for preschool children ages 3-5.

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

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

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

Note: Education Code 56301 **mandates** that districts, SELPAs, or county offices have policies and procedures for a continuous "child find" system which addresses the relationships among identification, screening, referral, evaluation, planning, implementation, review, and triennial assessment.

The U.S. Department of Education's Office of Special Education Programs (OSEP) has emphasized that districts are required to fully implement the Individuals with Disabilities Education Act (IDEA) during the

COVID-19 pandemic, including the requirement to meet child find obligations. In the Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, OSEP encourages districts to reexamine the efficacy of existing child find practices in light of the educational disruptions caused by the COVID-19 pandemic.

Pursuant to Education Code 56302.5, the term "assessment" as used in state law has the same meaning as "evaluation" provided in 20 USC 1414, the federal **IDEA Individuals with Disabilities Education Act (IDEA)** and accompanying federal regulations. The following policy and administrative regulation use the terms interchangeably.

BP 6164.4(b)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

The Superintendent or designee shall establish a comprehensive **child find** system that includes procedures for the identification, screening, referral, **and regular assessment**, and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the special education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include **systematic** methods for utilizing referrals from parents/guardians, teachers, **agencies**, appropriate professionals, and **others—other members of the public**, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

Note: Education Code 56301 **mandates** policy ensuring the following notification. See the accompanying administrative regulation for specific notification requirements.

The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals **for special education services who need special education services**. (Education Code 56301)

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

~~(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. 5145.6 - Parental Notifications)~~

~~(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. 6162.51 - State Academic Achievement Tests)

Legal Reference: (see next page)

BP 6164.4(c)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56043 Timelines affecting special education programs

56195.8 Adoption of policies

56300-~~56304~~**56305** Identification of individuals with disabilities

56320-~~56331~~**56330** Assessment

56333-56338 Eligibility criteria for specific learning disabilities

56340-56347 Instructional planning and individualized education program

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children ages 3-5

56445 Transition to grade school; reassessment

56500-56509 Procedural safeguards

GOVERNMENT CODE

95000-95029.5 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Individuals with Disabilities Education Act, especially:

300.301-300.306 Evaluations and reevaluations

300.323 When IEPs must be in effect

300.502 Independent educational evaluation

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

COURT DECISIONS

Timothy O. v. Paso Robles Unified School District (9th Cir. 2016) 822 F.3d 1105

M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842

Compton Unified School District v. Addison, (9th Cir. 2010) 598 F.3d 1181

N.B. and C.B. v. Hellgate Elementary School District (9th Cir. 2008) 541 F.3d 1202

Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Management Resources: (see next page)

BP 6164.4(d)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Practitioners' Guide for Educating English Learners with Disabilities, 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

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>*

(11/08 11/10) 9/21

Policy Reference UPDATE Service

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Policy 6164.4: Identification And Evaluation Of Individuals For Special Education

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)

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

State References

State References	Description
5 CCR 3021-3029	Identification, referral and assessment
5 CCR 3030-3031	Eligibility criteria
Ed. Code 44265.5	Professional preparation for teachers of impaired students
Ed. Code 56000-56885	Special education programs
Ed. Code 56195.8	Adoption of policies
Ed. Code 56300-56304	Identification of individuals with disabilities
Ed. Code 56320-56331	Assessment
Ed. Code 56333-56338	Eligibility for specific learning disabilities
Ed. Code 56340-56347	Individualized education program teams
Ed. Code 56381	Reassessment of students
Ed. Code 56425-56432	Early education for individuals with disabilities
Ed. Code 56441.11	Eligibility criteria, children ages 3-5
Ed. Code 56445	Transition to grade school; reassessment
Ed. Code 56500-56509	Procedural safeguards
Gov. Code 95000-95029.5	California Early Intervention Services Act

Federal References

Federal References	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1412	State eligibility
20 USC 1415	Procedural safeguards
34 CFR 104.35	Evaluation and placement

34 CFR 104.36	Procedural safeguards
34 CFR 300.1-300.818	Individuals with Disabilities Education Act
34 CFR 300.301-300.306	Evaluations and reevaluations

Management Resources References

Court Decision	Hood v. Encinitas Union School District, (2007) 486 F.3d 1099
Federal Register	Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
Website	California Department of Education, Special Education - https://simbli.eboardsolutions.com/SU/wbtzINw8puwslshjTsrnVmBCA==
Website	U.S. Department of Education, Office of Special Education Programs - https://simbli.eboardsolutions.com/SU/v4I2D9cNplus2KZ0yVtPslshvZhg==

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJkmjn5yXsQ==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==
0430	Comprehensive Local Plan For Special Education - https://simbli.eboardsolutions.com/SU/O3NplusXslshFxM3Z7PVLnBKeyQ==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFEW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2I4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/CkZkCI5GKSusAnqQiDzUDA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/IAJDgoYIIDjrGK0V saiTUA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
4112.23	Special Education Staff - https://simbli.eboardsolutions.com/SU/gmZgmCslshLxxBI7mz2rvcd7A==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/nLODpcyT7kslshdh7plusRuH8oow==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==

- 6120 Response To Instruction And Intervention -
<https://simbli.eboardsolutions.com/SU/73dIMZ3NocmZlegslJcfKQ==>
- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>
- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/m8kR6QcnpKBslshBUOCscN6Q==>
- 6159.1 Procedural Safeguards And Complaints For Special Education -
<https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mPST6vUNcA==>
- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
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- 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education -
<https://simbli.eboardsolutions.com/SU/CRudpul9UFSZJWYwEZtpBQ==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students -
<https://simbli.eboardsolutions.com/SU/w5y5l2RKRIITTWgEGr7c4pA==>
- 6159.3 Appointment Of Surrogate Parent For Special Education Students -
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- 6162.5 Student Assessment -
<https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmslshgPRPDAsAaw==>
- 6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKeg==>
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<https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVQakeqroGOQ==>
- 6163.2 Animals At School -
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- 6163.2 Animals At School -
<https://simbli.eboardsolutions.com/SU/JicadXYu8G69TDnua3slshVug==>
- 6164.41 Children With Disabilities Enrolled By Their Parents In Private School -
<https://simbli.eboardsolutions.com/SU/jDwsvA4ywLatBYyjpUNsgg==>
- 6164.41 Children With Disabilities Enrolled By Their Parents In Private School -
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- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6183 Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/MyV2GJCiJDDplusHlvzjadf6Q==>

CSBA Sample Administrative Regulation

REVISED

Instruction

AR 6164.4(a)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

Referrals for Special Education Services

Note: Pursuant to Education Code 56303, a student should be referred for special education instruction and services only after the resources of the regular education program such as Response to Instruction and Intervention (RtI²) strategies have been considered and, where appropriate, utilized. However, the U.S. Department of Education's Office of Special Education Programs (OSEP) Memorandum 11-07 emphasizes that districts have an obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

In the Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, OSEP encourages districts to reexamine the efficacy of existing child find practices and initiate new activities in light of the educational disruptions caused by the COVID-19 pandemic, including through additional screenings; efforts to increase awareness about special education supports and the effects of the COVID-19 pandemic on students' academic performance and social-emotional, behavioral, and mental health needs; public awareness campaigns about developmental screenings in settings frequented by families such as health departments, physician's offices, public parks, amusement parks, shopping malls, and children's stores; social media campaigns on multiple online platforms; partnering with stakeholders such as parent-teacher organizations; and holding screening events in the community.

Additionally, OSEP emphasizes that students who are experiencing long-term COVID-19 effects must be referred for special education evaluation if their symptoms (such as fatigue, mood changes, or difficulty concentrating) are adversely impacting their ability to participate and learn in the general curriculum.

The obligation of a district to refer a student for special education evaluation is a fact-specific determination that must be made on a case-by-case basis.

The Superintendent or designee shall ensure that the district's child find process includes the collection of data and, at reasonable intervals, the screening of such data to determine if students are making adequate progress, as appropriate.

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

However, the district shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

(cf. 6120 - Response to Instruction and Intervention)

(cf. 6164.5 - Student Success Teams)

AR 6164.4(b)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Note: Pursuant to 34 CFR 300.301, a parent/guardian or district may request an initial evaluation to determine if a student is a student with a disability. OSEP Memorandum 11-07 emphasizes that if a parent/guardian requests an evaluation, and the district agrees with the parent/guardian that the student may be eligible for special education and related services, the district must evaluate the child. If the district does not suspect that the child has a disability and denies the request for an initial evaluation, the district must provide written notice to the parent/guardian, pursuant to 34 CFR 330.503, explaining the basis for such decision.

A parent/guardian or the district may initiate a request for an initial evaluation to determine if the student is a student with a disability. (34 CFR 300.301)

When a verbal referral is made, staff shall offer assistance to the individual to make the request in writing and shall assist the individual if the individual requests such assistance. (5 CCR 3021)

All referrals from school staff ~~for special education and related services~~ **for an initial evaluation** shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the ~~student and their effect~~ **and, when appropriate, the results of intervention. This documentation shall not delay the timelines for completing the assessment plan or assessment.** (5 CCR 3021)

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the district shall conduct a full and individual initial evaluation of the student. (Education Code 56320; 34 CFR 300.301)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 **calendar** days, not counting days between the

student's regular school sessions or terms or **calendar** days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (Education Code 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public

Note: 34 CFR 300.29 defines "native language" as the language normally used by the individual ~~and, for a child, the~~ **language regularly used in the home environment.**

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

(cf. 6159 - Individualized Education Program)

A copy of the notice of a parent/guardian's rights and procedural safeguards shall be attached to the evaluation plan. (Education Code 56321)

The proposed written evaluation plan shall include a description of recent assessments conducted, including available independent assessments and assessment information requested by the parent/guardian to be considered, as well as information indicating the student's primary language and the student's primary language proficiency as determined by Education Code section 52164.1. (5 CCR 3022)

Note: 34 CFR 300.504 requires the district to provide parents/guardians with written notice prior to conducting the initial evaluation. For contents of the prior written notice, see AR 6159.1 - Procedural Safeguards and Complaints for Special Education.

Education Code 56329 clarifies the factors to consider when making a determination of eligibility (Item #2 below) and specifies circumstances in which a parent/guardian may be entitled to an independent educational evaluation (IEE) (Items #4 and #5 below).

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (Education Code 56329; 34 CFR 300.304, 300.502, 300.504)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or the parent/guardian's representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.
2. When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency, **if the student does not otherwise meet the eligibility criteria under 34 CFR 300.8.**

3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If the parent/guardian disagrees with an evaluation obtained by the district, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR

300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.

If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the student's parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the

observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

(cf. 5145.6 - Parental Notifications)

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

(cf. 6164.41 - Children with Disabilities Enrolled by their Parents in Private School)

Parent/Guardian Consent for Evaluations

Note: Pursuant to Education Code 56321 and 34 CFR 300.300-300.301 and Education Code 56344, the district must first obtain informed parent/guardian consent before conducting (1) an initial evaluation to determine if the student is a student with a disability or (2) a reevaluation to determine if the student continues to be a student with a disability. See AR 6159 - Individualized Education Program for language regarding parent/guardian consent for the provision of special education services, including the right to revoke such consent.

In *M.M. v. Lafayette School District*, the Ninth Circuit Court of Appeals concluded that the district had a procedural duty to provide the parents with their child's response to instruction (RTI) data when the district sought to obtain their informed consent for the initial evaluation. The district's failure to provide the parents with the RTI data as part of the initial evaluation resulted not only in a procedural violation but also a substantive violation of the Individuals with Disabilities Education Act since the failure prevented the parents from meaningfully participating in the IEP process.

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether to consent to the initial evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.300)

Informed parental consent means that the parent/guardian: (Education Code 56021.1; 34 CFR 300.9)

1. Has been fully informed, in the parent/guardian's native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which parent/guardian consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on the parent/guardian's part and may be revoked at any time

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4. Understands that if the parent/guardian revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked). **The district is not required to amend the education records of a student to remove any reference to the student's receipt of special education and services if the student's parent/guardian submits a written revocation of consent after the initial provision of special education and related services to the student.**

The district shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. (Education Code 56321; 34 CFR 300.300, 300.322)

Note: It is recommended that the district maintain a record of its attempts to obtain consent, as provided in Items #1-3 below.

The district shall maintain a record of its attempts to obtain consent, **including which may include:** (~~Education Code 56321, 56341.5; 34 CFR 300.300, 300.322~~)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Note: ~~Education Code 56321 and 34 CFR 300.300 and Education Code 56321~~ provide that if a parent/guardian refuses to consent to an evaluation, the district may, but is not required to, utilize the due process procedures to pursue the evaluation. However, if the district declines to pursue the evaluation, the district ~~shall have satisfied~~ **does not violate** its **child find** obligations under state and federal law.

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (Education Code 56321; 34 CFR 300.300)

For a student who is a ward of the state and not residing with the student's parent/guardian, **the district shall make reasonable efforts to obtain the informed consent from the parent of the student for an initial evaluation to determine whether the student is a student with a disability.** The district may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: (Education Code 56321.1; 20 USC 1414; 34 CFR 300.300)

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with **state California**-law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with **state California** law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

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

The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or **reevaluation, or before** administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (Education Code 56321; 34 CFR 300.300)

Conduct of the Evaluation

Within 60 calendar days of receiving parental consent for the initial assessment of a student, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, a determination whether the student is eligible for special education and the educational needs of the student shall be made, an IEP team meeting shall occur, and an IEP shall be developed, unless the parent/guardian agrees in writing to an extension, pursuant to Education Code 56344. If the 60-day time is interrupted by a student school vacation, the 60-day time shall recommence on the date

that student schooldays reconvene and a meeting to develop an IEP for the student shall be conducted within 30 days of a determination that the student needs special education and related services. (Education Code 56043, 56344)

However, when a referral has been made for a student 30 days or less prior to the end of the regular school year, an IEP required as a result of an assessment of the student shall be developed within 30 days after the commencement of the subsequent regular school year. The district shall complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine the student's educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. (Education Code 56043, 56344; 34 CFR 300.300, 300.301, 300.323)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (Education Code 56320, 56322)

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

In addition, evaluations and reevaluations shall be administered by qualified personnel who are competent in the oral or sign language skills and written skills of the student's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it is clearly not feasible to do so, an interpreter shall be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected. The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition. (5 CCR 3023)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (Education Code 56321; 20 USC 1414; 34 CFR 300.302)

In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the

necessary components of the student's IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (34 CFR 300.304)

The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
2. Provided and administered in the **student's native** language **or other mode of communication** and **in the** form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

4. Administered by trained and knowledgeable personnel **except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist**
5. Administered in accordance with any instructions provided by the producer of the assessments

6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient

7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, **rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).**

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. **For students with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to Education Code 56136.** The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (Education Code 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (Education Code 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student

2. The present levels of academic achievement and related developmental needs of the student

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the student's IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (34 CFR 300.304)

Evaluation Report

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)

1. Whether the student may need special education and related services
2. The basis for making the determination
 3. The relevant behavior noted during the observation of the student in an appropriate setting
 4. The relationship of that behavior to the student's academic and social functioning
 5. The educationally relevant health, developmental, and medical findings, if any
 6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
 7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
 8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Eligibility Determination

Note: The following section contains procedures for determining a student's eligibility for special education and related services. **Education Code 56334-56338 and 34 CFR 300.307-300.311** ~~and Education Code 56333-56338~~ provide additional procedures for conducting the evaluation and making the determination for eligibility of a student with specific learning disabilities.

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability **as defined in 5 CCR 3030 and 34 CFR 300.8** and, if so, the student's educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

~~The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)~~

- ~~1. Whether the student may need special education and related services~~
- ~~2. The basis for making the determination~~
- ~~3. The relevant behavior noted during the observation of the student in an appropriate setting~~
- ~~4. The relationship of that behavior to the student's academic and social functioning~~
- ~~5. The educationally relevant health, developmental, and medical findings, if any~~

~~6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services~~

~~7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate~~

~~8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136~~

AR 6164.4(1)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Note: Education Code 56329 requires districts to provide notice about specific factors in making the determination of eligibility as part of the district's evaluation plan. See section above entitled "Initial Evaluation for Special Education Services."

When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance, shall not be diagnosed as a disabling condition. (5 CCR 3023)

~~If a determination is made that a student has a disability and needs special education and related services, an IEP shall be developed within a total time not to exceed 60 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for evaluation, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56043; 34 CFR 300.306)~~

Independent Educational Evaluation

Note: 34 CFR 300.502 requires the district to provide parents/guardians, upon request **for an IEE**, information about where an IEE may be obtained and the district's criteria for the evaluation, including the location of the evaluation, qualifications of the examiner, and timelines for obtaining the evaluation. These criteria must be the same as the criteria that the district uses for district-initiated evaluations. In addition, Education Code 56329 requires districts to provide notice about parent/guardian rights to an IEE as part of the proposed evaluation plan; see section above entitled "Initial Evaluation for Special Education Services." Districts may wish to modify the following section to include specific criteria developed by the district or special education local plan area, as appropriate.

An independent educational evaluation is defined as an evaluation conducted by a qualified examiner who is not employed by the district. (34 CFR 300.502)

Public expense means that the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502)

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria, **including the location of the evaluation and the qualifications of the examiner**, that the district uses for a district-initiated evaluation. ~~(Education Code 56329-34 CFR 300.502)~~

AR 6164.4(m)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

~~An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by the district. Public expense means the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (Education Code 56329; 34 CFR 300.502)~~

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that the parent/guardian objects to the district's evaluation. However, the parent/guardian is not required to provide ~~the reason to the district~~ **an explanation and the district may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation.** (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless the district ~~can later demonstrate~~ **demonstrates** at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (**Education Code 56329**; 34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (**Education Code 56329**; 34 CFR 300.502)

Reevaluation

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests

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IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303)

The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

Note: The following paragraph is for use by districts that offer grades K-1.

Before entering kindergarten or first grade, **as the case may be**, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs ~~to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these children~~. (Education Code 56445)

(cf. 5148.3 - Preschool/Early Childhood Education)

(3/09 11/10) 9/21

Policy Reference UPDATE Service

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Regulation 6164.4: Identification And Evaluation Of Individuals For Special Education

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

Referrals for Special Education Services

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

All referrals from school staff for special education and related services shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and their effect. (5 CCR 3021)

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the district shall conduct a full and individual initial evaluation of the student. (Education Code 56320; 34 CFR 300.301)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (Education Code 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public
2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (Education Code 56329; 34 CFR 300.304, 300.504)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.
2. When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency.
3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If the parent/guardian disagrees with an evaluation obtained by the district, he/she has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This

equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.

If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by his/her parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

Parent/Guardian Consent for Evaluations

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.300)

Informed parental consent means that the parent/guardian: (Education Code 56021.1; 34 CFR 300.9)

1. Has been fully informed, in his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which his/her consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time
4. Understands that if he/she revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)

The district shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. The district shall maintain a record of its attempts to obtain consent, including: (Education Code 56321, 56341.5; 34 CFR 300.300, 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (Education Code 56321; 34 CFR 300.300)

For a student who is a ward of the state and not residing with his/her parent/guardian, the district may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: (Education Code

56321.1; 20 USC 1414; 34 CFR 300.300)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with California law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (Education Code 56321; 34 CFR 300.300)

Conduct of the Evaluation

The district shall complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. (Education Code 56344; 34 CFR 300.300, 300.301)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (Education Code 56320, 56322)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (34 CFR 300.302)

In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the necessary components of his/her IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (34 CFR 300.304)

The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
2. Provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient
7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and

development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (Education Code 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (Education Code 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student
2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in his/her IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (34 CFR 300.304)

Eligibility Determination

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability and, if so, his/her educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)

1. Whether the student may need special education and related services
 2. The basis for making the determination
 3. The relevant behavior noted during the observation of the student in an appropriate setting
 4. The relationship of that behavior to the student's academic and social functioning
 5. The educationally relevant health, developmental, and medical findings, if any
 6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
- or
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
 8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136 and/or other SELPA approved model.

When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

If a determination is made that a student has a disability and needs special education and related services, an IEP shall be developed within a total time not to exceed 60 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for evaluation, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56043; 34 CFR 300.306)

Independent Educational Evaluation

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria that the district uses for a district-initiated evaluation. An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by the district. Public expense means the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (Education Code 56329; 34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that he/she objects to the district's evaluation. However, the parent/guardian is not required to provide the reason to the district. (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless the district can later demonstrate at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (34 CFR 300.502)

Reevaluation

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303)

The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these children. (Education Code 56445)

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

State References

5 CCR 3021-3029
 5 CCR 3030-3031
 Ed. Code 44265.5
 Ed. Code 56000-56885
 Ed. Code 56195.8
 Ed. Code 56300-56304
 Ed. Code 56320-56331
 Ed. Code 56333-56338
 Ed. Code 56340-56347
 Ed. Code 56381
 Ed. Code 56425-56432
 Ed. Code 56441.11
 Ed. Code 56445
 Ed. Code 56500-56509
 Gov. Code 95000-95029.5

Description

Identification, referral and assessment
 Eligibility criteria
 Professional preparation for teachers of impaired students
 Special education programs
 Adoption of policies
 Identification of individuals with disabilities
 Assessment
 Eligibility for specific learning disabilities
 Individualized education program teams
 Reassessment of students
 Early education for individuals with disabilities
 Eligibility criteria, children ages 3-5
 Transition to grade school; reassessment
 Procedural safeguards
 California Early Intervention Services Act

Federal References

20 USC 1232g
 20 USC 1412
 20 USC 1415
 34 CFR 104.35
 34 CFR 104.36
 34 CFR 300.1-300.818
 34 CFR 300.301-300.306

Description

Family Educational Rights and Privacy Act (FERPA) of 1974
 State eligibility
 Procedural safeguards
 Evaluation and placement
 Procedural safeguards
 Individuals with Disabilities Education Act
 Evaluations and reevaluations

Management Resources References

Court Decision
 Federal Register
 Website
 Website

Description

Hood v. Encinitas Union School District, (2007) 486 F.3d 1099
 Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
 California Department of Education, Special Education - <https://simbli.eboardsolutions.com/SU/wbtzINw8puwslshjTsrMvmBCA==>
 U.S. Department of Education, Office of Special Education Programs - <https://simbli.eboardsolutions.com/SU/v4I2D9cNplus2KZ0yVtPslshvZhg==>

Cross References

0410
 0430
 0430
 0460

Description

Nondiscrimination In District Programs And Activities - <https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==>
 Comprehensive Local Plan For Special Education - <https://simbli.eboardsolutions.com/SU/76Pc2jITzGKe840o2nGKVg==>
 Comprehensive Local Plan For Special Education - <https://simbli.eboardsolutions.com/SU/O3NplusXslshFxM3Z7PVLEnBKeyQ==>
 Local Control And Accountability Plan - <https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==>

0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7jLpO3olzZyV5UFW73rM7w==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/KrBcPGXeE40hG2i4ah8CqA==
1312.3-E(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/kSrAwY7oJ7SKiyJfslsh6cAjq==
1312.3-E(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/7HzXF8QLn2iLE3tplusW51BUg==
3541.2	Transportation For Students With Disabilities - https://simbli.eboardsolutions.com/SU/CkZkCI5GKSusAnqQiDzUDA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/IAJDgoYIIDjrGK0V saiTUA==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/F9u50slshgnNSFWzZ1KL25Hgg==
4112.23	Special Education Staff - https://simbli.eboardsolutions.com/SU/gmZgmCslshLxxBI7mz2rvcd7A==
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - https://simbli.eboardsolutions.com/SU/nLODpcyT7klsldh7plusRuH8oow==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVpshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1Pc7H4r7uslsh0slshTWOspoew==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==
6120	Response To Instruction And Intervention - https://simbli.eboardsolutions.com/SU/73dIMZ3NocmZleglJcfKQ==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/m8kR6OqncpKBslshBUOCscN6Q==
6159.1	Procedural Safeguards And Complaints For Special Education - https://simbli.eboardsolutions.com/SU/c3m96PV0v0n1mpST6vUNcA==
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/V7yUlsFdFwQsSlshglSlsho7wzdg==
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - https://simbli.eboardsolutions.com/SU/CRudpul9UFSZJWYwEZtpBQ==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/w5y5l2RKRIITWgEGr7c4pA==
6159.3	Appointment Of Surrogate Parent For Special Education Students - https://simbli.eboardsolutions.com/SU/OAsg62CoShZYMnQmfACXslshA==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmslshgPRPDAsAaw==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKeg==

- 6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVQakeqroGOQ==>
- 6163.2 Animals At School -
<https://simbli.eboardsolutions.com/SU/UbKCOZmet0V8Ya9gXCOW9A==>
- 6163.2 Animals At School -
<https://simbli.eboardsolutions.com/SU/JicadXYu8G69TDnua3slshVug==>
- 6164.41 Children With Disabilities Enrolled By Their Parents In Private School -
<https://simbli.eboardsolutions.com/SU/jDwsvA4ywLatBYyjpUNSGg==>
- 6164.41 Children With Disabilities Enrolled By Their Parents In Private School -
<https://simbli.eboardsolutions.com/SU/RBAvBV0S73Aq7SyS0UdjLA==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==>
- 6173.1 Education For Foster Youth -
<https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==>
- 6183 Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/MyV2GJCiJDDplusHlvzjadf6Q==>

CSBA Sample Board Policy

REVISED

Instruction

BP 6143(a)

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: The following **optional** paragraph should be revised to reflect the grade levels offered by the district. For example, unified school districts need to be concerned about articulation of courses within the district and with postsecondary institutions, whereas elementary districts and high school districts will need to address articulation with each other.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately **or require or refuse participation by any student** on the basis of **the student's actual or perceived** sex, sexual orientation, gender, **gender expression, gender identity,** ethnic group identification, **immigration status,** race, ancestry, national origin, religion, color, **or** mental or physical disability, **or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics** ~~or require or refuse participation by any of its students on any such basis.~~ **(Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)**

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

Note: The following section is for use by districts offering elementary grades and may be revised to reflect district practice. Education Code 51225.4 **mandates** elementary school districts to certify to the

BP 6143(b)

COURSES OF STUDY (continued)

Superintendent of Public Instruction that they have adopted a policy to implement a course of instruction that sufficiently prepares students for the secondary courses required for graduation pursuant to Education Code 51225.3.

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

Note: Education Code 51228 requires districts to offer students in grades 7-12 a course of study that fulfills the requirements and prerequisites for admission to California **public** colleges. Education Code 51228 also requires districts to offer such students the opportunity to attain entry-level employment skills. Pursuant to Education Code 51228, districts that adopt a course of study that meets or exceeds the state model curriculum standards in career technical education will be deemed to have satisfied the requirement.

Education Code 66204 prohibits a public school from establishing any policy or practice that directs any student away from choosing programs that prepare a student academically for college, especially for cultural or linguistic reasons.

The following paragraph is for use by districts maintaining any of grades 7-12 and should be revised to reflect the grade levels offered by the district.

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. **The district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied**

learning across all disciplines, and prepares all students for high school graduation and career entry. (Education Code 51228)

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

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

Note: The remainder of this policy is for use by districts maintaining any of grades 9-12.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation. (Education Code 51224, 51228)

BP 6143(c)

COURSES OF STUDY (continued)

Note: Among the criteria for admission to the University of California (UC) or California State University system is a requirement that high school students satisfactorily complete 15 **yearlong/30 semesters units** of specified courses ("a-g" courses). These include a growing number of career technical education courses that connect knowledge of academic content with practical or work-related applications.

In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. Education Code 51229 requires that districts annually provide the list of certified courses to students in grades 9-12 and their parents/guardians; see the accompanying administrative regulation and E 5145.6 - Parental Notifications.

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Categorical program monitoring and prohibition of discrimination, harassment, intimidation, and bullying

234.7 Student protections relating to immigration and citizenship status

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

49060-49079 Student records

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 Social science instruction; history of California; contributions of various groups

51210-51212 Course of study for grades 1-6

51220-~~51230~~ ~~51229~~ Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 **California Healthy Youth Act Comprehensive sexual health and HIV/AIDS prevention instruction**

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

Legal Reference continued: (see next page)

BP 6143(d)

COURSES OF STUDY (continued)

Legal Reference: (continued)

GOVERNMENT CODE

7282-7282.5 Standards for responding to U.S. Immigration and Customs enforcement holds

7283-7283.2 Standards for participation in U.S. Immigration and Customs enforcement programs

7284-7284.12 Cooperation with immigration authorities

11135 Discrimination

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

PENAL CODE

422.55 Hate crime

CODE OF REGULATIONS, TITLE 5

430-438 Student Records

4940 Nondiscrimination; course access
10020-10043 Automobile driver education and training
10060 Physical education program
UNITED STATES CODE, TITLE 20
6111-6251 School-to-Work Opportunities Act of 1994
1232g Family Educational Rights and Privacy Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act

Management Resources:

WEB SITES

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

American **Heart Health** Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school

California Student Aid Commission: <https://www.csac.ca.gov>

Federal Student Aid: <https://studentaid.gov>

University of California, a-g Course Submissions:

<https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

University of California, List of Approved a-g Courses: <https://hs-articulation.ucop.edu/agcourselist>

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

(11/11 12/19) 12/21

Policy Reference UPDATE Service

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Policy 6143: Courses Of Study

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Revised Date:** 10/15/2020 | **Last Reviewed Date:** 10/15/2020

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

Elementary Grades

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

Secondary Grades

The district shall offer all otherwise qualified students in grades 7-8 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

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

State References

State References	Description
5 CCR 10020-10043	Automobile driver education and training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 4940	Nondiscrimination; course access
Ed. Code 33319.3	Driver education; CDE materials on road rage
Ed. Code 33540	Standards for government and civics instruction
Ed. Code 48980	Parental notifications
Ed. Code 51202	Instruction in personal and public health and safety
Ed. Code 51203	Instruction on alcohol, narcotics and dangerous drugs
Ed. Code 51204	Course of study designed for student's needs
Ed. Code 51204.5	History of California; contributions of men, women, and ethnic groups
Ed. Code 51210-51212	Course of study for grades 1-6
Ed. Code 51220-51229	Course of study for grades 7-12
Ed. Code 51241	Temporary, two-year or permanent exemption from physical education
Ed. Code 51911-51921	Comprehensive health education
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 51940	Curriculum for brain and spinal cord injury prevention
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 66204	Certification of high school courses as meeting university admission criteria
H&S Code 11032	Definition of dangerous drugs

Federal References

Federal References	Description
20 USC 6111-6251	School-to-Work Opportunities Act of 1994

Management Resources References

	Description
Website	American Health Association - https://simbli.eboardsolutions.com/SU/b3lxYM0IngslokJIUo8EDA==
Website	American Red Cross, Hands-Only CPR - https://simbli.eboardsolutions.com/SU/yNmCLE6BTzYmNrLx5G1otA==
Website	California Career Resource Network - https://simbli.eboardsolutions.com/SU/aiMKC0wIC2eTMogaBMcl9g==
Website	California State University, Admission Requirements - https://simbli.eboardsolutions.com/SU/slshdgyHwGx0LyDs8Ow47K5Cg==
Website	University of California, a-g Course Submissions - https://simbli.eboardsolutions.com/SU/dl7biMSP81bUfpxMPCFyyA==
Website	University of California, List of Approved a-g Courses - https://simbli.eboardsolutions.com/SU/h6xuwR1faZdgmTplusZLLyXxA==
Website	California Colleges.edu - https://simbli.eboardsolutions.com/SU/Br2HJl1HrO0ihhv4giogOA==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

	Description
0415	Equity - https://simbli.eboardsolutions.com/SU/3HcjCJkXOWFBX0NUyV6GWw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/Rd2EzAo5Lxplusf6Cg370zXgw==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/SZFqSD5qqUtFNBzslshcplusKhZg==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/Cu123BsR1bAb3SyPE1fbpA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/yB5VBT6WrXxl69E2RXQUvQ==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/qxIKnSvFsbuzP7KEplusPprg==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/UQ1O4LHoybrplusXuDXP09uw==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/2fZQgaza7FWB0KouzttxEA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/eP7p7amj6UOAQB1iaTOjdw==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/zjW2XEy3C4MCCxcRGQ9t2aA==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxslshg==

5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspow==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/QyLrruw5gplussHOObxmtHbig==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/OmNL5T6SuAH1I46w0L28oA==
6141.2	Recognition Of Religious Beliefs And Customs - https://simbli.eboardsolutions.com/SU/LbSSik56JLiE1txjsSaa7g==
6141.2	Recognition Of Religious Beliefs And Customs - https://simbli.eboardsolutions.com/SU/8plusPaMuEXplusYBmiXwqhtmfslshA==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/S4KAb357YIOgkdmk5wd8A==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/Umla1mELChYcbrZx1VMNEg==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/AzmModnV3vLslshJn02pEnzBw==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/XaaEXSfKRATddEdedTr5Rw==
6142.5	Environmental Education - https://simbli.eboardsolutions.com/SU/oRdaYJOPZupluswKIRwxLTaCQ==
6142.6	Visual And Performing Arts Education - https://simbli.eboardsolutions.com/SU/9Oplus8QiiLFz8iEtY1xQwVXA==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/x0hb3hkKicXv7wlr4CYoQg==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/3slshq0kP6i01dlvoZMdFHCvA==
6142.91	Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/jHkplusBplusnL6sM6K6C8Zc5KUw==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/2kHeob8oTQU4G54jdJKp4w==
6142.93	Science Instruction - https://simbli.eboardsolutions.com/SU/w9VU81P2tplus6slshVBe2J0pq9g==
6142.94	History-Social Science Instruction - https://simbli.eboardsolutions.com/SU/xhknP1IXRU0NUSvhv7ZgWg==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/uaAajN6Z56Qj1UjTdtDmeg==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/pmsd7bmplSu6Rm8EpxeyPw==

6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRKtGg==
6145.8	Assemblies And Special Events - https://simbli.eboardsolutions.com/SU/U6lw6H1o83WmTwxhTnHdlw==
6146.5	Elementary/Middle School Graduation Requirements - https://simbli.eboardsolutions.com/SU/BxjuPZDW0cslsh5EZg7vxyFw==
6151	Class Size - https://simbli.eboardsolutions.com/SU/EplusvStgc8s1rUk6PQHcJ6RA==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/cVcwWiAK3pCgNhfrC3plusGpA==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/LEKRQIY1ERodUMlga3JmEQ==
6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/XyDBUL4JXDF4lORuiCx52g==
6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/EG8hLnoLTjU0pMVaxVUg==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZlZplusG1slshQEZkEw==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/mx70qzqnj48uAUy9I9m7fg==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/rf9plusYmtsgv6hznQC3ipMplusQ==
6161.1-E(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/EoZiZhrplusD2n6Z25P848uBQ==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/Ojslshf1lF2LPmZM3bXas7Xvg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.3	Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/KhyYZOplus0AslshTH8EJqpsJZgg==
6177	Summer Learning Programs - https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==

CSBA Sample Administrative Regulation

REVISED

Instruction

AR 6143(a)

COURSES OF STUDY

Note: Education Code requirements for courses of study are generally classified into requirements for grades 1-6 and 7-12. Therefore, K-8 districts and high school districts need to collaborate with appropriate area districts to ensure that all required courses are offered sometime during grades 7-12.

The district should select the sections below ("Grades 1-6" and/or "Grades 7-12") that correspond with the grade levels **offered** it offers.

Grades 1-6

Note: Items #1-7 below are areas of study required by law for grades 1-6. The Governing Board may add other studies to this list.

Courses of study for grades 1-6 shall include the following:

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic,

AR 6143(b)

COURSES OF STUDY (continued)

political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

(cf. 6142.93 - Science Instruction)

5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise #6a-e below to indicate topics that will be addressed in grades K-6.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

AR 6143(c)

COURSES OF STUDY (continued)

a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation **(CPR)** when appropriate equipment is available

(cf. 6142.8 - Comprehensive Health Education)

b. Fire prevention

c. The protection and conservation of resources, including the necessity for the protection of the environment

d. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

Note: The following item is **optional** pursuant to Education Code 51202.

f. Violence as a public health issue

7. Physical education; with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

(cf. 6142.7 - Physical Education and Activity)

Note: Item #8 below is **optional**. Education Code 51210.5 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed in items #1-7 above. Pursuant to Education Code 51210.5, such instruction may include personal testimony in the form of oral or video histories that illustrate the economic and cultural effects of violence within a city, the state, and the country. See BP 6142.94 - History-Social Science Instruction.

8. Violence awareness and prevention

Note: **Optional** item #9 below is not required by state law but is a highly recommended component of school-to-career instruction.

9. Career awareness exploration

(cf. 6178 - Career Technical Education)

AR 6143(d)

COURSES OF STUDY (continued)

Grades 7-12

Note: Items #1-11 below are areas of study required by law for grades 7-12. The Board may add other studies to this list.

Courses of study for grades 7-12 shall include the following:

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including instruction in:

- (1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

Note: Education Code 51221.3 and 51221.4 encourage, but do not require, instruction on the topics described in optional subitems #(2)-(4) below. These items may be modified or deleted to reflect district practice.

For districts that choose to offer such instruction, Education Code 51221.3 and 51221.4 encourage that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code 51221.3 and 51221.4. See BP 6142.94 - History-Social Science Instruction.

- (2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

AR 6143(e)

COURSES OF STUDY (continued)

(3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

(4) The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States

b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

Note: The following **optional** paragraph is for use by districts that offer a teen court or peer court program.

This course may include participation in a teen court or peer court program.
(Education Code 51220.2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

c. The development of the American economic system, including the role of the entrepreneur and labor

d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

e. Eastern and western cultures and civilizations

Note: Pursuant to Education Code 51220, instruction related to human rights issues, as provided in item #2f below, may include the study of the Armenian genocide. Education Code 51226.3 encourages the incorporation of oral testimony into instruction in human rights, **the Holocaust, and genocide**, including the Armenian, Cambodian, Darfur, and Rwandan genocides.

f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust

g. Contemporary issues

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

COURSES OF STUDY (continued)

3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

(cf. 6142.2 - World Language Instruction)

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education and Activity)

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

Note: The reference to "homemaking" within Education Code 51220, as amended by AB 1595 (Ch. 543, Statutes of 2019), has been changed to "family and consumer sciences."

8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6178 - Career Technical Education)

AR 6143(g)

COURSES OF STUDY (continued)

Note: Education Code 51934 requires that students be provided comprehensive sexual health and HIV prevention instruction at least once in middle school or junior high school and at least once in high school. See BP/AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction for required components of such instruction.

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Note: Education Code 51202 requires that certain health-related topics be addressed at "the appropriate elementary and secondary grade levels" during grades K-12. Districts may revise item #11 below to indicate topics that will be addressed in grades 7-12.

Education Code 51203 requires the Board to adopt regulations specifying the grade(s) and course(s) in which drug and alcohol education will be given. For language fulfilling this mandate, see AR 5131.6 - Alcohol and Other Drugs.

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and ~~cardiopulmonary resuscitation (CPR)~~ when appropriate equipment is available

Note: The following paragraph is for use by districts that require a course in health education for high school graduation; see BP 6146.1 - High School Graduation Requirements. Pursuant to Education Code 51225.6, such districts are required to include instruction in performing compression-only cardiopulmonary resuscitation (CPR), as described below. Such instruction must be based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart

Association or the American Red Cross, and must include hands-on practice in compression-only CPR. On its web site, **the California Department of Education CDE** provides guidance on how to implement this requirement.

Education Code 51225.6 also encourages districts to provide students with general information on the use and importance of an automated external defibrillator.

Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice. (Education Code 51225.6)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

AR 6143(h)

COURSES OF STUDY (continued)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 6142.8 - Comprehensive Health Education)

Note: The following two items are **optional** pursuant to Education Code 51202.

- f. Prenatal care **for pregnant individuals**
- g. Violence as a public health issue

Note: Item #12 is **optional**. Education Code 51220.3 authorizes age-appropriate instruction on violence awareness and prevention within any area of study listed above for grades 7-12.

12. Violence awareness and prevention

Note: ~~Item #13 is optional. Pursuant to Education Code 51226.7, as amended by AB 114 (Ch. 413, Statutes of 2019), requires the State Board of Education has adopted to adopt a model curriculum in ethnic studies by March 31, 2021 and encourages upon which districts may to offer a course in ethnic studies based on that model curriculum as an elective course in social sciences or English language arts in at least one year grade level during grades 9-12. At their discretion, districts may choose to offer a course in ethnic studies prior to the availability of the model curriculum.~~

Subject to funding in the annual Budget Act or other statute, Education Code 51225.3, as amended by AB 101 (Ch. 661, Statutes of 2021), requires a one-semester course in ethnic studies for high school graduation beginning with students who graduate in the 2029-30 school year.

Item #13 is currently optional, but, if funding is appropriated, districts will be required to offer a one-semester ethnic studies course, as specified, beginning in the 2025-26 school year.

13. Ethnic studies

Commencing in the 2025-26 school year, the district shall offer a one-semester course in ethnic studies as specified in Education Code 51225.3.

Note: Education Code 51220.5 requires the equivalent content of a one-semester course in parenting skills and education in grade 7 and/or 8, subject to funding which was not subsequently appropriated; thus the following paragraph is currently **optional**.

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

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

AR 6143(i)

COURSES OF STUDY (continued)

Note: The following paragraph is for use by districts that maintain high schools.

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles

5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

Certification of College Preparatory Courses

Note: The following **optional** section is for use by districts that maintain grades 9-12 and may be revised to reflect district practice. Among the criteria for admission to the University of California (UC) or California State University system is a requirement that students satisfactorily complete 15 **yearlong/30 semesters units** of specified courses ("a-g" courses). In order to qualify as an "a-g" course, the course must first be submitted to and approved by UC. The district or school should develop course descriptions using the templates provided by UC and submit them through UC's online system.

Education Code 51225.37 encourages districts that offer world language courses specifically designed for native speakers to submit those courses to UC for certification and addition to the school's "a-g" course list.

The following paragraph may be revised to reflect the position in the district or school(s) that is responsible for submitting and updating "a-g" courses.

The Superintendent or designee shall identify district courses that may qualify for designation as "a-g" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to the University of California (UC) for "a-g" designation.

AR 6143(j)

COURSES OF STUDY (continued)

Notification and Information to Students in Grades 9-12

Note: The following section is for use by districts that maintain grades 9-12.

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)

Note: The UC maintains a searchable web site that lists certified "a-g" courses for all regular California public high schools; ~~see the management resources in the accompanying Board policy.~~

2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

Note: Education Code 51225.8 requires districts, ~~beginning with the 2020-21 school year,~~ to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the **California** Dream Act **Application application (CADAA)**, as appropriate, at least once before grade 12. At the district's discretion, the information provided may be disseminated through in-class instruction, an existing program, family information sessions, group or individual sessions with school counselors, or other appropriate means.

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the **California** Dream Act **Application application (CADAA)** at least once before grade 12. (Education Code 51225.8)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

AR 6143(k)

COURSES OF STUDY (continued)

Financial Aid Requirements for Students in Grade 12

Note: Pursuant to Education Code 51225.7, as added by AB 132 (Ch. 144, Statutes of 2021), starting in the 2022-23 school year, the district is required to confirm that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education and/or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless there is an exception as specified below.

Pursuant to Education Code 51225.7, as added by AB 132, CSAC is required to, by July 1, 2022, adopt regulations that include model opt-out forms and acceptable use policies for the purpose of providing guidance on the protection of student and parent/guardian data, which will be available on CSAC's web site.

Commencing in the 2022-23 school year, the Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition a CADAA to the Student Aid Commission (CSAC), unless either: (Education Code 51225.7)

1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district
2. If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf

Note: Pursuant to Education Code 51225.7, as added by AB 132, the district shall ensure that each high school student in Grade 12, and if applicable, the student's parent/guardian, is directed to any support and assistance necessary to complete the FAFSA and/or CADAA, as described below.

The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. (Education Code 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information. (Education Code 51225.7)

COURSES OF STUDY (continued)

(cf. 1340 - Access to District Records)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

(cf. 6159 - Individualized Education Program)

(10/16 12/19) 12/21

Policy Reference UPDATE Service

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Regulation 6143: Courses Of Study

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Revised Date:** 10/15/2020 | **Last Reviewed Date:** 10/15/2020

Grades 1-6

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)
2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)
 - a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)
 - b. The development of the American economic system, including the role of the entrepreneur and labor
 - c. The relations of persons to their human and natural environments
 - d. Eastern and western cultures and civilizations
 - e. Contemporary issues
 - f. The wise use of natural resources
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)
5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)
6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)
 - a. Personal and public safety and accident prevention
 - b. Fire prevention
 - c. The protection and conservation of resources, including the necessity for the protection of the environment
 - d. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

Grades 7-8

Courses of study for grades 7-8 shall include the following:

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)
2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)
 - a. The history, resources, development, and government of California and the United States, including instruction in:
 - i. The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)
 - ii. World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time
 - iii. The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
 - iv. The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
 - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions
 - c. The development of the American economic system, including the role of the entrepreneur and labor
 - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
 - e. Eastern and western cultures and civilizations
 - f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
 - g. Contemporary issues
3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation

and interdependence of the sciences (Education Code 51220)

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)
7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)
9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)
11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
 - a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available

Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice. (Education Code 51225.6)
 - b. Fire prevention
 - c. The protection and conservation of resources, including the necessity for the protection of the environment
 - d. Venereal disease
 - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

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

State References	Description
5 CCR 10020-10043	Automobile driver education and training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 4940	Nondiscrimination; course access
Ed. Code 33319.3	Driver education; CDE materials on road rage
Ed. Code 33540	Standards for government and civics instruction
Ed. Code 48980	Parental notifications
Ed. Code 51202	Instruction in personal and public health and safety
Ed. Code 51203	Instruction on alcohol, narcotics and dangerous drugs
Ed. Code 51204	Course of study designed for student's needs
Ed. Code 51204.5	History of California; contributions of men, women, and ethnic groups
Ed. Code 51210-51212	Course of study for grades 1-6

Ed. Code 51220-51229	Course of study for grades 7-12
Ed. Code 51241	Temporary, two-year or permanent exemption from physical education
Ed. Code 51911-51921	Comprehensive health education
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 51940	Curriculum for brain and spinal cord injury prevention
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 66204	Certification of high school courses as meeting university admission criteria
H&S Code 11032	Definition of dangerous drugs

Federal References

20 USC 6111-6251

Description

School-to-Work Opportunities Act of 1994

Management Resources References

Website	American Health Association - https://simbli.eboardsolutions.com/SU/b3lxYM0IngslokJIUo8EDA==
Website	American Red Cross, Hands-Only CPR - https://simbli.eboardsolutions.com/SU/yNmCLE6BTzYmNrLx5G1otA==
Website	California Career Resource Network - https://simbli.eboardsolutions.com/SU/aiMKC0wlc2eTMogaBMcl9g==
Website	California State University, Admission Requirements - https://simbli.eboardsolutions.com/SU/slshdgyHwGx0LyDs8Ow47K5Cg==
Website	University of California, a-g Course Submissions - https://simbli.eboardsolutions.com/SU/dl7biMSP81bUfpxMPCFyyA==
Website	University of California, List of Approved a-g Courses - https://simbli.eboardsolutions.com/SU/h6xuwR1faZdgmTplusZLLyXxA==
Website	California Colleges.edu - https://simbli.eboardsolutions.com/SU/Br2HJl1HrO0ihhv4giogOA==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0415	Equity - https://simbli.eboardsolutions.com/SU/3HcjCJkXOWFBX0NUyV6GWw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/JU6fl4mHayb1JLGtkv16lw==
0460	Local Control And Accountability Plan - https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/Rd2EzAo5Lxplusf6Cg370zXgw==
3270	Sale And Disposal Of Books, Equipment And Supplies - https://simbli.eboardsolutions.com/SU/SZFqSD5qqUtFNBzslshcplusKhZg==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/Cu123BsR1bAb3SyPE1fbpA==
3513.3	Tobacco-Free Schools - https://simbli.eboardsolutions.com/SU/yB5VBT6WrXxl69E2RXQUvQ==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/qxIKnSvFsbttuzP7KEplusPprg==

5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/UQ1O4LHoybrpluslXuDXP09uw==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/2fZQgaza7FWB0KouzttxEA==
5131.6	Alcohol And Other Drugs - https://simbli.eboardsolutions.com/SU/eP7p7amj6UOAQB1iaTOjdw==
5138	Conflict Resolution/Peer Mediation - https://simbli.eboardsolutions.com/SU/zjW2XEy3C4MCxcRGQ9t2aA==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/H1TslshcOVjvTplusTFFslsh35CuG1Q==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/00NExJkgxdxvn59cG6hxsishg==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/gR6ucyZS56duPchfmGVPslshQ==
5145.6-E(1)	Parental Notifications - https://simbli.eboardsolutions.com/SU/i1IPc7H4r7uslsh0slshTWOspoew==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrrQQ==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/QyLrruw5gplussHOObxmtHbig==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/OmNL5T6SuAH1l46w0L28oA==
6141.2	Recognition Of Religious Beliefs And Customs - https://simbli.eboardsolutions.com/SU/LbSSik56JLIe1txjsSaa7g==
6141.2	Recognition Of Religious Beliefs And Customs - https://simbli.eboardsolutions.com/SU/8plusPaMuEXplusYBmiXwqhtmFslshA==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/S4KAb357YIOglkdmk5wd8A==
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - https://simbli.eboardsolutions.com/SU/JBsAJao0anM9hZYuqfNMbA==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/Umla1mELChYcbrZx1VMNEg==
6142.2	World Language Instruction - https://simbli.eboardsolutions.com/SU/AzmModnV3vLslshJn02pEnzBw==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/XaaEXSfKRATddEdedTr5Rw==
6142.5	Environmental Education - https://simbli.eboardsolutions.com/SU/oRdaYJOPZupluswKIRwxLTaCQ==
6142.6	Visual And Performing Arts Education - https://simbli.eboardsolutions.com/SU/9Oplus8QiiLFz8iEtY1xQwVXA==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfppSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/x0hb3hkKicXv7wlr4CYoQg==
6142.8	Comprehensive Health Education - https://simbli.eboardsolutions.com/SU/3slshq0kP6i01dlvoZMdfHCvA==

6142.91	Reading/Language Arts Instruction - https://simbli.eboardsolutions.com/SU/jHkplusBplusnL6sM6K6C8Zc5KUw==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/2kHeob8oTQU4G54jdJKp4w==
6142.93	Science Instruction - https://simbli.eboardsolutions.com/SU/w9VU81P2tplus6slshVBe2J0pq9g==
6142.94	History-Social Science Instruction - https://simbli.eboardsolutions.com/SU/xhknp1IXRU0NUSvhv7ZgWg==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/uaAajN6Z56Qj1UjTdtDmeg==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/pmsd7bmplSu6Rm8EpzeyPw==
6145	Extracurricular And Cocurricular Activities - https://simbli.eboardsolutions.com/SU/plusgYNOM1LVUk8aYpddRKtGg==
6145.8	Assemblies And Special Events - https://simbli.eboardsolutions.com/SU/U6lw6H1o83WmTwxhTnHdlw==
6146.5	Elementary/Middle School Graduation Requirements - https://simbli.eboardsolutions.com/SU/BxjuPZDW0cslsh5EZg7vxynFw==
6151	Class Size - https://simbli.eboardsolutions.com/SU/FplusvStgc8s1rUk6PQHcJ6RA==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/cVcwWiAK3pCgNhfrC3plusGpA==
6152.1	Placement In Mathematics Courses - https://simbli.eboardsolutions.com/SU/LEKRQIY1ERodUMIga3JmEQ==
6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/XyDBUL4JXDF4I0RuiCx52g==
6153	School-Sponsored Trips - https://simbli.eboardsolutions.com/SU/EG8hLnoLTijUh0pMVaxVUg==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZlplusG1slshQEZkEw==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/mx70qzqnj48uAUy9I9m7fg==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/rf9plusYmtsgv6hznQC3ipMplusQ==
6161.1-E(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/EoZiZhrplusD2n6Z25P848uBQ==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/0jslshf1IF2LPmZM3bXas7Xvg==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/IVcgV8LFJGcLwSSTdcH0QQ==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/BQB6fl6pkMvkq2weUoS3AA==
6173.3	Education For Juvenile Court School Students - https://simbli.eboardsolutions.com/SU/KhyYZOplus0AAslhTH8EJqpsJZgg==
6177	Summer Learning Programs - https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==

CSBA Sample Board Policy

REVISED

Instruction

BP 6170.1(a)

TRANSITIONAL KINDERGARTEN

Note: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, **as amended by AB 130 (Ch. 44, Statutes of 2021) and AB 167 (Ch. 252, Statutes of 2021), for the 2021-22 school year, districts are required to admit any child whose fifth birthday is between September 2 and December 2 ~~must be offered to~~ a transitional kindergarten (TK) program **as a condition of apportionment and revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year as described below.****

In its "Transitional Kindergarten FAQs," the California Department of Education (CDE) provides that the laws governing TK programs apply equally to all districts including basic aid districts. Districts with questions about the application of the TK mandatory admittance requirements to basic aid districts should consult legal counsel.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

Education Code 8281.5, as added by AB 130, establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding preschool programs through the California State Preschool Program (CSPP) or TK programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district, including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Education Code 17375, as amended by AB 130 and AB 167, establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities including for the purpose of providing TK classrooms.

For guidance on implementing TK programs, see the Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, published by ~~the California Department of Education (CDE)~~.

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The

BP 6170.1(b)

TRANSITIONAL KINDERGARTEN (continued)

TK program shall assist students in developing the academic, social, and emotional skills needed to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Eligibility

Note: Education Code 48000, as amended by AB 130 and AB 167, revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year.

The district's TK program shall admit children **as follows:** (Education Code 48000):

- 1. For the 2021-22 school year, children** whose fifth birthday is **from between** September 2 through December 2
- 2. For the 2022-23 school year, children whose fifth birthday is between** September 2 and February 2
- 3. For the 2023-24 school year, children whose fifth birthday is between** September 2 and April 2

4. For the 2024-25 school year, children whose fifth birthday is between September 2 and June 2

5. For the 2025-26 school year, and in each school year thereafter, children who turn four by September 1

Note: Pursuant to Education Code 48000, as amended by AB 130 and AB 167, a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or childcare program. (Education Code 48000).

BP 6170.1(c)

TRANSITIONAL KINDERGARTEN (continued)

Note: CDE's "Transitional Kindergarten FAQs" clarify that children are required to have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

Note: The following paragraph is **optional**. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying agreement with the child enrolling in kindergarten the following year; see section "Continuation in Kindergarten" below.

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.

Note: The following paragraph is **optional**. Pursuant to Education Code 48000, as amended by **AB 130 and AB 167**, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after **December 2 the date specified for admittance for the applicable year as described above**. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after **the date specified for the applicable year December 2** until the child's fifth birthday.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after **December 2 the date specified for admittance for the applicable year as described above** ~~of that same school year~~, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

BP 6170.1(d)

TRANSITIONAL KINDERGARTEN (continued)

(cf. 6141 - Curriculum Development and Evaluation)

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

Note: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential knowledge and skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential knowledge and skills related to language and

literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 37202 permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, **as amended by AB 130**, 46115, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, **except for students in expanded learning opportunity programs intended to supplement instructional time provided by a district pursuant to Education Code 46120 or if ~~unless~~** the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code 46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.

Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The California Basic Educational Data System (CBEDS) School Information Form, located on CDE's web site, requires a report on the type of TK program offered.

The Board shall establish the length of the school day in the district's TK program, which shall be at least three hours but no more than four hours long **except for TK students enrolled in expanded learning opportunity programs provided by the district pursuant to Education Code 46120**. If the district has adopted an extended-day kindergarten, the length of the school day for the TK program may be different than the length of the school day for the kindergarten program either at the same or different school sites. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. (Education Code 8973, 37202, 46111, 46115, 46117, 48003)

BP 6170.1(e)

TRANSITIONAL KINDERGARTEN (continued)

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Note: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs.

The Superintendent or designee shall develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the California State Preschool Program (CSPP), Head Start programs, and other community-based early learning and care programs. The Superintendent or designee shall present such plan for consideration by the Board at a public meeting on or before June 30, 2022. (Education Code 8281.5)

Note: The following **optional** paragraph may be revised to reflect district practice. According to CDE's "Transitional Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be commingled in the same classroom with four-year-old students from a ~~California State Preschool Program~~ **CSPP program** as long as **the commingled program meets all of the requirements of each program as well as the following requirements: (Education Code 8235 8207, 48000):**

- 1. The classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten**
- 2. An early childhood environment rating scale, as specified in 5 CCR 18281, is completed for the classroom**
- 3. All children enrolled for 10 or more hours per week are evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272**

BP 6170.1(f)

TRANSITIONAL KINDERGARTEN (continued)

4. The classroom is taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256

5. The classroom is in compliance with the adult-child ratio specified in Education Code 8241

6. Contractors of the district report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068 except for contractors of the TK program

(cf. 5148.3 - Preschool/Early Childhood Education)

Note: Education Code 48000, as amended by AB 130, requires districts to maintain an average TK class enrollment of not more than 24 students for each school site.

The district shall maintain an average TK class enrollment of not more than 24 students for each school site. (Education Code 48000)

Staffing

Note: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below.

TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

Note: Education Code 48000, as amended by **SB 98 (Ch. 24, Statutes of 2020) AB 130**, extends until August 1, **2021 2023**, the requirement for credentialed teachers who are first assigned to a **transitional kindergarten TK** class to meet additional qualifications, as described below.

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, **2021 2023**, have at least 24 units in early childhood education and/or child development, comparable **professional** experience in a preschool setting, and/or a child development teacher permit issued by CTC. (Education Code 48000)

BP 6170.1(g)

TRANSITIONAL KINDERGARTEN (continued)

Note: Education Code 8281.5, as added by AB 130, permits the use of funding from the California Prekindergarten Planning and Implementation Grant Program for the purpose of professional development, including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children, **including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.**

Note: Education Code 48000, as amended by AB 130, requires districts to, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year.

The district shall, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year. (Education Code 48000)

(cf. 4131 - Staff Development)

Continuation to Kindergarten

Note: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

Note: The following **optional** paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

Note: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in kindergarten or for more than two years in a combination of TK and kindergarten.
BP 6170.1(h)

TRANSITIONAL KINDERGARTEN (continued)

A student shall not attend more than two years in a combination of TK and kindergarten.
(Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

Note: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. The Superintendent or designee shall monitor and regularly report to the Board regarding program implementation, the progress of students in meeting related academic standards, and student preparedness for future education.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

~~8235 California State Preschool Program~~

8207 California State Preschool Program administration

8241 Staffing ratios for center-based programs

8281.5 California Prekindergarten Planning and Implementation Grant Program

8970-8974 Early primary programs; extended-day kindergarten

17375 Establishment of California Preschool, Transitional Kindergarten, and Full-Day Kindergarten

Facilities Grant Program

37202 School calendar; equivalency of instructional minutes

44065 Issuance of and functions requiring credentials

44256 Authorization for teaching credentials

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46120 Expanded Learning Opportunities Program

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48003 Kindergarten annual report

48011 Admission on completing kindergarten

48200 Compulsory education, starting at age six

Legal Reference continued: (see next page)

BP 6170.1(i)

TRANSITIONAL KINDERGARTEN (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5

18000-18434 Child care and development programs, especially:

18068 Attendance and expenditure reports

18272 Developmental profile

18281 Environment rating scales

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile: A Developmental Continuum from Early Infancy up to

Kindergarten Entry, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

<https://californiakindergartenassociation.org/>

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

Transitional Kindergarten California: <http://tkcalifornia.org>

(10/18 12/20) 12/21

Policy Reference UPDATE Service

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Policy 6170.1: Transitional Kindergarten

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills needed to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential knowledge and skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The Board shall establish the length of the school day in the district's TK program, which shall be at least three hours but no more than four hours long. If the district has adopted an extended-day kindergarten, the length of the school day for the TK program may be different than the length of the school day for the kindergarten program either at the same or different school sites. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. (Education Code 8973, 37202, 46111, 46115, 46117, 48003)

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be commingled in the same classroom with four-year-old students from a California State Preschool

Program as long as all of the requirements of each program are met and the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)

Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2021, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

Continuation to Kindergarten

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

Assessment

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. The Superintendent or designee shall monitor and regularly report to the Board regarding program implementation, the progress of students in meeting related academic standards, and student preparedness for future education.

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

State References

Description

Ed. Code 37202	Equal time in all schools
Ed. Code 44258.9	County superintendent review of teacher assignment
Ed. Code 46111	Kindergarten, hours of attendance
Ed. Code 46114-46119	Minimum school day, kindergarten
Ed. Code 46300	Method of computing average daily attendance
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48002	Evidence of minimum age required to enter kindergarten or first grade
Ed. Code 48003	Kindergarten annual report
Ed. Code 48200	Compulsory attendance
Ed. Code 8235	California State Preschool Program
Ed. Code 8970-8974	Early primary program, including extended-day kindergarten

Ed. Code 8973

Extended-day kindergarten

Management Resources References

Description

California Department of Education Publication	California Preschool Curriculum Framework, Vol. 1, 2010
California Department of Education Publication	California Preschool Curriculum Framework, Vol. 2, 2011
California Department of Education Publication	California Preschool Curriculum Framework, Vol. 3, 2013
California Department of Education Publication	California Preschool Learning Foundations, Vol. 1, 2008
California Department of Education Publication	Desired Results Developmental Profile, 2015
California Department of Education Publication	Transitional Kindergarten FAQs
California Department of Education Publication	Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013
California Department of Education Publication	California Preschool Learning Foundations, Vol. 2, 2010
California Department of Education Publication	California Preschool Learning Foundations, Vol. 3, 2012
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
Website	Transitional Kindergarten California - https://simbli.eboardsolutions.com/SU/J8lvmgNslsh0JXKlcYzwGDDw==
Website	California Kindergarten Association - https://simbli.eboardsolutions.com/SU/pxOc8kkIjOZJXMVljTNAmA==
Website	Commission on Teacher Credentialing - https://simbli.eboardsolutions.com/SU/cxWNIqRUuIsaq7efc7aH4Q==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Cross References

Description

0500	Accountability - https://simbli.eboardsolutions.com/SU/8OSp14MQoBm0c5h903CVjA==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/X2Wc65TvtAplyjbDavhR6A==
1220	Citizen Advisory Committees - https://simbli.eboardsolutions.com/SU/d8oBxDCOHPlpmLjio2ptoA==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/Qslsh03yMjDLRtnlQ7wtNmjLA==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/AXaYWsoBkMdlXi32NkoE8Q==
5111	Admission - https://simbli.eboardsolutions.com/SU/Ny7YU3vDyLU4bVvSmqWfMg==
5111	Admission - https://simbli.eboardsolutions.com/SU/ggCIQfDwslshpV97BtplusBPZYpA==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/GPT61WhRNQ8pHfa3UXX8Ng==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/Bgrve0Gbkwy2h7YR9OcBmQ==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/4vLD4sHEz3MzvyoXs9mCg==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/aITJplusjBplusRT7mJuaeYderAQ==

5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/LUPslsh3GOwWIPrZOFht6vpluskg==
5141.22	Infectious Diseases - https://simbli.eboardsolutions.com/SU/wzslshxB5PWuGpSLScMjshssMQ==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtwEACcXQ==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/jgOyR5ZG6oxquyYQgJUHxw==
5141.31	Immunizations - https://simbli.eboardsolutions.com/SU/1KEcWg3tdaMSHap3A6rQIA==
5141.32	Health Screening For School Entry - https://simbli.eboardsolutions.com/SU/nXFGAlcdg5TseX0vSC3nyw==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/KrnhTNsVohpiiTNiHcZ3wQ==
5148.3	Preschool/Early Childhood Education - https://simbli.eboardsolutions.com/SU/LBi8syRijSulhX1CUZvmaA==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==
6112	School Day - https://simbli.eboardsolutions.com/SU/KSPkwap1CYkslshmj6TAgAQ==
6112	School Day - https://simbli.eboardsolutions.com/SU/dl8tzCplusUF3L6YYvzslshzRaiw==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/QyLrruw5gplussHOObxmtHbig==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/OmNL5T6SuAH1I46w0L28oA==
6151	Class Size - https://simbli.eboardsolutions.com/SU/FplusvStgc8s1rUk6PQHcJ6RA==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/mx70qzqnj48uAUy9I9m7fg==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/rf9plusYmtsgv6hznQC3ipMplusQ==
6161.1-E(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/EoZiZhrplusD2n6Z25P848uBQ==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmshgPRPDAsAaw==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQi7YzA==
6174	Education For English Learners - https://simbli.eboardsolutions.com/SU/EmVlh5NPbpluslBFAplusaALJkw==

CSBA Sample Board Policy

REVISED

Instruction

BP 6164.5(a)

STUDENT SUCCESS TEAMS

Note: The following **optional** policy should be revised to reflect district practice. **Utilization of the student success team (SST) process is not required by state or federal law. As such, this Board policy reflects best practices rather than legal requirements.**

The "student success team" (SST), formerly called "student study team," is an early intervention process that brings together ~~the student,~~ parents/guardians, **certificated and classified staff, teachers and administrators, and/or the student, as appropriate,** to identify student needs and develop an improvement plan to address those needs. ~~Student success teams are a key component of the special education program and the drop-out prevention programs; however, the California Department of Education encourages making this process available to all students in all schools. The following optional policy should be revised to reflect district practice.~~

The Governing Board encourages the collaboration of parents/guardians, **certificated and classified staff** ~~teachers, resource personnel,~~ administrators, **and/or the students, as appropriate,** in evaluating the strengths and needs of students having academic, attendance, **social, emotional,** or behavioral difficulties and in identifying strategies and programs that may assist ~~such the~~ students **in maximizing their potential.** The Superintendent or designee shall establish student success teams (SST) as needed to address individual students' needs.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6159 - Individualized Education Program)

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

(cf. 6164.6 - Identification and Education under Section 504)

The Superintendent or designee shall establish **and maintain** a process for initiating **the** referrals of students to ~~the SSTs student success team,~~ **which may include referral by district staff, parents/guardians, and/or agency representatives.** The Superintendent or designee may **also establish and maintain a process for responding to SST referrals, which may include a determination by the district as to whether an SST shall be convened for an individual student.**

Each SST may collect and analyze relevant student data, as appropriate. The SST may also review the student's educational history, work samples, strengths and areas for growth, and identify available resources and strategies.

(cf. 5022 - Student and Family Privacy Rights)

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

(cf. 5125 - Student Records)

(cf. 5141.6 - School Health Services)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6164.2 - Guidance/Counseling Services)

BP 6164.5(b)

STUDENT SUCCESS TEAMS (continued)

Each SST student success team shall develop a plan to support the student which incorporates intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, social, emotional and/or behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

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

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5141.3 - Health Examinations)

(cf. 5141.5 - Mental Health)

(cf. 5141.6 - School Health Services)

(cf. 5144 - Discipline)

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

(cf. 6020 - Parent Involvement)

(cf. 6120 - Response to Instruction and Intervention)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The **SST student success team** shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, **make adjustments to the plan**, and develop additional interventions as needed.

Note: Pursuant to Education Code 56303, a student should be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. However, the U.S. Department of Education's Office of Special Education Programs Memorandum 11-07 emphasizes that districts have an obligation to ensure that evaluations of students suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies, such as the SST process.

BP 6164.5(c)

STUDENT SUCCESS TEAMS (continued)

The SST process shall not delay or deny a referral for evaluation for eligibility for special education, as may be required under state or federal law.

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

Note: Districts that have established multi-tiered systems of support (MTSS) may integrate SSTs into such frameworks. The California Department of Education describes MTSS as an integrated, comprehensive framework for districts that focuses on common core state standards, core instruction, differentiated and student-centered learning, individualized student needs, and the alignment of systems necessary for academic, behavioral, and social success. MTSS is connected to the eight state priorities in the local control and accountability plan, and encompasses inclusive academic instruction as reflected in the California state standards and frameworks, response to instruction and intervention, behavior instruction such as positive behavioral interventions and supports and restorative practices, and social-emotional learning.

The following paragraph is optional and should be deleted by districts that do not have an established MTSS.

The Superintendent or designee may integrate SSTs into the district's multi-tiered system of support, including identification of students who need additional support, the level(s) of

support, appropriate interventions, monitoring of progress, and whether the goal of intervention has been met.

(cf. 0460 - Local Control and Accountability Plan)

To strengthen the effectiveness of SSTs, the Superintendent or designee may provide staff development in the identification of students who may need additional support, implementation of measurable and targeted interventions, and monitoring of progress and goal attainment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

Legal Reference: (see next page)

BP 6164.5(d)

STUDENT SUCCESS TEAMS (continued)

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children

48260-48273 Truancy

48400-48454 Continuation education

49600-49604 Educational counseling

51745-~~51749.651749.3~~ Independent study programs

52060-52077 Local control and accountability plan

54400-54425 Programs for disadvantaged children

54440-54445 Migrant children

56300-56305 Identification and referral

WELFARE AND INSTITUTIONS CODE

4343-4352.5 Primary interventions program, mental health

18986.40-18986.46 Interagency children's services

Management Resources:

CSBA PUBLICATIONS

Best Practices in Special Education, Governance Brief, May 2019

CDE PUBLICATIONS

SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000

Student Success Teams: Supporting Teachers in General Education, 1997

CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS

SST: Student Success Teams, 2000

U.S DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

WEB SITES

California Department of Education, **multi-tiered systems of support: <http://www.cde.ca.gov/ci/cr/ri/http://www.cde.ca.gov/sp/branch/ssp>**

California Dropout Prevention Network: <http://www.edalliance.org/edpn>

National Dropout Prevention Center: <http://www.dropoutprevention.org>

U.S Department of Education, Office of Special Education Programs:

<https://www2.ed.gov/about/offices/list/osers/osep>

(9/90 3/04) 9/21

Policy Reference UPDATE Service

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Policy 6164.5: Student Success Teams

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education encourages the collaboration of parents/guardians, teachers, resource personnel, administrators and students in evaluating the strengths and needs of students having academic, attendance or behavioral difficulties and in identifying strategies and programs that may assist the students. The Superintendent or designee shall establish student success teams as needed to address individual students' needs.

The Superintendent or designee shall establish a process for initiating referrals of students to the student success team.

Each student success team shall develop intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

The student success team shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, and develop additional interventions as needed.

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

State References

Description	Description
Ed. Code 48260-48273	Truants
Ed. Code 48400-48454	Compulsory continuation education
Ed. Code 49600-49604	Educational counseling
Ed. Code 51745	Independent study
Ed. Code 54400-54425	Programs for disadvantaged children
Ed. Code 54440-54445	Migrant children
Ed. Code 8800-8807	Healthy Start support services for children
W&I Code 18986.40-18986.46	Interagency children's services
W&I Code 4343-4352.5	Primary interventions program, mental health

Management Resources References

Description	Description
California Department of Education Publication	SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000
California Department of Education Publication	Student Success Teams: Supporting Teachers in General Education, 1997
California Dropout Prevention Network Publication	SST: Student Success Teams, 2000
Website	California Dropout Prevention Network - https://simbli.eboardsolutions.com/SU/9RP4xKk65xWzuPC3fojzbzQ==
Website	National Dropout Prevention Center - https://simbli.eboardsolutions.com/SU/ZHcuNMBY9CJ45L00XamAng==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Cross References

Description	Description
0415	Equity - https://simbli.eboardsolutions.com/SU/3HcjCJkXOwFBX0NUyV6GWw==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/SiSNfRBcgke1plusJnTsbDR8w==

1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCsIshIhcPcKReyWt0R0w==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/1iOUp6c5HdLm7bq0FbPbCg==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/6rOSfwDcA9Fh4XEbKTxyrA==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/4vLD4sHEz3MzvvyoXs9mCg==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/aITJplusjBplusRT7mJuaeYderAQ==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtwEACcXQ==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KzxmngnveoordTPegwXZQg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==
5144	Discipline - https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==
5144	Discipline - https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYCs4w==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uYyh2rtuZWrrQQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6120	Response To Instruction And Intervention - https://simbli.eboardsolutions.com/SU/73dIMZ3NocmZlegsJcfKQ==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZlZplusG1slshQEZkEw==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6159.4	Behavioral Interventions For Special Education Students - https://simbli.eboardsolutions.com/SU/QpluskOG4jAvuZVXN0yDbIhKA==
6164.2	Guidance/Counseling Services - https://simbli.eboardsolutions.com/SU/0jslshf1IF2LPmZM3bXas7Xvg==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqnslshftGw==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==

- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6172 Gifted And Talented Student Program -
<https://simbli.eboardsolutions.com/SU/gPgCpCtjdJruPgmJ7Rcfqw==>
- 6172 Gifted And Talented Student Program -
<https://simbli.eboardsolutions.com/SU/aslshgNHEuTeSsRhczTiYZOg==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQi7YzA==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/EmVlh5NPbhplusIBFAplusaALJkw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/TuslshPMGHi6O2DoJzSkkL5uw==>
- 6175 Migrant Education Program -
<https://simbli.eboardsolutions.com/SU/5plussi8elBplusplusRvrBTViaylIA==>
- 6176 Weekend/Saturday Classes -
<https://simbli.eboardsolutions.com/SU/5jms7slshX2fplus8DlzGDlaaMaw==>
- 6177 Summer Learning Programs -
<https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==>
- 6179 Supplemental Instruction -
<https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqslshnQ==>
- 6181 Alternative Schools/Programs Of Choice -
<https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==>
- 6183 Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/MyV2GJciJDDplusHlvzjadf6Q==>

CSBA Sample Administrative Regulation

REVISED

Instruction

AR 6164.5(a)

STUDENT SUCCESS TEAMS

Note: The following **optional** administrative regulation maybe revised to reflect district practice.

Utilization of the Student Success Team (SST) process is not required by state or federal law. As such, this administrative regulation reflects best practices rather than legal requirements.

Team Membership

Members of individual student success teams **(SST)** may include:

1. The principal or designee
2. One or more of the student's classroom teachers or former teachers
3. The student's parents/guardians
4. The student if appropriate

5. School Counselor(s)

65. Resource personnel or specialists, such as a school **counselor**, psychologist, nurse, outreach consultant, special education resource person, **categorically funded staff person**, department chairperson, speech and language specialist, reading specialist, social worker, probation officer, community resource representative, mental health worker, **and/or** other person**(s)** relevant to the student's situation, **as determined by the district**

The makeup of each individual SST is at the district's discretion, and may not include participation from individuals in each of the categories listed above.

Team Responsibilities

Note: The Superintendent or designee may appoint a districtwide or schoolwide SST coordinator to coordinate SST meetings and related activities.

The principal or designee shall:

1. Schedule meetings and establish meeting procedures
2. Contact parents/guardians and other team members regarding team meetings

AR 6164.5(b)

STUDENT SUCCESS TEAMS (continued)

3. Consult with appropriate school **staff, including teachers and**/or district resource personnel
4. Arrange for observation of the student **in the problem situation as needed**
5. Collect any additional background information necessary to inform team members about the student's strengths and needs, **such as relevant student data, educational history, and work samples, as appropriate**

(cf. 5022 - Student and Family Privacy Rights)

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

(cf. 5125 - Student Records)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

6. Help the student and parents/guardians prepare for the meeting
7. Facilitate the team meetings

8. Develop a plan to support the student which incorporates intervention strategies

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.5 - Mental Health)

(cf. 5141.52 - Suicide Prevention)

(cf. 5141.6 - School Health Services)

(cf. 5144 - Discipline)

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)
(cf. 6152 - Class Assignment)
(cf. 6152.1 - Placement in Mathematics Courses)
(cf. 6158 - Independent Study)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6172.1 - Concurrent Enrollment in College Classes)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

AR 6164.5(c)

STUDENT SUCCESS TEAMS (continued)

98. Ensure that the student's progress is monitored, ~~and~~ that follow-up meetings are regularly scheduled, **and that adjustments are made to the plan and related interventions as necessary**

(9/90 3/04) 9/21

Policy Reference UPDATE Service

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Regulation 6164.5: Student Success Teams

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

Team Membership

Members of individual student success teams may include:

1. The Superintendent or designee
2. One or more of the student's classroom teachers or former teachers
3. The student's parents/guardians
4. The student if appropriate
5. Resource personnel or specialists, such as a school counselor, psychologist, nurse, outreach consultant, special education resource person, speech and language specialist, reading specialist, social worker, probation officer, community resource representative, mental health worker or other person relevant to the student's situation

Team Responsibilities

The Superintendent or designee shall:

1. Schedule meetings and establish meeting procedures
2. Contact parents/guardians and other team members regarding team meetings
3. Consult with appropriate school or district resource personnel
4. Arrange for observation of the student in the problem situation as needed
5. Collect any additional background information necessary to inform team members about the student's strengths and needs
6. Help the student and parents/guardians prepare for the meeting
7. Facilitate the team meetings
8. Ensure that the student's progress is monitored and that follow-up meetings are regularly scheduled

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

State References

State References	Description
Ed. Code 48260-48273	Truants
Ed. Code 48400-48454	Compulsory continuation education
Ed. Code 49600-49604	Educational counseling
Ed. Code 51745	Independent study
Ed. Code 54400-54425	Programs for disadvantaged children
Ed. Code 54440-54445	Migrant children
Ed. Code 8800-8807	Healthy Start support services for children
W&I Code 18986.40-18986.46	Interagency children's services
W&I Code 4343-4352.5	Primary interventions program, mental health

Management Resources References

Description

California Department of Education Publication	SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000
California Department of Education Publication	Student Success Teams: Supporting Teachers in General Education, 1997
California Dropout Prevention Network Publication	SST: Student Success Teams, 2000
Website	California Dropout Prevention Network - https://simbli.eboardsolutions.com/SU/9RP4xKk65xWzuPC3fojzbzQ==
Website	National Dropout Prevention Center - https://simbli.eboardsolutions.com/SU/ZHcuNMBY9CJ45L00XamAng==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Cross References

Description

0415	Equity - https://simbli.eboardsolutions.com/SU/3HcjCJkXOwFBX0NUyV6GWw==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/SiSNfRBcgke1plusJnTsbDR8w==
1400	Relations Between Other Governmental Agencies And The Schools - https://simbli.eboardsolutions.com/SU/zP9eNCslshhcPcKReyWt0R0w==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/1iOUp6c5HdLm7bq0FbPbCg==
5113.1	Chronic Absence And Truancy - https://simbli.eboardsolutions.com/SU/6rOSfwDcA9Fh4XEbKTxyrA==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/4vLD4sHEz3MzvvyoXs9mCg==
5123	Promotion/Acceleration/Retention - https://simbli.eboardsolutions.com/SU/aITJplusjBplusRT7mJuaeYderAQ==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/ewTnhBtGxKGHkbFm3NatBg==
5141.3	Health Examinations - https://simbli.eboardsolutions.com/SU/HteJSrBy2O9HLQtWFAccXQ==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/KzxmngnveoordTPegwXZQg==
5141.6	School Health Services - https://simbli.eboardsolutions.com/SU/VIA77L2HdAhqEqPt4plusWb0Q==
5144	Discipline - https://simbli.eboardsolutions.com/SU/AFcRplusAycuwgNfvAG4HFOow==
5144	Discipline - https://simbli.eboardsolutions.com/SU/34M9KfGtCjCMS4JEEYCs4w==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrrQQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==
6020	Parent Involvement - https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==
6120	Response To Instruction And Intervention - https://simbli.eboardsolutions.com/SU/73dIMZ3NocmZlegsJcfkQ==

- 6158 Independent Study -
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- 6158 Independent Study -
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- 6159 Individualized Education Program -
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- 6159 Individualized Education Program -
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- 6159.4 Behavioral Interventions For Special Education Students -
<https://simbli.eboardsolutions.com/SU/QpluskOG4jAvuZVXN0yDbhKA==>
- 6164.2 Guidance/Counseling Services -
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- 6164.6 Identification And Education Under Section 504 -
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- 6164.6 Identification And Education Under Section 504 -
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- 6171 Title I Programs -
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- 6171 Title I Programs -
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- 6172 Gifted And Talented Student Program -
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- 6172 Gifted And Talented Student Program -
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- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQi7YzA==>
- 6174 Education For English Learners -
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- 6175 Migrant Education Program -
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- 6175 Migrant Education Program -
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- 6176 Weekend/Saturday Classes -
<https://simbli.eboardsolutions.com/SU/5jms7slshX2fplus8DlzGDlaaMaw==>
- 6177 Summer Learning Programs -
<https://simbli.eboardsolutions.com/SU/hlBJ6upRiFLplusAq9E36iUjg==>
- 6179 Supplemental Instruction -
<https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqslshnQ==>
- 6181 Alternative Schools/Programs Of Choice -
<https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==>
- 6183 Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/MyV2GJcJDDplusHlvzjadf6Q==>

CSBA Sample Board Policy

REVISED

Instruction

BP 6158(a)

INDEPENDENT STUDY

Note: Education Code 51745-51749.6 authorize districts to establish independent study programs to meet the educational needs of students. Pursuant to Education Code 51745, as amended by AB 130 (Ch. 44, Statutes of 2021), for the 2021-22 school year, all districts are required to offer independent study to meet the educational needs of students.

AB 167 (Ch. 252, Statutes of 2021) amended various Education Code provisions related to independent study, as reflected throughout this policy and the accompanying administrative regulation. Education Code 51747, as amended by AB 167, authorizes a district to receive apportionment credit for independent study for any student who is unable to attend in-person instruction due to a quarantine, under a local or state public health guidance, for exposure to or infection with COVID-19 or due to a school closure for COVID-19, pursuant to Education Code 41422.

Education Code 51747, as amended by AB 130, **mandates** that the Governing Board adopt a policy with specified requirements as a condition of receiving state apportionments for independent study students. In addition to meeting the requirements specified by Education Code 51747, board policies must comply with rules and regulations adopted by the Superintendent of Public Instruction (SPI). Boards are encouraged to review independent study policies as the SPI adopts revised rules to reflect the new requirements of AB 130.

~~Commencing with the 2021-22 fiscal year Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, the State Controller is required to incorporate verification of the adoption of the policies, including loss of apportionment for independent study for districts found to be noncompliant.~~

Education Code 51749.5 **mandates** that the Board adopt policy with specified components as a condition of offering a program of course-based independent study. The mandated components are reflected throughout this policy and the accompanying administrative regulation.

Commencing with the 2021-22 fiscal year Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting, the State Controller is required to incorporate verification of the adoption of the policies and other requirements, including loss of apportionment for independent study pursuant to Education Code 51747 and 51749.5 for districts found to be noncompliant.

When developing policy on independent study, 5 CCR 11701 requires the Board to consider, in a public hearing, (1) the scope of its existing or prospective use of independent study as an instructional strategy, (2) its purposes in authorizing independent study, and (3) factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult students.

In the event of a school closure necessitated by an emergency condition pursuant to Education Code 46392, districts must develop a plan for offering independent study to affected students pursuant to Education Code 46393, as added by AB 130 **and amended by AB 167**. See BP 3516.5 - Emergency Schedules.

Independent study may be offered as a program within a school, as a charter school, or as an alternative school of choice pursuant to Education Code 58500-58512; see AR 0420.4 - Charter School Authorization, BP 6146.11 - Alternative Credits Toward Graduation; and BP/AR 6181 - Alternative Schools/Programs of Choice.

BP 6158(b)

INDEPENDENT STUDY (continued)

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time **basis or on a part-time basis** **and** in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

(cf. 0420.4 - Charter School Authorization)

(cf. 6181 - Alternative Schools/Programs of Choice)

Note: Education Code 51747, as amended by AB 167, relaxes certain independent study requirements for the 2021-22 school year as to students who are unable to participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19, including the requirement that participation in independent study be voluntary.

The California Department of Education (CDE), in its 2021-22 AA & IT Independent Study FAQs, interpreted Education Code 51747 as permitting a district to require a student to participate in independent study under circumstances specified in the following paragraph.

Except for students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to quarantine or school closure for exposure to or infection with COVID-19, A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

Note: Pursuant to Education Code 46300, as amended by AB 130, the attendance of students participating in independent study for three or more consecutive school days will be included in computing average daily attendance (ADA) for apportionment purposes.

However, for the 2021-22 school year, districts are permitted pursuant to Education Code 51747, as amended by AB 167, to claim apportionment for fewer than three consecutive school days for students who cannot participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19.

BP 6158(c)

INDEPENDENT STUDY (continued)

~~The following **optional** paragraph is for use by districts that wish to limit independent study to periods of three or more consecutive school days:~~

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a quarantine or school closure for exposure to or infection with COVID-19, The the minimum period of time for any independent study option shall be three consecutive school days. **(Education Code 51747)**

General Independent Study Requirements

Note: Education Code 51745, as amended by AB 130, requires districts to offer independent study for the 2021-22 school year only, **and thereafter to offer independent study at their discretion.** Districts may meet the requirement for the 2021-22 school year by contracting with a county office of education or by entering into an interdistrict transfer agreement with another district pursuant to Education Code 46600. In addition, the requirement to offer independent study for the 2021-22 school year may be waived for districts by the county superintendent of schools in the county in which the district is located if the district demonstrates that (1) offering independent study would create an unreasonable fiscal burden on the district or county office of education due to low numbers of students participating or other extenuating circumstances; and (2) the Board does not have the option to enter into an interdistrict transfer agreement with another district or to contract with a county office of education to provide an independent study option.

For single-district counties, the waiver must be granted by the SPI.

For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee may **continue to** offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6200 - Adult Education)

Note: Pursuant to Education Code 46100, the Board is required to fix the length of the school day for each grade level, in accordance with law. CDE, in its "Frequently Asked Questions," clarifies that independent study is not an alternative curriculum and that students in independent study are required to meet the same number of instructional minutes as their peers who are physically at the school site for their instruction.

BP 6158(d)

INDEPENDENT STUDY (continued)

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law. (Education Code 46100)

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy on the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment. 5 CCR 11700 defines "type of program" as the statutory program category for purposes of attendance accounting, such as adult education or continuation high school. In addition, 5 CCR 11701 **mandates** that Board policy reflect an awareness that excessive leniency in the duration of independent study assignments can result in a student falling so far behind peers as to increase, rather than decrease, the risk of dropping out of school.

The following paragraph sets one week for all grade levels and types of programs as the maximum length of time an independent study assignment should be completed, and should be revised to reflect the length of time determined by the Board. In order to ensure that apportionments **credits** are received, the length of time determined by the

Board in its policy should be reflected in the **district's student's** written agreement. See the section "Master Agreement" below.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. **However, w**When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. **However, in no event shall the due date of an assignment be extended beyond up to** the termination date of the agreement.

Note: Education Code 51747 **mandates** that the Board, in a public hearing, adopt a policy which specifies the level of satisfactory educational progress and the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in independent study. The following paragraph specifies a maximum of three assignments and should be revised to reflect the Board's determination of the number of missed assignments that will trigger an evaluation.

The number of missed assignments that will trigger an evaluation must be included in the student's written agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060

BP 6158(e)

INDEPENDENT STUDY (continued)

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning **of** required concepts, as determined by the supervising teacher

4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes the provision of content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this requirement includes access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. See BP/AR 6143 - Courses of Study.

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes plans, by grade level, to provide students with specified levels of live interaction and/or synchronous instruction as described below and defined in the accompanying administrative regulation. This requirement only applies to students participating in an independent study program for 15 school days or more.

According to CDE's "2021-22 AA & IT Independent Study FAQs," synchronous instruction for traditional independent study only counts toward meeting the minimum day requirements if students produce a work product that is evaluated for time value as an outcome from their participation in the synchronous instruction.

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

BP 6158(f)

INDEPENDENT STUDY (continued)

Note: Education Code 51747, as amended by AB 130 and AB 167, mandates the Board to adopt policy that includes procedures for tiered reengagement strategies for **students who meet the conditions specified in the following paragraph. all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week.** This requirement only applies to students participating in an independent study program for 15 school days or more.

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students **who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students** participating in an independent study program for 15 school days or more **who** The procedures shall include, but are not necessarily limited to, all of the following: **(Education Code 51747)**

- 1. Are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar**
- 2. Are found to be not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span**
- 3. Are in violation of their written agreement**

Tiered reengagement strategies procedures used in district independent study programs shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the **absence recording of a non-attendance day** or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary

Note: Education Code 51747 requires districts to hold a student-parent-educator conference as defined by Education Code 51745.5, at specified times, as reflected below and in the accompanying regulation.

4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

BP 6158(g)

INDEPENDENT STUDY (continued)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy that includes a plan to expeditiously, and not longer than five instructional days, transition students whose families wish to return to in-person instruction from independent study. This requirement only applies to students participating in an independent study program for 15 school days or more.

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, **mandates** the Board to adopt policy providing that a current written agreement (i.e., the "master agreement") will be maintained for each student who participates in independent study and for whom apportionment is claimed. Education Code 51747 provides that no independent study agreement can be valid for longer than one school year. For the 2021-22 school year only, **Education Code 51747, as amended by AB 167, requires** the district ~~is required~~ to obtain a signed written agreement for **an independent study program of any length of time** no later than 30 days after the first day of instruction **in an independent study program or October 15, whichever date comes later**.

In addition, Education Code 51749.5 **mandates** the Board to adopt policy providing that a "learning agreement" be maintained for each student participating in course-based independent study.

See the section "Master Agreement" below for required content of these agreements.

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

Note: For the 2021-22 school year only, the district must provide notice with specified components of the independent study option available through Education Code 51747. Education Code 51747, as amended by AB 130, requires that the written information, in addition to being written in English, be written in the primary language if 15 percent or more of the students enrolled in a district that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to **CDE the California Department of Education**.

The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Note: Education Code 51747, as amended by AB 130, requires districts to hold a student-parent-educator conference upon the request of a parent/guardian prior to enrollment or disenrollment in independent study. The term student-parent-educator conference is defined in Education 51745.5, and as reflected in the accompanying regulation.

BP 6158(h)

INDEPENDENT STUDY (continued)

Upon the request of the parent/guardian of a student, **and** before ~~making a decision about enrolling or disenrolling in independent study and entering into a signing a~~ written agreement ~~to do so as described below in the section "Master Agreement,"~~ the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, **and, if requested,** their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

Note: Education Code 51747 **mandates** that, in order to receive apportionments for independent study, the district must adopt and implement policy providing for a signed written independent study agreement which contains the components listed in the following section. Because apportionments are only provided for independent study of three or more consecutive school days pursuant to Education Code 46300, as amended by AB 130, written agreements are required only in such instances.

Education Code 46300.7 states that apportionments shall be received for a student in independent study only if the district receives written permission from the parent/guardian before the independent study begins, specifying the actual dates of participation, methods of study and evaluation, and resources to be made available for the student's independent study. Since all these components are included in the written agreement which the parent/guardian must sign before the commencement of independent study pursuant to Education Code 51747, the parent/guardian's signature on the agreement satisfies the requirement to obtain the parent/guardian's written permission.

For the 2021-22 school year however, the district must obtain a signed written agreement for independent study, **of any length of time**, no later than 30 days after the first day of instruction in independent study **or October 15, whichever date comes later**, pursuant to Education Code 51747, as amended by ~~AB 130~~ **AB 167. This**

requirement is also applicable to independent study for a student who is unable to attend classroom-based instruction due to quarantine or school closure for COVID-19.

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

However, for the 2021-22 school year only, the district shall obtain a signed written agreement **from each student participating in for an independent study program for any length of time**, no later than 30 days after the first day of instruction in **the independent study program**.

~~A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)~~

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

BP 6158(i)

INDEPENDENT STUDY (continued)

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work

Note: As described in the section "General Independent Study Requirements" above, pursuant to Education Code 51747, the written agreement must contain statements reflecting Board policy pertaining to (1) the maximum length of time, by grade level and type of program, which may elapse between the time an independent study assignment is made and the date by which the student must complete the assignment and (2) the number of missed assignments allowed before an evaluation would be required to determine whether it is in a student's best interest to remain in

independent study. Education Code 51747, as amended by AB 130, also requires that the written agreement contain a statement of the Board's policy regarding the level of satisfactory educational progress for students participating in independent study.

4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study

5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year

6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion

7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

BP 6158(j)

INDEPENDENT STUDY (continued)

Note: Pursuant to Education Code 51747, as amended by AB 167, a master agreement is not required to include the following statement for any student who, during the 2021-22 school year, cannot participate in classroom-based instruction due to a quarantine order or school closure due to COVID-19.

8. A statement that independent study is an optional educational alternative in which no student may be required to participate

For the 2021-22 school year, this statement shall not be required for a student's participation in independent study if the student is unable to attend in-person instruction because of a quarantine or school closure mandated by a local or state

health order or guidance due to the student's exposure to or infection with COVID-19.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the **pupil student**, no later than 30 days after the first day of instruction **in the independent study program or October 15, whichever date comes later.**

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

BP 6158(k)

INDEPENDENT STUDY (continued)

Course-Based Independent Study

Note: This section is for districts that provide independent study courses to its students. Education Code 51749.5-51749.6, as amended by AB 130, establish a course-based independent study option that may be offered if certain requirements are met, as described below. Education Code 51749.5 **mandates** that boards adopt policies that comply with the legal requirements listed in the following section and any applicable regulations adopted by the State Board of Education.

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

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.

(cf. 4112.2 - Certification)

3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities **throughout the school year**, for students in **grades** transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.

4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.

INDEPENDENT STUDY (continued)

5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

(cf. 5125 - Student Records)

6. Examinations shall be administered by a proctor.

7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

(cf. 6162.51 - State Academic Achievement Tests)

BP 6158(m)

INDEPENDENT STUDY (continued)

8. A student shall not be required to enroll in courses included in the course-based independent study program.

9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.

10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.

12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.

(cf. 3260 - Fees and Charges)

13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.

14. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation.

15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.

16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Note: Education Code 51749.6, as amended by AB 130, requires that, before enrolling a student in course-based independent study, the district provide the student and, if the student is less than 18 years of age, the student's parent/guardian, with a written learning agreement that includes specified components.

BP 6158(n)

INDEPENDENT STUDY (continued)

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #23 of the **Course-Based Independent Study section** above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the

course or be referred to an alternative program, which may include, but is not limited to, a regular school program

5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work

6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.

8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.

BP 6158(o)

INDEPENDENT STUDY (continued)

9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.

10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.

11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.

12. **For 2022-23 school year and thereafter, B**efore the commencement of an independent study course, the learning agreement shall be signed and dated by the student, **and by** the student's parent/guardian or caregiver; if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

However, for the 2021-22 school year only, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

The A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute student's or the parent/guardian's **signature shall constitute** permission for the student to receive instruction through **course-based** independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

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INDEPENDENT STUDY (continued)

Upon the request of a student's parent/guardian, and before signing a written agreement as described above, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference, or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51749.6)

Student-Parent-Educator Conferences

Note: Education Code 51747 and 51749.5, as amended by AB 130, require districts to hold student-parent-educator conferences as defined by Education Code 51745.5, at specified times. See the accompanying regulation for the definition of student-parent-educator conference.

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records ~~for Audit Purposes~~

Note: Education Code 51745.6, 51747, 51747.5, and 51749.5, as amended by AB 130, require, commencing in the 2021-22 fiscal year, the State Controller to incorporate verifications of compliance with specified components of the laws into the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting to the extent that these verifications are not yet included in the audit guide, with loss of apportionment for independent study for districts found to be noncompliant.

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher

INDEPENDENT STUDY (continued)

4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

Note: Education Code 51747.5, as amended by AB 130, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **the student is independent study is provided independent study**. A student who does not participate **in independent study on** a school day **shall must** be documented as nonparticipatory for that school day. In addition, Education Code 51747.5 requires districts to maintain written or computer-based evidence of student engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades. Commencing in the 2021-22 fiscal year, the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting will incorporate compliance reviews of these requirements, **and a finding of noncompliance will result in loss of apportionment in proportion to the impact on ADA from the noncompliance.**

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **live interaction or synchronous instruction is provided as part of the independent study program is provided**. A student who does not participate in **independent study scheduled live interaction or synchronous instruction on a school day** shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee **also** shall **also** maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

(cf. 3580 - District Records)

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INDEPENDENT STUDY (continued)

Note: Education Code 51747 authorizes specified records to be maintained in an electronic file, as provided in the following paragraph. Pursuant to Education Code 51747, an electronic file includes a computer or electronically stored image of an original document, including, but not limited to, a PDF, JPEG, or other digital file type, that may be sent via fax machine, email, or other electronic means.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

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

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison, to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

(cf. 0500 - Accountability)

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

(cf. 6162.5 - Student Assessment)

Legal Reference: (see next page)

INDEPENDENT STUDY (continued)

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities

41020 Audit guidelines

41422 Apportionment credit for student inability to attend in-person or school closure due to COVID-19

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools

46100 Length of school day

46200-46208 Instructional day and year

46300-46307.1 Methods of computing average daily attendance

46390-46393 Emergency average daily attendance

46600 Interdistrict attendance computation

47612-47612.1 Charter school operation

47612.5 Independent study in charter schools

48204 Residency

48206.3 Home or hospital instruction; students with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled students

48917 *Suspension of expulsion order*
49011 *Student fees*
51225.3 *Requirements for high school graduation*
51745-51749.6 *Independent study programs*
52060 *Local control and accountability plan*
52522 *Adult education alternative instructional delivery*
52523 *Adult education as supplement to high school curriculum; criteria*
56026 *Individuals with exceptional needs*
58500-58512 *Alternative schools and programs of choice*

FAMILY CODE

6550-6552 *Authorization affidavits*

CODE OF REGULATIONS, TITLE 5

11700-11703 *Independent study*

UNITED STATES CODE, TITLE 20

6301 *Highly qualified teachers*

6311 *State plans*

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

Management Resources: (see next page)

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INDEPENDENT STUDY (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2021-22 AA & IT Independent Study FAQs, 2021

Clarifications for Student Learning in Quarantine, 2021

Conducting Individualized Determinations of Need, 2021

Legal Requirements for Independent Study, 2021

Elements of Exemplary Independent Study

California Digital Learning Integration and Standards Guidance, April 2021

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

*California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>
Education Audit Appeals Panel: <http://www.eaap.ca.gov>*

(12/14 7/21) 12/21

Policy Reference UPDATE Service

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Policy 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Revised Date:** 08/12/2021 | **Last Reviewed Date:** 08/12/2021

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be three consecutive school days.

General Independent Study Requirements

For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning required concepts, as determined by the supervising teacher

4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students participating in an independent study program for 15 school days or more. The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the absence or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student,

parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

For the 2021-22 school year only, the district shall obtain a signed written agreement for independent study no later than 30 days after the first day of instruction.

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
8. A statement that independent study is an optional educational alternative in which no student may be required to participate
9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/ guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil, no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Course-Based Independent Study

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities for students in grades transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction.
4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor.

7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.
8. A student shall not be required to enroll in courses included in the course-based independent study program.
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.
11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.
13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.
14. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation.
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #2 above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health

supports.

7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. Before the commencement of an independent study course, the learning agreement shall be signed and dated by the student, the student's parent/guardian or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

However, for the 2021–22 school year only, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records for Audit Purposes

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education

3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

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

State References

5 CCR 11700-11705
 Ed. Code 17289
 Ed. Code 41976.2
 Ed. Code 42238
 Ed. Code 42238.05
 Ed. Code 44865
 Ed. Code 46200-46208
 Ed. Code 46300-46307.1
 Ed. Code 46390-46393
 Ed. Code 47612-47612.1

Description

Independent study
 Exemption for facilities
 Independent study programs; adult education funding
 Revenue limits
 Local control funding formula; average daily attendance
 Qualifications for home teachers
 Incentives for longer instructional day and year
 Methods of computing average daily attendance
 Emergency average daily attendance
 Charter School Operation

Ed. Code 47612.5	Charter schools operations, general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation
Ed. Code 51745	Independent study
Ed. Code 52522	Adult education alternative instructional delivery
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice

Federal References

20 USC 6301

Description

Highly qualified teachers

Management Resources References

California Department of Education
Publication

California Department of Education
Publication

Court Decision

Website

Website

Website

Description

California Digital Learning Integration and Standards Guidance, April 2021

Elements of Exemplary Independent Study

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

California Consortium for Independent Study -
<https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==>

California Department of Education, Independent Study -
<https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6Jnl2Jw==>

Education Audit Appeals Panel -
<https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg==>

Cross References

0410

0420.4

0420.4

0470

0500

3260

3260

Description

Nondiscrimination In District Programs And Activities -
<https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJkmjn5yXsQ==>

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/N2NPHhZkoR4HzmLplusslshGJlqg==>

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/xHeL5G0IW17kzaIFS7slshdzA==>

COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/SiSNfRBcgke1plusJnTsbDR8w==>

Accountability -
<https://simbli.eboardsolutions.com/SU/8OSp14MQoBm0c5h903CVJA==>

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/WkUrNM2FzVVkLqFLyxiZng==>

Fees And Charges -
<https://simbli.eboardsolutions.com/SU/GfUJ9DGdIffWd1d1YKcqBTg==>

3580 District Records -
<https://simbli.eboardsolutions.com/SU/sIGJYA28YslshNTQCMslshGcplum0g==>

3580 District Records -
<https://simbli.eboardsolutions.com/SU/BEy9zuPlfTW5TQjPpTt55Q==>

4112.2 Certification -
<https://simbli.eboardsolutions.com/SU/Qslsh03yMjDLRtnIQ7wtNmjLA==>

4112.2 Certification -
<https://simbli.eboardsolutions.com/SU/AXaYWsoBkMdlXi32NkoF8Q==>

4131 Staff Development -
<https://simbli.eboardsolutions.com/SU/kJqyGLZ6NEsht0VJCcrln0A==>

5111.1 District Residency -
<https://simbli.eboardsolutions.com/SU/GPT61WhRNQ8pHfa3UXX8Ng==>

5111.1 District Residency -
<https://simbli.eboardsolutions.com/SU/Bgrve0Gbkwy2h7YR9OcBmQ==>

5113 Absences And Excuses -
<https://simbli.eboardsolutions.com/SU/sXmiPExcpyoFC82JNOLAdg==>

5113 Absences And Excuses -
<https://simbli.eboardsolutions.com/SU/Z0Dyplus5qyorjeqq8Cv0xpw==>

5121 Grades/Evaluation Of Student Achievement -
<https://simbli.eboardsolutions.com/SU/qxIKnSvFsbuzP7KEplusPprg==>

5121 Grades/Evaluation Of Student Achievement -
<https://simbli.eboardsolutions.com/SU/UQ1O4LHoybrplusXuDXP09uw==>

5125 Student Records -
<https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==>

5125 Student Records -
<https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVEslshLqbFg==>

5126 Awards For Achievement -
<https://simbli.eboardsolutions.com/SU/AVChH8plusSyslshvjeplusGFxFJWA==>

5126 Awards For Achievement -
<https://simbli.eboardsolutions.com/SU/LBi913slshOg6sE9sNUUjspJA==>

5144.1 Suspension And Expulsion/Due Process -
<https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==>

5144.1 Suspension And Expulsion/Due Process -
<https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esIT8pQ==>

5147 Dropout Prevention -
<https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMchEnYL4w==>

6000 Concepts And Roles -
<https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==>

6011 Academic Standards -
<https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==>

6111 School Calendar -
<https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==>

6112 School Day -
<https://simbli.eboardsolutions.com/SU/KSPkwap1CYkslshmj6TAgAQ==>

6112 School Day -
<https://simbli.eboardsolutions.com/SU/dl8tzCplusUF3L6YYvzslshzRaiw==>

6142.4 Service Learning/Community Service Classes -
<https://simbli.eboardsolutions.com/SU/XaaEXSfKRATddEdedTr5Rw==>

6143 Courses Of Study -
<https://simbli.eboardsolutions.com/SU/oJmDaeMYv7Ek8ydx00aXg==>

6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/2FT4uXmjqrLwNqoqHt3MQA==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==
6157	Distance Learning - https://simbli.eboardsolutions.com/SU/YJeUfypE4QXlk5p7W7muw==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmshgPRPDAsAaw==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKFg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVQakeqroGOQ==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/PBpluszOplusLhnpnyq3plusxAsY0Cg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/ORLEPdrUV35rv1BL2Xt5EQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/gPgCpCtjdJruPgmJ7Rcfqw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/aslshgNHEuTeSsRhclZTiYZOg==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==
6183	Home And Hospital Instruction - https://simbli.eboardsolutions.com/SU/MyV2GJCiJDDplusHlvzjadf6Q==

CSBA Sample Administrative Regulation

REVISED

Instruction

AR 6158(a)

INDEPENDENT STUDY

Definitions

Note: Education Code 51745.5, as added by AB 130 (Ch. 44, Statutes of 2021), defines the terms "live interaction," "student-parent-educator conference," and "synchronous instruction" as provided below.

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5 **or the certificated employee providing instruction for course-based independent study**. (Education Code 51745.5)

Educational Opportunities

Note: Pursuant to Education Code 51745, as amended by AB 130, the district is required to offer independent study to meet the educational needs of students for the 2021-22 school year unless the district obtains a waiver from such requirement.

For the 2021-22 school year, the district shall offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the district has obtained a waiver. (Education Code 51745)

Note: The following section is **optional**. Education Code 51745 lists educational opportunities that may be provided through independent study. The district may revise or expand items #1-6 below to reflect district practice.

Educational opportunities offered through independent study may include, but are not limited to:
(Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
AR 6158(b)

INDEPENDENT STUDY (continued)

(cf. 6143 - Courses of Study)

2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
4. Continuing and special study during travel

(cf. 5112.3 - Student Leave of Absence)

5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement

Note: Education Code 51745, as amended by AB 167, permits districts to provide independent study to students who cannot participate in classroom-based instruction due to a COVID-19 quarantine. See the accompanying board policy.

6. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction **or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance**

(cf. 0420.4 - Charter School Authorization)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6181 - Alternative Schools/Programs of Choice)

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

(cf. 5113 - Absences and Excuses)

Note: The following paragraph is for use by districts maintaining high schools.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

(cf. 6146.1 - High School Graduation Requirements)

AR 6158(c)

INDEPENDENT STUDY (continued)

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

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

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by

Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Note: Pursuant to Education Code 51748, independent study students must be enrolled in school as a condition of receiving state apportionments.

~~Students are eligible for independent study as authorized in law, and as specified in board policy and administrative regulation.~~ **To participate in independent study, a student shall be enrolled in a district school. (Education Code 51748)**

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

For the 2022-23 school year and thereafter, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

AR 6158(d)

INDEPENDENT STUDY (continued)

Note: The following paragraph limits eligibility for independent study to those students for whom state apportionments can be claimed. Education Code 46300.2 provides that districts will receive state funding for independent study for students who are residents of the county or an adjacent county. Pursuant to Education Code 51747.3, students whose residency status is based on parent/guardian employment within district boundaries (Education Code 48204(b)) are not eligible for funds apportioned for average daily attendance (ADA).

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

(cf. 5111.1 - District Residency)

A student with disabilities, as defined in Education Code 56026, shall not participate in independent study unless the student's individualized education program specifically provides for such participation. (Education Code 51745)

(cf. 6159 - Individualized Education Program)

Note: Education Code 51747, as amended by AB 167, relaxes certain independent study requirements for the 2021-22 school year for students who cannot participate in classroom-based instruction as a result of a quarantine order or school closure due to COVID-19, including the limitation on providing a temporarily disabled student individual instruction pursuant to Education Code 48206.3 by means of independent study.

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a COVID-19 quarantine or school closure, A a temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code ~~51745~~ 51747)

(cf. 6183 - Home and Hospital Instruction)

Note: Education Code 46300.1 provides that the district may not receive apportionments pursuant to Education Code 42238 for independent study for students age 21 or older, or for students 19 or older who have not been continuously enrolled in grades K-12 since their 18th birthday. However, pursuant to Education Code 46300.4, these students may be eligible for independent study through the adult education program for courses required for high school graduation. See BP/AR 6200 - Adult Education.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

(cf. 6200 - Adult Education)

AR 6158(e)

INDEPENDENT STUDY (continued)

Note: The following paragraph limits enrollment in independent study to those students for whom state apportionments can be claimed. Pursuant to Education Code 51745, no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program are eligible for apportionment credit for independent study. A pregnant student or a parenting student who is the primary caregiver for the student's child(ren) is not included in this cap.

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

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

(cf. 6184 - Continuation Education)

Monitoring Student Progress

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

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

AR 6158(f)

INDEPENDENT STUDY (continued)

Responsibilities of Independent Study Administrator

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

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

Note: Pursuant to Education Code 51745.6, the equivalency of teacher-student ratios as described below is a necessary condition for the district to receive apportionments for independent study. The district may exceed these ratios, but those additional units of independent study ADA would not be funded.

Pursuant to Education Code 51745.6, as amended by AB 130, the Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting must incorporate verification of applicable teacher-student ratios commencing in the 2021-22 fiscal year.

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a

AR 6158(g)

INDEPENDENT STUDY (continued)

collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

Note: The remainder of this section is **optional** and may be revised to reflect district practice.

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records for Audit Purpose" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress

Note: Pursuant to Education Code 51747.5, **as amended by AB 167**, the district may only claim apportionment credit for independent study based on the time value of student work products as personally judged in each instance by a certificated teacher **employed by the district**. Education Code 51747.5 specifies that the teacher is not required to sign and date the work products.

7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement

Note: Education Code 51747.5, as amended by AB 130 **and AB 167**, requires districts to document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which **live interaction or synchronous instruction is provided as part of the independent study program** ~~is provided~~. A student who does not participate in **scheduled live interaction or synchronous instruction** ~~independent study~~ on a school day shall be documented as nonparticipatory for that school day, **for purposes of student participation reporting and tiered reengagement pursuant to Education Code 51747**.

AR 6158(h)

INDEPENDENT STUDY (continued)

9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, **as applicable, in whole or in part**, for which **live interaction or synchronous instruction is provided as part of the** independent study ~~is provided program~~

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

(cf. 4131 - Staff Development)

(7/16 7/21) 12/21

Policy Reference UPDATE Service

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Regulation 6158: Independent Study

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Revised Date:** 08/12/2021 | **Last Reviewed Date:** 08/12/2021

Definitions

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5. (Education Code 51745.5)

Educational Opportunities

For the 2021-22 school year, the district shall offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the district has obtained a waiver. (Education Code 51745)

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
4. Continuing and special study during travel
5. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
6. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

Equivalency

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The district shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Students are eligible for independent study as authorized in law, and as specified in board policy and administrative regulation.

For the 2022-23 school year and thereafter, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, shall not participate in independent study unless the student's individualized education program specifically provides for such participation. (Education Code 51745)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children, shall be enrolled in independent study. (Education Code 51745)

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate

4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator
2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the district, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the district enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with item #4 in the section on "Records for Audit Purpose" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement

9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day for which independent study is provided

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

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

State References

	Description
5 CCR 11700-11705	Independent study
Ed. Code 17289	Exemption for facilities
Ed. Code 41976.2	Independent study programs; adult education funding
Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for home teachers
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations, general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation
Ed. Code 51745	Independent study
Ed. Code 52522	Adult education alternative instructional delivery
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice

Federal References

	Description
20 USC 6301	Highly qualified teachers

Management Resources References

	Description
California Department of Education Publication	California Digital Learning Integration and Standards Guidance, April 2021
California Department of Education Publication	Elements of Exemplary Independent Study

Court Decision	Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365
Website	California Consortium for Independent Study - https://simbli.eboardsolutions.com/SU/6EJ9KJRdGGplusAXslshfOR6gplusRQ==
Website	California Department of Education, Independent Study - https://simbli.eboardsolutions.com/SU/aXxHIGl4L70pDRS6JnI2Jw==
Website	Education Audit Appeals Panel - https://simbli.eboardsolutions.com/SU/6VovW08Qz3ek2v0oFNslshtMg==

Cross References

Description

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/N2NPHhZkoR4HzmLplusslshGJlqg==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/xHel5G0IW17kzaIF57slshdzA==
0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/SiSNfRBcgke1plusJnTsbDR8w==
0500	Accountability - https://simbli.eboardsolutions.com/SU/8OSp14MQoBm0c5h903CVjA==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/WkUrNM2FzVvklqFLyxiZng==
3260	Fees And Charges - https://simbli.eboardsolutions.com/SU/GfUJ9DGdIffWd1d1YKcqBTg==
3580	District Records - https://simbli.eboardsolutions.com/SU/sIGJYA28YslshNTQCMslshGcplum0g==
3580	District Records - https://simbli.eboardsolutions.com/SU/BEy9zuPIfTW5TQjPpTt55Q==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/Qslsh03yMjDLRtnlQ7wtNmjLA==
4112.2	Certification - https://simbli.eboardsolutions.com/SU/AXaYWsoBkMdlXi32NkoE8Q==
4131	Staff Development - https://simbli.eboardsolutions.com/SU/kJqyGLZ6NEslsht0VJCcrln0A==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/GPT61WhRNQ8pHfa3UXX8Ng==
5111.1	District Residency - https://simbli.eboardsolutions.com/SU/Bgrve0Gbkwy2h7YR9OcBmQ==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/sXmiPExcpyoFC82JNOLAdg==
5113	Absences And Excuses - https://simbli.eboardsolutions.com/SU/Z0Dyplus5qyorjeqq8Cv0xpw==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/qxlKnSvFsbtuzP7KEplusPprg==
5121	Grades/Evaluation Of Student Achievement - https://simbli.eboardsolutions.com/SU/UQ1O4LHoybrpluslXuDXP09uw==
5125	Student Records - https://simbli.eboardsolutions.com/SU/jCusuJL5GRwssU1plusfkgUrA==
5125	Student Records - https://simbli.eboardsolutions.com/SU/FMMhDMxyEMsiZAVEslshLqbFg==

5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/AVChH8plusSyslshvjzeplusGFxFJWA==
5126	Awards For Achievement - https://simbli.eboardsolutions.com/SU/LBi913slshOg6sE9sNUUjspJA==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/H9XqUCTnawzYMnWhyVliBg==
5144.1	Suspension And Expulsion/Due Process - https://simbli.eboardsolutions.com/SU/fGeSjWun3Qmomh2esiT8pQ==
5147	Dropout Prevention - https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==
6011	Academic Standards - https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==
6112	School Day - https://simbli.eboardsolutions.com/SU/KSPkwap1CYkslshmj6TAgAQ==
6112	School Day - https://simbli.eboardsolutions.com/SU/dl8tzCplusUF3L6YYvzslshzRaiw==
6142.4	Service Learning/Community Service Classes - https://simbli.eboardsolutions.com/SU/XaaEXSfKRATddEdedTr5Rw==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/oJmDaeMYv7Ek8ydx0OaXg==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/2FT4uXmjqrLwNqoqHt3MQA==
6152	Class Assignment - https://simbli.eboardsolutions.com/SU/yplusZi8hUyqslshMRsRage6je8A==
6157	Distance Learning - https://simbli.eboardsolutions.com/SU/YJeUfypE4QXlXk5p7W7muw==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6162.5	Student Assessment - https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmslshgPRPDAsAaw==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKeg==
6162.51	State Academic Achievement Tests - https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVQakeqroGOQ==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/PBpluszOplusLhpnpyq3plusxAsY0Cg==
6164.5	Student Success Teams - https://simbli.eboardsolutions.com/SU/ORLEPdrUV35rv1BL2Xt5EQ==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/gPgCpCtjdJruPgmJ7Rcfqw==
6172	Gifted And Talented Student Program - https://simbli.eboardsolutions.com/SU/aslshgNHEuTeSsRhclZTiYZOg==
6181	Alternative Schools/Programs Of Choice - https://simbli.eboardsolutions.com/SU/y4cq1hSeYGrqEtleJpLYEQ==

6183

Home And Hospital Instruction -
<https://simbli.eboardsolutions.com/SU/MyV2GJCiJDDplusHlvzjadf6Q==>

CSBA Sample Board Policy

REVISED

Instruction

BP 6120(a)

RESPONSE TO INSTRUCTION AND INTERVENTION

Note: The following policy is **optional** and should be modified to reflect district practice.

"Response to **instruction and intervention**" (~~RTI~~^{RTI²}) is a strategy of organizing instruction and support resources in the general education program to help **improve learning and behavioral outcomes** close the achievement gaps for all students, including students at risk, students with disabilities, and English learners. **It allows for, based on individual student needs, early identification, intensive instruction and intervention, and progress monitoring for students who are struggling academically and/or behaviorally.** In this strategy, a student who is suspected of having a learning disability or who is showing academic delays is provided intensive instruction and intervention for a specified period of time before the educational problems increase in intensity and special education seems the only viable option. During this period, the student's academic progress is frequently measured to see if the interventions are sufficient to help the student catch up with his/her peers. If the student fails to show significant progress, this failure to "respond to intervention" can be viewed as evidence of a specific learning disability, thus qualifying the student for evaluation of the need for special education services.

Multi-Tiered System of Supports (MTSS) is described by the California Department of Education (CDE) as an integrated, comprehensive framework for districts that focuses on common core state standards, core instruction, differentiated and student-centered learning, individualized student needs, and the alignment of supports necessary for academic, behavioral, and social success. MTSS is connected to the eight state priorities in the local control and accountability plan, and encompasses inclusive academic instruction as reflected in the California state standards and frameworks, RtI², behavior instruction such as positive behavioral interventions and supports and restorative practices, and social-emotional learning. Districts that have an established MTSS may integrate the RtI² system into such framework.

The California Department of Education (CDE) has expanded the term RTI to "response to instruction and intervention" (RtI²) to include the full spectrum of instruction to meet the academic and behavioral needs of students and as a method to reduce the disproportionate representation of certain subpopulations of students identified as needing special education. RtI² is consistent with the identification of students under the Individuals with Disabilities Education Act (20 USC 1400-1482). According to the CDE, RtI² integrates resources from general education, categorical programs, and special education into a comprehensive system of core instruction and interventions to benefit every student. As part of the state's Quality Assurance Process, the CDE will examine whether districts have a disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

The following policy is **optional** and should be modified to reflect district practice.

The Governing Board desires to **improve learning and behavioral outcomes for all students by providing** ~~provide~~ a high-quality, data-driven educational program ~~that to~~ **meets** the learning

and behavioral needs of each student and ~~to help~~ reduces disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance **and/or are struggling behaviorally** shall receive intensive instruction and intervention supports designed to meet ~~their~~ individual learning needs, **with progress monitored**.

BP 6120(b)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0415 - Equity)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

The Superintendent or designee shall convene a team ~~of that may include, as appropriate, staff with knowledge of curriculum and instruction, student services, special education, and instructional and behavioral support,~~ certificated personnel, other district staff, and parents/guardians ~~as appropriate,~~ to assist in designing the district's Response to Instruction and Intervention (RtI²) system, based on an examination of indicators of district and schoolwide student achievement **and social-emotional well-being**.

(cf. 0500 - Accountability)

(cf. 4115 - Evaluation/Supervision)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5147 - Dropout Prevention)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6179 - Supplemental Instruction)

The district's RtI² system shall include instructional strategies and interventions with demonstrated effectiveness and ~~shall~~ be aligned with the district curriculum and assessments. **The Superintendent or designee may conduct ongoing screening to determine student needs, analyze data, identify interventions for students not making adequate academic progress, monitor the effectiveness of the interventions, and adjust interventions according to efficacy.**

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. ~~6142.92~~ ~~6142.93~~ - Mathematics Instruction)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

Note: The CDE has identified core components of the RtI² model. The remainder of this policy reflects these core components and should be modified to reflect district practice.

The district's RtI² system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

BP 6120(c)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

Note: The CDE has identified ten core components of the RtI² model, reflected below in Item #s 1-10. CDE's web site contains resources for each listed component. The remainder of this policy reflects these core components and should be modified to reflect district practice.

Additionally, the districts RtI² system shall provide for:

1. High-quality classroom instruction

2. High expectations

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)

3. Assessments and data collection

4. Problem-solving systems approach

5. Research-based interventions

6. Positive behavioral support

7. Fidelity of program implementation

8. Staff development and collaboration, which may include training in the use of assessments, data analysis, research-based instructional practices and strategies and emphasize a collaborative approach of professional learning communities among teachers within and across grade spans

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

9. Parent/guardian and family involvement, including collaboration and engagement

The Superintendent or designee Staff shall ensure that parents/guardians are involved at all stages of the instructional, and intervention, and progress monitoring process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that have and will be provided, the strategies being used to increase the student's rate of learning, the supports provided to improve behavioral difficulties, and information about the performance data that has and will be collected.

BP 6120(d)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

Note: RtI² is consistent with the identification of students under the Individuals with Disabilities Education Act (20 USC 1400-1482). can be viewed as evidence of a specific learning disability, thus qualifying the student for evaluation of the need for special education services.

RtI² may reduce referrals for special education, including a reduction in the disproportionate representation of certain subpopulations of students identified as needing special education. As part of the state's Quality Assurance Process, the CDE will examine whether districts have a disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

However, the U.S. Department of Education's Office of Special Education Programs Memorandum 11-07 states that districts have an obligation to ensure that evaluations of students suspected of having learning disabilities are not delayed or denied due to implementation of response to intervention (RTI) strategies.

Additionally, in *M.M. v. Lafayette School District*, the Ninth Circuit Court of Appeals held that the district violated the Individuals with Disabilities Education Act procedural requirements by failing to ensure that RTI data was documented and carefully considered by the entire individualized education program team, and failing to provide the parents with the RTI data, resulting in the parents being unable to give informed consent for both the initial evaluation and the special education services, even when the district did not use the RTI data to determine eligibility. See AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

10. Consideration of further evaluation utilizing RtI² data

When data from the RtI² system indicate that a student may have a specific learning disability, the RtI² system may be utilized as one component when considering student may be referred the referral of a student for evaluation for special education or other services

(cf. 6159 - Individualized Education Program)

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

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

(cf. 6164.5 - Student Success Teams)

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

The district shall provide staff development to teachers regarding the use of assessments, data analysis, and research-based instructional practices and strategies. In addition, the district's RtI² system shall emphasize a collaborative approach of professional learning communities among teachers within and across grade spans.

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

BP 6120(e)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

Staff shall ensure that parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that will be provided, the strategies being used to increase the student's rate of learning, and information about the performance data that will be collected.

~~(cf. 5020 – Parent Rights and Responsibilities)~~

~~(cf. 6020 – Parent Involvement)~~

Legal Reference:

EDUCATION CODE

56329 *Assessment, written notice to parent*

56333-56338 *Eligibility for specific learning disabilities*

56500-56509 *Procedural safeguards*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act, especially:*

1416 *Monitoring, technical assistance, and enforcement*

CODE OF FEDERAL REGULATIONS, TITLE 34

300.301-300.11 Evaluations, reevaluations, and additional procedures for identifying children with specific learning disabilities

300.307 Specific learning disabilities

300.309 Determining the existence of specific learning disabilities

300.311 Specific documentation for eligibility determination

COURT DECISIONS

M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842

Management Resources:

CSBA PUBLICATIONS

Best Practices in Special Education, Governance Brief, May 2019

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Response to Instruction and Intervention, 2008

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Disproportionality Calculation Methodologies

NATIONAL COUNCIL ON DISABILITY PUBLICATIONS

IDEA Series: Every Student Succeeds Act and Students with Disabilities, February 2018

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA); Memorandum 11-07, January 2011

Management Resources: (see next page)

BP 6120(f)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

Management Resources: (continued)

WEB SITES

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

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

National Center for Learning Disabilities RTI Action Network: <http://www.rtinetwork.org>

National Council on Disability: <https://ncd.gov>

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

(7/09) 9/21

Policy Reference UPDATE Service

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Policy 6120: Response To Instruction And Intervention

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education desires to provide a high-quality, data-driven educational program to meet the learning and behavioral needs of each student and to help reduce disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance shall receive intensive instruction and intervention supports designed to meet their individual learning needs.

The Superintendent or designee shall convene a team of certificated personnel, other district staff, and parents/guardians, as appropriate, to assist in designing the district's Response to Instruction and Intervention (RtI2) system, based on an examination of indicators of district and schoolwide student achievement.

The district's RtI2 system shall include instructional strategies and interventions with demonstrated effectiveness and shall be aligned with the district curriculum and assessments.

The district's RtI2 system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

When data from the RtI2 system indicate that a student may have a specific learning disability, the student may be referred for evaluation for special education or other services.

The district shall provide staff development to teachers regarding the use of assessments, data analysis, and research-based instructional practices and strategies. In addition, the district's RtI2 system shall emphasize a collaborative approach of professional learning communities among teachers within and across grade spans.

Staff shall ensure that parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that will be provided, the strategies being used to increase the student's rate of learning, and information about the performance data that will be collected.

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

State References

	Description
Ed. Code 1416	Monitoring, technical assistance, and enforcement
Ed. Code 56329	Assessment, written notice to parent
Ed. Code 56333-56338	Eligibility for specific learning disabilities
Ed. Code 56500-56509	Procedural safeguards

Federal References

	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
34 CFR 300.307	Specific learning disabilities
34 CFR 300.309	Determining the existence of specific learning disabilities
34 CFR 300.311	Specific documentation for eligibility determination

Management Resources References

	Description
California Department of Education Correspondence	Response to Instruction and Intervention, 2008
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==

Website CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website U.S. Department of Education - <https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Cross References

Description

0000 Vision - <https://simbli.eboardsolutions.com/SU/u5qD89SrQMplus85pcm4Ju8ww==>

0200 Goals For The School District - <https://simbli.eboardsolutions.com/SU/VlshlshSaGqXuTsCMKpG2plusbSQ==>

0500 Accountability - <https://simbli.eboardsolutions.com/SU/8OSp14MQoBm0c5h903CVjA==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/5OLsaEzDpyJtZIMsslshGd2Lg==>

4115 Evaluation/Supervision - <https://simbli.eboardsolutions.com/SU/zyrEhHh6KnfG9AKVh0ZMNw==>

4131 Staff Development - <https://simbli.eboardsolutions.com/SU/kJqyGLZ6NEslsht0VJCcrln0A==>

4331 Staff Development - <https://simbli.eboardsolutions.com/SU/r3FjtcyWYRzoggplusAxxZfEw==>

5020 Parent Rights And Responsibilities - <https://simbli.eboardsolutions.com/SU/slshWYDIkeWFYgAPyDeQIHP1g==>

5020 Parent Rights And Responsibilities - <https://simbli.eboardsolutions.com/SU/R3U5JpeaoplusoVTWmp6aTfsw==>

5123 Promotion/Acceleration/Retention - <https://simbli.eboardsolutions.com/SU/4vLD4sHEz3MzvvyoXs9mCg==>

5123 Promotion/Acceleration/Retention - <https://simbli.eboardsolutions.com/SU/aTJplusjBplusRT7mJuaeYderAQ==>

5147 Dropout Prevention - <https://simbli.eboardsolutions.com/SU/MfyKHSPWgTOMUMcbEnYL4w==>

6000 Concepts And Roles - <https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==>

6011 Academic Standards - <https://simbli.eboardsolutions.com/SU/wlufamEAdcmeCnQqXP7A9Q==>

6020 Parent Involvement - <https://simbli.eboardsolutions.com/SU/kTSslsh7Ga7Eam1ZbmEyYq8GQ==>

6020 Parent Involvement - <https://simbli.eboardsolutions.com/SU/2djpXtxmac1zQZScP6LNTw==>

6141 Curriculum Development And Evaluation - <https://simbli.eboardsolutions.com/SU/QyLrruw5gplussHOObxmtHbig==>

6141 Curriculum Development And Evaluation - <https://simbli.eboardsolutions.com/SU/OmNL5T6SuAH1I46w0L28oA==>

6142.91 Reading/Language Arts Instruction - <https://simbli.eboardsolutions.com/SU/jHkplusBplusL6sM6K6C8Zc5KUw==>

6142.93 Science Instruction - <https://simbli.eboardsolutions.com/SU/w9VU81P2tplus6slshVBe2J0pq9g==>

6162.5 Student Assessment - <https://simbli.eboardsolutions.com/SU/W2pplusGXW0VmmsslshgPRPDAsAaw==>

6162.51 State Academic Achievement Tests - <https://simbli.eboardsolutions.com/SU/TmZ3V9hBhQTIZzpfmXIKeg==>

- 6162.51 State Academic Achievement Tests -
<https://simbli.eboardsolutions.com/SU/evlgoJdiV3OVQakeqroGOQ==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education -
<https://simbli.eboardsolutions.com/SU/wzqrsLauMml0HaS3KbAOvw==>
- 6164.4 Identification And Evaluation Of Individuals For Special Education -
<https://simbli.eboardsolutions.com/SU/QHDpSMCHSespeplusRxXmaYRQ==>
- 6164.5 Student Success Teams -
<https://simbli.eboardsolutions.com/SU/PBpluszOplusLhpnpyq3plusxAsYOCg==>
- 6164.5 Student Success Teams -
<https://simbli.eboardsolutions.com/SU/ORLEPdrUV35rv1BL2Xt5EQ==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/ZdRslshgxDjJyLzuRCDQi7YzA==>
- 6174 Education For English Learners -
<https://simbli.eboardsolutions.com/SU/EmVlh5NPbhpluslBFAplusaALJkw==>
- 6179 Supplemental Instruction -
<https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqIslshnQ==>
- 6190 Evaluation Of The Instructional Program -
<https://simbli.eboardsolutions.com/SU/SsYiNF0LslshseiRm7GRp9z9g==>

CSBA Sample Board Policy

REVISED

Instruction

BP 6112(a)

SCHOOL DAY

Note: The following **optional** policy may be revised to reflect district practice. California law specifies the minimum length of the school day for elementary and secondary schools; see the accompanying administrative regulation. **In its Frequently Asked Questions about independent study, the California Department of Education (CDE) has clarified that the same minimum school day requirements apply to traditional independent study as for students attending in-person instruction.**

The Governing Board shall fix the length of the school day **subject to the provisions of in accordance with** law. (Education Code 46100)

(cf. 6111 - School Calendar)

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

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

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

Note: The following **optional** paragraph is for use by districts that maintain elementary schools and may be modified to reflect district practice. Pursuant to Education Code 33350, **the California Department of Education CDE** encourages districts to provide daily recess periods for elementary students, featuring time for unstructured but supervised play. The Superintendent of Public Instruction's Task Force on Obesity, Type 2 Diabetes, and Cardiovascular Disease recommends that students in grades K-6 be provided with recess or other physical activity breaks at least once per 120 minutes of instruction. The National Association for Sport and Physical Education recommends daily recess breaks of at least 20 minutes each day.

The **daily** schedule for elementary schools shall include at least one **daily** period of recess of at least 20 minutes **in length in order to provide, during which** students **with unstructured but shall be provided** supervised **opportunities to engage in unstructured** physical activity.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Note: The remainder of this policy applies to districts that maintain secondary schools and may be modified to reflect district practice.

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

BP 6112(b)

SCHOOL DAY (continued)

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

Prior to implementing a block **or alternative** schedule ~~program in which~~ **that will allow** secondary students **to** attend ~~class school~~ for fewer school days **than the total number of school days for which the school is in session**, the Board shall consult ~~with the certificated and classified employees of the school~~ in **good faith, in a good faith an** effort to reach agreement ~~with the certificated and classified employees of the school, and shall also consult with~~ parents/guardians of the students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which the Board ~~has given~~ **shall give** adequate notice to the employees and to the parents/guardians of affected students. (Education Code 46162)

(cf. 9320 - Meetings and Notices)

Legal Reference: (see next page)

SCHOOL DAY (continued)

Legal Reference:

EDUCATION CODE

8970-8974 *Early primary program, including extended-day kindergarten*

37202 *Equal time in all schools*

37670 *Year-round schools*

46010 *Total days of attendance*

46100 *Length of school day*

46110-46119 *Kindergarten and elementary schools, day of attendance*

46120 *Kindergarten and elementary schools, expanded learning opportunity program*

46140-46147 *Junior high school and high school, day of attendance*

46148 *School day for middle and high school*

46160-46162 *Alternative schedule - junior high and high school*

46170 *Continuation schools, minimum day*

46180 *Opportunity schools, minimum day*

46190-46192 *Adult education classes, day of attendance*

46200-46206 *Minimum instructional time*

48200 *Compulsory attendance for minimum school day*

48663 *Community day school, minimum school day*

48800-48802 *Concurrent enrollment in community college*

51222 *Physical education, instructional minutes*

51760-51769.5 *Work experience education*

52325 *Regional occupational center, minimum day*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2021-22 AA & IT Independent Study FAQs, 2021

Clarifications for Student Learning in Quarantine, 2021

Conducting Individualized Determinations of Need, 2021

NATIONAL ASSOCIATION FOR SPORT AND PHYSICAL EDUCATION POSITION STATEMENTS

Recess for Elementary School Students, 2006

STATE BOARD OF EDUCATION POLICY STATEMENTS

99-03 Physical Education (PE) Requirements for Block Schedules, July 2006

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Extending Learning Time for Disadvantaged Students, August 1995

WEST ED PUBLICATIONS

Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

WEB SITES

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

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>

State Board of Education: <http://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>

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

WestEd: <http://www.wested.org>

(11/02 4/13) 12/21

Policy Reference UPDATE Service

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Policy 6112: School Day

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

The Board of Education shall fix the length of the school day subject to the provisions of law. (Education Code 46100)

The length of the school day shall apply equally to students with disabilities unless otherwise specified in the student's individualized education program or Section 504 plan.

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

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

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

State References

Ed. Code 37202
 Ed. Code 37670
 Ed. Code 46010
 Ed. Code 46100
 Ed. Code 46110-46119
 Ed. Code 46140-46147
 Ed. Code 46160-46162
 Ed. Code 46170
 Ed. Code 46180
 Ed. Code 46190-46192
 Ed. Code 46200-46206
 Ed. Code 48200
 Ed. Code 48663
 Ed. Code 48800-48802
 Ed. Code 51222
 Ed. Code 51760-51769.5
 Ed. Code 52325
 Ed. Code 8970-8974

Description

Equal time in all schools
 Year-round schools
 Total days of attendance
 Length of school day
 Attendance in kindergarten and elementary schools
 Attendance in junior high and high schools
 Alternative schedule - junior high and high school
 Continuation schools, minimum day
 Opportunity schools, minimum day
 Adult education classes, day of attendance
 Minimum instructional time
 Minimum school day
 Community day school, minimum school day
 Concurrent enrollment in community college
 Physical education, instructional minutes
 Work experience education
 Regional occupational center, minimum day
 Early primary program, including extended-day kindergarten

Management Resources References

NASPE Position Statement
 State Board of Education Policy Statement
 U.S. Department of Education Publication
 Website

Description

Recess for Elementary School Students, 2006
 99-03 Physical Education (PE) Requirements for Block Schedules, July 2006
 Extending Learning Time for Disadvantaged Students, August 1995
 National Association for Sport and Physical Education -
<https://simbli.eboardsolutions.com/SU/X4MSTaz8kYk62dSpBcYTJw==>

Website	State Board of Education - https://simbli.eboardsolutions.com/SU/Yslsha6E0PnfQFnCvHroniOpw==
Website	WestEd - https://simbli.eboardsolutions.com/SU/T0pumukb4iozXYflh5opZA==
Website	U.S. Department of Education - https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==
Website	California Department of Education - https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==
WestEd Publication	Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

Cross References

Description

0470	COVID-19 Mitigation Plan - https://simbli.eboardsolutions.com/SU/SiSNfRbCgke1plusJnTsbDR8w==
3516.5	Emergency Schedules - https://simbli.eboardsolutions.com/SU/o3ZiDMvGUTx4iY14NBlo9A==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==
6111	School Calendar - https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==
6142.7	Physical Education And Activity - https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==
6145.8	Assemblies And Special Events - https://simbli.eboardsolutions.com/SU/U6lw6H1o83WmTwxhTnHdlw==
6154	Homework/Makeup Work - https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==
6158	Independent Study - https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZlZplusG1slshQEZkEw==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==
6159	Individualized Education Program - https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==
6164.6	Identification And Education Under Section 504 - https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==
6170.1	Transitional Kindergarten - https://simbli.eboardsolutions.com/SU/A4MkNKCOvj3FKslshVo2lslshWqg==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==
6171	Title I Programs - https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==
6179	Supplemental Instruction - https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqslshnQ==

9320

Meetings And Notices -

<https://simbli.eboardsolutions.com/SU/2lO0xK6tbTYLcCMYgUzmHw==>

CSBA Sample

Administrative Regulation

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Instruction

AR 6112(a)

SCHOOL DAY

Note: The following **optional** administrative regulation specifies minimum and maximum school days for each grade level as provided by law. The district may revise this regulation to reflect district practice.

Pursuant to Education Code 46114, the minimum school day in grades K-8 may be computed by determining the average number of minutes over 10 consecutive school days (i.e., the number of minutes of attendance in any 10 consecutive school days, divided by 10). Education Code 46142 authorizes the minimum school day in junior high and high schools to be computed by averaging the number of minutes over two consecutive school days. The district will be in compliance if the average is at least the minimum day required by law, even if the number of minutes in any one school day is less than the minimum required school day specified below. However, Education Code 46114 and 46142 provide that no single school day may be less than 60 minutes for kindergarten, 170 minutes for grades 1-3, or 180 minutes for grades 4-12.

Education Code 46201 and 46207 require districts that have reached their local control funding formula (LCFF) funding target, as well as districts that received longer day or longer year funding prior to the implementation of the LCFF, to offer at least the following instructional minutes per school year: 36,000 minutes for kindergarten, 50,400 for grades 1-3, 54,000 for grades 4-8, and 64,800 for grades 9-12. Pursuant to Education Code 46201 and 46207, if this requirement is not met for any grade level, a portion of the district's LCFF allocation will be withheld.

Kindergarten/Transitional Kindergarten

Note: The following section is for use by districts that maintain kindergarten and transitional kindergarten (TK) classes. Education Code 37202, ~~as amended by AB 99 (Ch. 15, Statutes of 2017)~~, permits districts to maintain kindergarten or TK classes for different lengths of time during the school day, either at the same or different school sites. Districts offering kindergarten or TK classes for different lengths of time are still required to meet the minimum and maximum length of school day described below.

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

Note: Education Code 46117 establishes a minimum school day of three hours (180 minutes) for kindergarten students. However, pursuant to Education Code 46119, if a district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher.

~~Except as otherwise permitted by law, the~~ **The** average school day ~~established~~ for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions, ~~but not longer than four hours, excluding recesses.~~ **If fewer than 40 students are enrolled in kindergarten classes, the district may request approval of the**

AR 6112(b)

SCHOOL DAY (continued)

Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each. (Education Code ~~46111~~, 46114, 46115, 46117, **46119**)

Note: Education Code 46111 limits the maximum length of the school day for kindergarten to four hours, not counting recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program established pursuant to Education Code 46120, as added by AB 130 (Ch. 44, Statutes of 2021).

In any school day, kindergarten and/or TK students shall not be kept in school for longer than four hours, excluding recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program pursuant to Education Code 46120. (Education Code 46111, 46115, 46120)

Note: The following **optional** paragraph is for use by districts that have established an early primary program pursuant to Education Code 8970-8974 in order to provide an integrated, experiential, and developmentally appropriate educational program with specified components for students in prekindergarten through grade 3. Education Code 8973 provides that the kindergarten school day in such programs may exceed four hours under the conditions described below, although districts do not receive additional apportionment funds **for the excess time**.

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

- 1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day.**
- 2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.**

Note: The following paragraph is **optional**. Although Education Code 46111 provides that recess shall be excluded from determining the maximum school day, it is the interpretation of the California Department of Education (CDE) that recess time may be counted as instructional minutes, at the district's discretion, if teacher supervision occurs.

Under an extended day kindergarten program, Recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

Note: The following **optional** paragraph is for use by districts that maintain multitrack year-round schools pursuant to Education Code 37670.

AR 6112(c)

SCHOOL DAY (continued)

In any multitrack year-round school operating pursuant to Education Code 37670, the kindergarten school day may be up to 265 minutes, excluding recesses. (Education Code 46111)

(cf. 6117 - Year-Round Schedules)

~~Note: The following **optional** paragraph is for use by districts that have established an early primary program pursuant to Education Code 8970-8974 in order to provide an integrated, experiential, and developmentally appropriate educational program with specified components for students in prekindergarten through grade 3. Education Code 8973 provides that the kindergarten school day in such programs may exceed four hours under the conditions described below, although districts do not receive additional apportionment funds.~~

~~In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)~~

~~1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day.~~

~~2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.~~

Note: Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both, by completing the School Information Form 2017 located on CDE's web site. The form also includes the type(s) of TK program offered.

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

Grades 1-8

Note: The following section is for use by districts that maintain any of grades 1-8 and should be modified to reflect the grade levels offered by the district.

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (Education Code 46112)

AR 6112(d)

SCHOOL DAY (continued)

2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

Note: The following optional paragraph is for any district maintaining a middle school, except a rural school district. Pursuant to Education Code 46148, the school day for a middle school is required to begin no earlier than 8:00 am.

The school day for a middle school shall begin no earlier than 8:00 a.m. (Education Code 46148)

Grades 9-12

Note: The following section is for use by districts that maintain any of grades 9-12 and may be modified to reflect the grade levels offered by the district.

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

Note: In its "Frequently Asked Questions" about independent study, CDE has clarified that the same minimum school day requirements apply to traditional independent study as for students attending in-person instruction.

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

(cf. 6158 - Independent Study)

Note: The following list should be revised to reflect programs offered by the district.

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

1. Continuation high school or classes (Education Code 46141, 46170)

(cf. 6184 - Continuation Education)

2. Opportunity school or classes (Education Code 46141, 46180)

3. Regional occupational center (Education Code 46141, 52325)

(cf. 6178.2 - Regional Occupational Center/Program)

AR 6112(e)

SCHOOL DAY (continued)

4. Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)

A student in grade 12 who is enrolled in work experience education and is in **his/her the** last semester or quarter before graduation may, **upon written request by the student's parent/guardian or the student, if 18 years of age or over**, be permitted to attend school for less than 180 minutes per school day if ~~he/she would complete~~ all

requirements for graduation **would be completed**, except physical education courses, in less than 180 minutes each day. (Education Code 46147)

(cf. 6178.1 - Work-Based Learning)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with item #5 above (Education Code 46141, 46146.5)

7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

(cf. 6178 - Career Technical Education)

8. Adult education classes (Education Code 46190)

(cf. 6200 - Adult Education)

Note: The following **optional** paragraph is for use by districts that operate an evening high school pursuant to Education Code 51720-51724.

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

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions,

AR 6112(f)

SCHOOL DAY (continued)

independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (Education Code 46145)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

Alternative Block Schedule for Secondary Schools

Note: The following **optional** section is for use by districts that choose to create a block schedule pursuant to Education Code 46160-46162; see the accompanying Board policy. In establishing a block schedule, the district should be aware of state law (Education Code 51222) that requires secondary students to attend physical education courses for at least 400 minutes each 10 school days; see AR 6142.7 - Physical Education and Activity. Although the daily alternating block schedule, often referred to as the A/B block schedule, does fulfill the requirement for physical education minutes, other block schedules do not and thus require a waiver from the State Board of Education (SBE). See SBE Waiver Policy #99-03 for waiver criteria.

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

Note: The following **optional** paragraph is for use by districts that maintain an early college high school or middle college high school. Pursuant to Education Code 46160, ~~as amended by AB 99 (Ch. 15, Statutes of 2017)~~, such districts may schedule classes in these schools so that students who satisfy the provisions of Education Code 46146.5 in regard to part-time enrollment at community college, the California State University, or the University of California attend classes for at least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period.

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

(4/13 10/17) 12/21

Policy Reference UPDATE Service

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Regulation 6112: School Day

Status: ADOPTED

Original Adopted Date: 07/11/2019 | **Last Reviewed Date:** 07/11/2019

Kindergarten/Transitional Kindergarten

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

Recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Board of Education has declared that the extended-day kindergarten program does not exceed the length of the primary school day.
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program.

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

Grades 1-8

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (Education Code 46112)
2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

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

State References

Description

Ed. Code 37202	Equal time in all schools
Ed. Code 37670	Year-round schools
Ed. Code 46010	Total days of attendance
Ed. Code 46100	Length of school day
Ed. Code 46110-46119	Attendance in kindergarten and elementary schools
Ed. Code 46140-46147	Attendance in junior high and high schools
Ed. Code 46160-46162	Alternative schedule - junior high and high school
Ed. Code 46170	Continuation schools, minimum day
Ed. Code 46180	Opportunity schools, minimum day
Ed. Code 46190-46192	Adult education classes, day of attendance
Ed. Code 46200-46206	Minimum instructional time
Ed. Code 48200	Minimum school day
Ed. Code 48663	Community day school, minimum school day

Ed. Code 48800-48802
Ed. Code 51222
Ed. Code 51760-51769.5
Ed. Code 52325
Ed. Code 8970-8974

Concurrent enrollment in community college
Physical education, instructional minutes
Work experience education
Regional occupational center, minimum day
Early primary program, including extended-day kindergarten

Management Resources References

NASPE Position Statement
State Board of Education Policy Statement
U.S. Department of Education Publication

Website

Description

Recess for Elementary School Students, 2006
99-03 Physical Education (PE) Requirements for Block Schedules, July 2006
Extending Learning Time for Disadvantaged Students, August 1995

National Association for Sport and Physical Education -
<https://simbli.eboardsolutions.com/SU/X4MSTaz8kYk62dSpBcYTJw==>

Website

State Board of Education -
<https://simbli.eboardsolutions.com/SU/Yslsha6E0PnfQFnCvHroniOpw==>

Website

WestEd -
<https://simbli.eboardsolutions.com/SU/T0pumukb4iozXYflh5opZA==>

Website

U.S. Department of Education -
<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Website

California Department of Education -
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

WestEd Publication

Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

Cross References

0470

COVID-19 Mitigation Plan -
<https://simbli.eboardsolutions.com/SU/SiSNfRBCgke1plusJnTsbDR8w==>

3516.5

Emergency Schedules -
<https://simbli.eboardsolutions.com/SU/o3ZiDMvGUTx4iY14NBlo9A==>

5030

Student Wellness -
<https://simbli.eboardsolutions.com/SU/kP3RA9Bro1n3d1MplusS6lm9g==>

6000

Concepts And Roles -
<https://simbli.eboardsolutions.com/SU/PKZCznPK5uVYh2rtuZWrQQ==>

6111

School Calendar -
<https://simbli.eboardsolutions.com/SU/0MJbneZ9evhK0ureJoYKWA==>

6142.7

Physical Education And Activity -
<https://simbli.eboardsolutions.com/SU/bxdO02orcknVGTfpbSK9vw==>

6142.7

Physical Education And Activity -
<https://simbli.eboardsolutions.com/SU/hbGCDAbQPplusslshdSybFLnA10Q==>

6145.8

Assemblies And Special Events -
<https://simbli.eboardsolutions.com/SU/U6lw6H1o83WmTwxhTnHdlw==>

6154

Homework/Makeup Work -
<https://simbli.eboardsolutions.com/SU/ceT73NcXQVcuvaYslshGFplusfpA==>

6158

Independent Study -
<https://simbli.eboardsolutions.com/SU/DsjCKx4rgBORwsDL5Db0yA==>

6158

Independent Study -
<https://simbli.eboardsolutions.com/SU/Yq14Vs8ZKZIZplusG1slshQEZkEw==>

6159

Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/72afLR1iFwxZ4UvyhY0uLg==>

- 6159 Individualized Education Program -
<https://simbli.eboardsolutions.com/SU/bK5tZtFKr9Bu9YGjy15vUg==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/KSed8OKaYIQWDXMkS1v1Aw==>
- 6164.6 Identification And Education Under Section 504 -
<https://simbli.eboardsolutions.com/SU/uiyfKoEIFv7NzUrqNslshftGw==>
- 6170.1 Transitional Kindergarten -
<https://simbli.eboardsolutions.com/SU/A4MkNKCOvj3FKslshVo2IslshWqg==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/51m08UmlQniwwDyARGs5pQ==>
- 6171 Title I Programs -
<https://simbli.eboardsolutions.com/SU/AVwmTG7ryxplusslshszPKmldwAg==>
- 6179 Supplemental Instruction -
<https://simbli.eboardsolutions.com/SU/CE1yeUeHtTBGZocGRqlslshnQ==>
- 9320 Meetings And Notices -
<https://simbli.eboardsolutions.com/SU/2IO0xK6tbTYLcCMYgUzmHw==>

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Gina A. Potter, Ed.D.,
Superintendent

Informational
 Action

AGENDA ITEM: FIRST READING AND ADOPTION OF REVISED BOARD BYLAW 9320 - MEETING AND NOTICES

BACKGROUND INFORMATION:

The San Ysidro School District has a current agreement with the California School Boards Association (CSBA) for the maintenance of its Board Policy manual. This subscription service provides policy updates and ongoing consulting.

Governing Boards are responsible for the development and compliance of its board policies. They are responsible for adopting and revising policies in keeping with new laws and legislation that impact specific policies and administrative regulations.

Below is the list of Revised Board Bylaw:

- Reading and Adoption of Revised Board Bylaw 9320 - Meeting and Notices

RECOMMENDATION:

Approve First Reading and Adoption of Revised Board Bylaw 9320 - Meeting and Notices.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

CSBA Sample Board Bylaw

REVISED

Board Bylaws

BB 9320(a)

MEETINGS AND NOTICES

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location **as permitted by Government Code 54953**, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

Note: The Brown Act prohibits serial meetings, defined under Government Code 54952.2 as a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of district business.

This prohibition against serial meetings also applies to communications via technology. Email exchanges, chat room threads, or comments posted on a blog or social media account that result in a majority of the **Governing Board** "discussing **among themselves**" an item within the subject matter jurisdiction of the Board could result in a Brown Act violation. Pursuant to Government Code 54952.2, as amended by AB 992 (Ch. 89, Statutes of 2020), Board members may engage in separate conversations or communications with members of the public on an Internet-based social media platform that is open and accessible to the public as long as a majority of the Board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the Board and members do not comment on or use digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. Consequently, a Board member is prohibited from responding directly to any communication from other members of the Board on a social media platform regarding matters that are within the subject matter jurisdiction of the Board. See BB 9012 - Board Member Electronic Communications.

In 84 Ops. Cal. Atty. Gen. 30 (2001), the Attorney General opined that Government Code 54952.2 prohibits a majority of the Board from sending emails to each other to develop a collective concurrence as to action to be taken by the Board even if the emails are (1) sent to the secretary and chairperson, (2) posted on the district's web site, and (3) distributed **(in a printed version)** at the next meeting. Although the Attorney General recognized that those three conditions would allow the deliberations to be conducted, to some extent, "in public," the emails were prohibited by the Brown Act because all debate would be completed before the meeting and members of the public who did not have Internet access would be excluded from the debate.

BB 9320(b)

MEETINGS AND NOTICES (continued)

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

Note: Government Code 54952.2 specifies that briefings between staff and Board members are permissible in order to answer questions or to provide information, as long as the briefing is not used to communicate the comments or position of any other Board member. ~~Thus, Superintendent briefings involving less than a majority of the Board are allowed, but participants must ensure that the comments or positions of one member are not shared with other members.~~

However, an employee or district official may engage in separate conversations **or communications** with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

Note: Government Code 54953.2 requires that all Board meetings meet the protections of the Americans with Disabilities Act **(ADA)** (42 USC 12132) and implementing regulations (28 CFR 35.160, 36.303). Such protections require the district to ensure that the meeting is accessible to persons with disabilities and, upon request, to provide disability-related accommodations, such as auxiliary aids and services. Auxiliary aids and services may include accommodations at the actual meeting, such as a sign-language interpreter, or accommodations to the supporting documentation, such as Braille translation of the agenda packet. Government Code 54954.2 requires that the agenda specify how, when, and to whom a request for accommodation should be made; see BB 9322 - Agenda/Meeting Materials.

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1, 54954.2)

Regular Meetings

Note: Education Code 35140 and Government Code 54954 **mandate** the Board to fix the time and place for its regular meetings by rule and regulation.

The Board shall hold _____ regular meeting(s) each month. Regular meetings shall be held at _____ p.m. on the _____ (day) at the _____.

Note: Pursuant to Government Code 54954.2, the agenda for a regular meeting must be posted at least 72 hours prior to the meeting, at a location that is freely accessible to the public. Government Code 54954.2 also requires that the agenda be posted on the district's **Internet** web site, if it has one. Any district that does not have a web site should delete the reference to it in the following paragraph.

BB 9320(c)

MEETINGS AND NOTICES (continued)

The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time during the 72 hours immediately preceding the meeting. For example, if a building where the agenda is posted is closed during the evening hours, the agenda must also be posted in a location accessible during evening hours, such as a lighted display case outside of the building. The Attorney General also opined in 88 Ops.Cal.Atty.Gen. 218 (2005) that the agenda may be posted on a touch screen electronic kiosk, in lieu of a paper copy on a bulletin board, as long as the kiosk is accessible without charge to the public 24 hours a day, seven days a week.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's **Internet** web site. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

Note: Pursuant to Government Code 54957.5, the agenda must list any address where the public can inspect agenda materials that are distributed to Board members less than 72 hours before a regular meeting; see BB 9322 - Agenda/Meeting Materials. In addition, pursuant to the California Public Records Act (Government Code 6252-6270), agenda materials related to an open session of a Board's regular meeting are "public records" and are

subject to the inspection of any member of the public. For a list of documents subject to disclosure by the district, see BP/AR 1340 - Access to District Records.

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose **at the time the materials are distributed to all or a majority of the Board**. (Government Code 54957.5)

(cf. 1340 - Access to District Records)

Special Meetings

Note: Education Code 35144 and Government Code 54956 allow the Board to hold special meetings to address any matter that requires timely action. For example, the Board may hold a special meeting to discuss the need for an emergency state apportionment when the district is in financial distress; see **BPAR** 3460 - Financial Reports and Accountability. However, pursuant to Government Code 54956, certain specified matters, as described below, may not be addressed in a special meeting.

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

BB 9320(d)

MEETINGS AND NOTICES (continued)

Note: Pursuant to Government Code 54956, written notice of a special meeting may be delivered personally or by other means, including email or fax. Government Code 54956 requires any district that has its own **Internet** web site to also post the notice on its web site. Any district that does not have its own web site should delete reference to it in the following paragraph.

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's **Internet** web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and

location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (**Education Code 35144**; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

Note: Government Code 54956.5 authorizes a closed session during emergency meetings, as long as two-thirds of the members present at the meeting agree on the need for the closed session or, if less than two-thirds of the members are present, by unanimous vote of the members present. See BB 9321 - Closed Session and E(1) 9323.2 - Actions by the Board.

In the case of an *emergency situation* for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An *emergency situation* means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(*cf. 4141.6/4241.6 - Concerted Action/Work Stoppage*)

BB 9320(e)

MEETINGS AND NOTICES (continued)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist activity that poses peril so immediate and

significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time **and place** and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

Note: The following section is **optional** and may be revised to reflect district practice. Pursuant to Government Code 54954.2, the Board must still comply with the public notice requirements when holding a study session, retreat, public forum or other such meeting.

MEETINGS AND NOTICES (continued)

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion

6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

BB 9320(g)

MEETINGS AND NOTICES (continued)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law

4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques

BB 9320(h)

MEETINGS AND NOTICES (continued)

9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

Note: In 84 Ops. Cal. Atty. Gen. 181 (2001), the Attorney General opined that a city is not required under the **ADA Americans with Disabilities Act** to provide, as an accommodation for city council member with disabilities who was unable to attend a regularly scheduled meeting, a teleconference connection to the member's house where the public would not be permitted to be present. According to the Attorney General, Government Code 54953 requires that members of the public be permitted to be present at any teleconference location.

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

BB 9320(i)

MEETINGS AND NOTICES (continued)

Teleconferencing During a Proclaimed State of Emergency

Note: Pursuant to Government Code 54953, as amended by AB 361 (Ch. 165, Statutes of 2021), boards are authorized, until January 1, 2024, to conduct board meetings by teleconference as specified below when holding a board meeting during a proclaimed state of emergency pursuant to Government Code 8625-8629 when any of the following circumstance exist: (1) state or local officials have imposed or recommended measures to promote social distancing; (2) to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) when it has been determined, as a result of an emergency, that meeting in person would impose such risks.

While a resolution is not required by law to make findings required by Government Code 54953, as amended by AB 361, CSBA offers sample resolutions available on its web site for (1) recognizing a state of emergency and authorizing teleconferenced meetings and (2) recognizing a state of emergency and re-authorizing teleconferenced meetings. CSBA recommends that if resolutions are not utilized, the motion and findings to authorize or reauthorize emergency teleconferenced meetings are included in the meeting minutes.

The Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within district boundaries, during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. State or local officials have imposed or recommended measures to promote social distancing

2. For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees

3. When it has been determined, by majority vote as described in Item #2 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees

To conduct a teleconference meeting for these purposes the following requirements shall be satisfied: (Government Code 54953)

1. The notice and agenda shall be given and posted as otherwise required by the Brown Act

BB 9320(j)

MEETINGS AND NOTICES (continued)

2. The notice and agenda of the meeting shall specify the means by which members of the public may access the meeting and offer public comments, including via a call-in or internet-based service option

Members of the public may be required to register to log in to a meeting when making public comments through an internet web site or other online platform that is operated by a third-party and not under the control of the Board.

3. Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for members of the public to address the Board directly pursuant to Government Code 54954.3

4. Members of the public shall not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time

5. Public comment periods shall not be closed until the timed public comment period, if such is offered by the Board, has elapsed or, if not timed, until a reasonable amount of time per agenda item has been allowed

6. If during a Board meeting a disruption occurs which prevents the district from broadcasting the meeting to members of the public or for members of the public to offer public comments, the Board shall take no further action on any agenda item until public access via the call-in or internet-based service option to the meeting is restored

(cf. 9323.2 - Actions by the Board)

The district may, in its discretion, provide a physical location from which the public may attend or comment. (Government Code 54953)

The Board may continue to conduct meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)

1. The state of emergency continues to directly impact the ability of the Board to meet safely in person

2. State or local officials continue to impose or recommend measures to promote social distancing

BB 9320(k)

MEETINGS AND NOTICES (continued)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:

EDUCATION CODE

- 35140 *Time and place of meetings*
- 35143 *Annual organizational meeting, date, and notice*
- 35144 *Special meeting*
- 35145 *Public meetings*
- 35145.5 *Agenda; public participation; regulations*
- 35146 *Closed sessions in connection with a student*
- 35147 *Open meeting law exceptions and applications*

GOVERNMENT CODE

- 3511.1 *Local agency executives*
- 6252-6270 California Public Records Act**
- 8625-8629 California Emergency Services Act**
- 11135 *State programs and activities; prohibition of discrimination*
- 54950-54963 *The Ralph M. Brown Act, especially:*
 - 54953 *Meetings to be open and public; attendance; teleconference*
 - 54954 *Time and place of regular meetings*
 - 54954.2 *Agenda posting requirements, board actions*
 - 54956 *Special meetings; call; notice*
 - 54956.5 *Emergency meetings*

UNITED STATES CODE, TITLE 42

- 12101-12213 *Americans with Disabilities Act*
- CODE OF FEDERAL REGULATIONS, TITLE 28
- 35.160 *Effective communications for individuals with disabilities*
- 36.303 *Auxiliary aids and services for individuals with disabilities*

COURT DECISIONS

- Garnier v. Poway Unified School District; (S.D. Cal. September 26, 2019) No. 17-cv-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)
- Knight First Amendment Institute at Columbia University v. Trump; (2019) 928 F.3d 226 (2019)
- Wolfe v. City of Fremont; (2006) 144 Cal.App. 4th 533 54433

ATTORNEY GENERAL OPINIONS

- 88 Ops. Cal. Atty. Gen. 218 (2005)
- 84 Ops. Cal. Atty. Gen. 181 (2001)
- 84 Ops. Cal. Atty. Gen. 30 (2001)
- 79 Ops. Cal. Atty. Gen. 69 (1996)
- 78 Ops. Cal. Atty. Gen. 327 (1995)

Management Resources: (see next page)

MEETINGS AND NOTICES (continued)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2019

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public ~~VH~~: A Guide to the Ralph M. Brown Act, 2016 2nd Ed., 2010

WEB SITES

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

CSBA, GAMUT Meetings: <http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy>

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

Institute for Local Government: <http://www.ca-ilg.org>

League of California Cities: <http://www.cacities.org>

(11/11 12/20) 12/21

Policy Reference UPDATE Service

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Bylaw 9320: Meetings And Notices

Status: ADOPTED

Original Adopted Date: 04/11/2019 | **Last Revised Date:** 03/11/2021 | **Last Reviewed Date:** 03/11/2021

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

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

However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

(cf. 9012 - Board Member Electronic Communications)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1, 54954.2)

Regular Meetings

The Board shall hold _____ regular meeting(s) each month. Regular meetings shall be held at _____ p.m. on the _____ (day) at the _____.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's Internet web site. (Government Code 54954.2)

(cf. 1113 - District and School Web Sites)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

(cf. 1340 - Access to District Records)

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

(cf. 2121 - Superintendent's Contract)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an *emergency situation* for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An *emergency situation* means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board
(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)
2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

(cf. 2000 - Concepts and Roles)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers
(cf. 9130 - Board Committees)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961).

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

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal

office is located outside the district

5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

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

State References

	Description
Ed. Code 35140	Time and place of meetings
Ed. Code 35143	Annual organizational meetings; date and notice
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings

Ed. Code 35145.5	Agenda; public participation; regulations
Ed. Code 35146	Closed sessions; student matters
Ed. Code 35147	Open meeting laws exceptions
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 3511.1	Local agency executives
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54953	Oral summary of recommended salary and benefits of superintendent
Gov. Code 54954	Time and place of regular meetings
Gov. Code 54954.2	Agenda posting requirements, board actions
Gov. Code 54956	Special Meetings
Gov. Code 54956.5	Emergency meetings

Federal References

28 CFR 35.160	Effective communications
28 CFR 36.303	Auxiliary aids and services
42 USC 12101-12213	Americans with Disabilities Act

Management Resources References

Attorney General Opinion	78 Ops.Cal.Atty.Gen. 327 (1995)
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 69 (1996)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 181 (2001)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 30 (2001)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 218 (2005)
Court Decision	Wolfe v. City of Fremont, (2006) 144 Cal.App. 544
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2014
Institute for Local Government Publication	The ABCs of Open Government Laws
League of California Cities Publication	Open and Public IV: A Guide to the Ralph M. Brown Act, 2nd Ed., 2010
Website	Institute for Local Government - https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpTfmA==
Website	League of California Cities - https://simbli.eboardsolutions.com/SU/TUf8jshHeiQslshKJpHe2qEtug==
Website	California Attorney General's Office - https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Cross References

0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/ngt3fUOS2yQJJKmjn5yXsQ==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/N2NPHhZkoR4HzmLplusslshGJlqg==
0420.4	Charter School Authorization - https://simbli.eboardsolutions.com/SU/xHeL5G0IW17kzaIF57slshdZA==
0420.43	Charter School Revocation - https://simbli.eboardsolutions.com/SU/rjshfFVMvuEUjshFQ0V2b0TQ==

Description

Description

Description

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/ymrUEwzWRGOLmy5dybtyiw==>

0450 Comprehensive Safety Plan - <https://simbli.eboardsolutions.com/SU/yqXemeWgpAB1z0mjDmESfw==>

0460 Local Control And Accountability Plan - <https://simbli.eboardsolutions.com/SU/JU6fL4mHayb1JLGtxvl6lw==>

0460 Local Control And Accountability Plan - <https://simbli.eboardsolutions.com/SU/sZkb9Nz3OJir5gwy5HSXOA==>

1113 District And School Web Sites - <https://simbli.eboardsolutions.com/SU/ODMDFmaqATGsLixNUqGgYg==>

1113 District And School Web Sites - <https://simbli.eboardsolutions.com/SU/92wfmCN541FIED53K1C2Uw==>

1113-E(1) District And School Web Sites - <https://simbli.eboardsolutions.com/SU/w7nYKjqtVfwCcpawAntpluspg==>

1160 Political Processes - <https://simbli.eboardsolutions.com/SU/xyZPKDlw3nGcZMeM8JRMdW==>

1220 Citizen Advisory Committees - <https://simbli.eboardsolutions.com/SU/X2Wc65TvtAplyjbDavhR6A==>

1220 Citizen Advisory Committees - <https://simbli.eboardsolutions.com/SU/d8oBxDCOHPmLjio2ptoA==>

1330 Use Of School Facilities - <https://simbli.eboardsolutions.com/SU/9uDcSKI7uugETmCykVahHQ==>

1330 Use Of School Facilities - <https://simbli.eboardsolutions.com/SU/IsP74bct6ZWIEplusMslshUslshDkOg==>

1330-E(1) Use Of School Facilities - <https://simbli.eboardsolutions.com/SU/CNUwUvT05G0aH7gGIK9dqA==>

1340 Access To District Records - <https://simbli.eboardsolutions.com/SU/cXGxpZRquYld0nKebslshBk4Q==>

1340 Access To District Records - <https://simbli.eboardsolutions.com/SU/YUJTRiiy5YvfA2F87SiMmsg==>

1431 Waivers - <https://simbli.eboardsolutions.com/SU/zhelVgBw9INSaqaXaujz9w==>

2000 Concepts And Roles - <https://simbli.eboardsolutions.com/SU/c0ASOPBE36YwFJGBtHHUAg==>

2111 Superintendent Governance Standards - <https://simbli.eboardsolutions.com/SU/TPgEg3FaWs6dqt53Kub6ug==>

2121 Superintendent's Contract - <https://simbli.eboardsolutions.com/SU/SrcoN8hwjplusCBpsEGTwmpaQ==>

2210 Administrative Discretion Regarding Board Policy - <https://simbli.eboardsolutions.com/SU/DYgYwNUc3KVMCJCgFYXslshLQ==>

3100 Budget - <https://simbli.eboardsolutions.com/SU/aC8PPargljlhplunObjfp2g==>

3100 Budget - <https://simbli.eboardsolutions.com/SU/0onvwoV1fxbpJr5OyAa8nA==>

3280 Sale Or Lease Of District-Owned Real Property - <https://simbli.eboardsolutions.com/SU/xQsi8XCX1iXiQlrdQ6mqHw==>

3280 Sale Or Lease Of District-Owned Real Property - <https://simbli.eboardsolutions.com/SU/rCoU3YDeQiauyP8P9pTGvA==>

3311 Bids - <https://simbli.eboardsolutions.com/SU/TXCclHAP04AvqlRkslshIGT6g==>

3311 Bids - <https://simbli.eboardsolutions.com/SU/YtGjBb8AeKJBCbTEVI6JKg==>

3312	Contracts - https://simbli.eboardsolutions.com/SU/ypySW5bYSpEyYt3f9slshq8XA==
3314	Payment For Goods And Services - https://simbli.eboardsolutions.com/SU/MbHA9gIHxrKze4llPVE9plusg==
3314	Payment For Goods And Services - https://simbli.eboardsolutions.com/SU/PKOZldoJTQsbrFsmrxxllw==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/GE0i6DLXjEunpslshl1ajPT9Q==
3516	Emergencies And Disaster Preparedness Plan - https://simbli.eboardsolutions.com/SU/MK62ayh3lQtmYtElkL8MeA==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/MBSgROgVyeslshbOLCrSKHigw==
4141.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/jXlnug02Fdul6BJopTIWwQ==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/xmA3sSWDmrEnN7x0vwdtBQ==
4241.6	Concerted Action/Work Stoppage - https://simbli.eboardsolutions.com/SU/5pB84UEGplus0XZk1O7LzZeiQ==
4312.1	Contracts - https://simbli.eboardsolutions.com/SU/G21QkoJmweXy5Bm5bslshK6eQ==
6112	School Day - https://simbli.eboardsolutions.com/SU/KSPkwap1CYkslshmj16TAgAQ==
6112	School Day - https://simbli.eboardsolutions.com/SU/dl8tzCplusUF3L6YYvzslshzRaiw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/tcrV8LYA4O73m8rLxwSinw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/bK2RpukVayuly7msl23xyw==
7150	Site Selection And Development - https://simbli.eboardsolutions.com/SU/5SWQs6LpL91sgEKfbodddplusw==
7150	Site Selection And Development - https://simbli.eboardsolutions.com/SU/1beg828UfelzvSDxqghWng==
7214	General Obligation Bonds - https://simbli.eboardsolutions.com/SU/CjdxaqWYL8ttaua4uYpuew==
7214	General Obligation Bonds - https://simbli.eboardsolutions.com/SU/by0EhzPoKMEew61tVs07plusQ==
7310	Naming Of Facility - https://simbli.eboardsolutions.com/SU/wplusGBX5fLLXf6SpiTuXNBnQ==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/BQGNxKewahWVQIPdXWOODA==
9005	Governance Standards - https://simbli.eboardsolutions.com/SU/vTHplusWby5zXa4lk9XusgbZg==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/zBDaaRxMplus3plusaFBVlgwdRslshg==
9100	Organization - https://simbli.eboardsolutions.com/SU/HLxVpN0oVgplusMcpB8CrWGOQ==
9121	President - https://simbli.eboardsolutions.com/SU/8slshPL9Q8nAVREDDgLy0oPJQ==
9130	Board Committees - https://simbli.eboardsolutions.com/SU/zttbsXMjnVGFMUQTUzCyOw==

9140	Board Representatives - https://simbli.eboardsolutions.com/SU/hMjSjQmV1ZslshPqfj94UpAwQ==
9220	Governing Board Elections - https://simbli.eboardsolutions.com/SU/sF8FwYH0J9jmas9bEkH1VQ==
9230	Orientation - https://simbli.eboardsolutions.com/SU/plusjxAYSEslshNFawGZOpf7KxWg==
9270	Conflict Of Interest - https://simbli.eboardsolutions.com/SU/yL3P0tPJ0zk3Pb2VzUm1lg==
9270-E(1)	Conflict Of Interest - https://simbli.eboardsolutions.com/SU/QAs43mF3Ha1cSCaMPjplusysg==
9270-E(2)	Conflict Of Interest - https://simbli.eboardsolutions.com/SU/QQsaQfrlVWBrVwyxqLyXZw==
9310	Board Policies - https://simbli.eboardsolutions.com/SU/yaMTwdl9DALoCYwkKwgn0w==
9321	Closed Session - https://simbli.eboardsolutions.com/SU/QfknZ1iziDTUxplussARKweQ==
9321-E(1)	Closed Session - Board Meeting Agenda Descriptions for Closed Session Items - https://simbli.eboardsolutions.com/SU/yzFfpIKv29py7c0GU7E5Hw==
9321-E(2)	Closed Session - Reports of Closed Session Actions - https://simbli.eboardsolutions.com/SU/slshQyL0Csux502vo1sZybyqOg==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/0qG9032BG0Bpytl8PjDd5w==
9323	Meeting Conduct - https://simbli.eboardsolutions.com/SU/9laby80MtuvXIEgSslsh21ZFA==
9323.2	Actions By The Board - https://simbli.eboardsolutions.com/SU/HYbc3y30dclhkp5Y1plusx49w==
9323.2-E(1)	Actions By The Board - https://simbli.eboardsolutions.com/SU/Mghslsh8AyxyEBhj9tbPplusca6g==
9323.2-E(2)	Actions By The Board - https://simbli.eboardsolutions.com/SU/TNeJrr1bk8B4EvwSDHqgHg==
9324	Minutes And Recordings - https://simbli.eboardsolutions.com/SU/3splusXoQn6mN4Y9TWBBVFGzg==
9400	Board Self-Evaluation - https://simbli.eboardsolutions.com/SU/WQsVu4LXzHmu1tMulPRb2w==

SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: SECOND INTERIM FINANCIAL REPORT FOR 2021-22 FISCAL YEAR

BACKGROUND INFORMATION:

AB 1200 requires local educational agencies (LEAs) to file Interim Reports of their annual budget as of October 31 and January 31 respectively. LEAs must collect the financial data for these reporting periods and project the financial conditions of the current and two subsequent fiscal years. Based on the projected financial conditions, the LEAs will certify the Interim Report in one of the following three categories.

- Positive – the school district **will** meet its financial obligations for the current and two subsequent fiscal years
- Qualified – the school district **may not** meet its financial obligations for the current and two subsequent fiscal years
- Negative – the school district **will not** meet its financial obligations for the current and two subsequent fiscal years

Please note that Education Code sections 42130 and 42131 require that Interim Reports be submitted to the Governing Board on the SACS forms, the format prescribed by the State Superintendent of Public Instruction. Per the Education Codes indicated above, the District hereby submits the 2021-22 Second Interim Report with a **Positive Certification** for Governing Board review and approval.

The 2021-22 Second Interim Report will be available to the public on the District’s website after Governing Board’s approval.
REPORT UNDER SEPARATE COVER

RECOMMENDATION:

Approve the 2021-22 Second Interim Financial Report.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

N/A

(Amount)

N/A

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



San Ysidro

School District **EST - 1887**

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

SECOND INTERIM FINANCIAL REPORT 2021-2022

**Regular Board Meeting
March 10, 2022**

NOTICE OF CRITERIA AND STANDARDS REVIEW. This interim report was based upon and reviewed using the state-adopted Criteria and Standards. (Pursuant to Education Code (EC) sections 33129 and 42130)

Signed: _____ Date: _____
District Superintendent or Designee

NOTICE OF INTERIM REVIEW. All action shall be taken on this report during a regular or authorized special meeting of the governing board.

To the County Superintendent of Schools:

This interim report and certification of financial condition are hereby filed by the governing board of the school district. (Pursuant to EC Section 42131)

Meeting Date: March 10, 2022 Signed: _____
President of the Governing Board

CERTIFICATION OF FINANCIAL CONDITION

POSITIVE CERTIFICATION

As President of the Governing Board of this school district, I certify that based upon current projections this district will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

QUALIFIED CERTIFICATION

As President of the Governing Board of this school district, I certify that based upon current projections this district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years.

NEGATIVE CERTIFICATION

As President of the Governing Board of this school district, I certify that based upon current projections this district will be unable to meet its financial obligations for the remainder of the current fiscal year or for the subsequent fiscal year.

Contact person for additional information on the interim report:

Name: MARILYN ADRIANZEN Telephone: 619-428-4476

Title: CBO E-mail: marilyn.adrianzen@sysdschools.org

Criteria and Standards Review Summary

The following summary is automatically completed based on data provided in the Criteria and Standards Review form (Form 01CSI). Criteria and standards that are "Not Met," and supplemental information and additional fiscal indicators that are "Yes," may indicate areas of potential concern, which could affect the interim report certification, and should be carefully reviewed.

CRITERIA AND STANDARDS			Met	Not Met
1	Average Daily Attendance	Funded ADA for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.		X

CRITERIA AND STANDARDS (continued)			Met	Not Met
2	Enrollment	Projected enrollment for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.	X	
3	ADA to Enrollment	Projected second period (P-2) ADA to enrollment ratio for the current and two subsequent fiscal years is consistent with historical ratios.		X
4	Local Control Funding Formula (LCFF) Revenue	Projected LCFF revenue for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.		X
5	Salaries and Benefits	Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures has not changed by more than the standard for the current and two subsequent fiscal years.	X	
6a	Other Revenues	Projected operating revenues (federal, other state, other local) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.	X	
6b	Other Expenditures	Projected operating expenditures (books and supplies, services and other expenditures) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.		X
7	Ongoing and Major Maintenance Account	If applicable, changes occurring since first interim meet the required contribution to the ongoing and major maintenance account (i.e., restricted maintenance account).	X	
8	Deficit Spending	Unrestricted deficit spending, if any, has not exceeded the standard in any of the current or two subsequent fiscal years.		X
9a	Fund Balance	Projected general fund balance will be positive at the end of the current and two subsequent fiscal years.	X	
9b	Cash Balance	Projected general fund cash balance will be positive at the end of the current fiscal year.	X	
10	Reserves	Available reserves (e.g., reserve for economic uncertainties, unassigned/unappropriated amounts) meet minimum requirements for the current and two subsequent fiscal years.	X	

SUPPLEMENTAL INFORMATION			No	Yes
S1	Contingent Liabilities	Have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) occurred since first interim that may impact the budget?	X	
S2	Using One-time Revenues to Fund Ongoing Expenditures	Are there ongoing general fund expenditures funded with one-time revenues that have changed since first interim by more than five percent?	X	
S3	Temporary Interfund Borrowings	Are there projected temporary borrowings between funds?	X	
S4	Contingent Revenues	Are any projected revenues for any of the current or two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)?	X	
S5	Contributions	Have contributions from unrestricted to restricted resources, or transfers to or from the general fund to cover operating deficits, changed since first interim by more than \$20,000 and more than 5% for any of the current or two subsequent fiscal years?	X	

SUPPLEMENTAL INFORMATION (continued)			No	Yes
S6	Long-term Commitments	Does the district have long-term (multiyear) commitments or debt agreements?		X
		• If yes, have annual payments for the current or two subsequent fiscal years increased over prior year's (2020-21) annual payment?		X
		• If yes, will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?	X	
S7a	Postemployment Benefits Other than Pensions	Does the district provide postemployment benefits other than pensions (OPEB)?		X
		• If yes, have there been changes since first interim in OPEB liabilities?	X	
S7b	Other Self-insurance Benefits	Does the district operate any self-insurance programs (e.g., workers' compensation)?	X	
		• If yes, have there been changes since first interim in self-insurance liabilities?	n/a	
S8	Status of Labor Agreements	As of second interim projections, are salary and benefit negotiations still unsettled for:		
		• Certificated? (Section S8A, Line 1b)		X
		• Classified? (Section S8B, Line 1b)		X
S8	Labor Agreement Budget Revisions	For negotiations settled since first interim, per Government Code Section 3547.5(c), are budget revisions still needed to meet the costs of the collective bargaining agreement(s) for:		
		• Certificated? (Section S8A, Line 3)	n/a	
		• Classified? (Section S8B, Line 3)	n/a	
S9	Status of Other Funds	Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year?	X	

ADDITIONAL FISCAL INDICATORS			No	Yes
A1	Negative Cash Flow	Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund?	X	
A2	Independent Position Control	Is personnel position control independent from the payroll system?	X	
A3	Declining Enrollment	Is enrollment decreasing in both the prior and current fiscal years?		X
A4	New Charter Schools Impacting District Enrollment	Are any new charter schools operating in district boundaries that are impacting the district's enrollment, either in the prior or current fiscal year?	X	
A5	Salary Increases Exceed COLA	Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?	X	
A6	Uncapped Health Benefits	Does the district provide uncapped (100% employer paid) health benefits for current or retired employees?	X	
A7	Independent Financial System	Is the district's financial system independent from the county office system?	X	
A8	Fiscal Distress Reports	Does the district have any reports that indicate fiscal distress? If yes, provide copies to the COE, pursuant to EC 42127.6(a).	X	
A9	Change of CBO or Superintendent	Have there been personnel changes in the superintendent or chief business official (CBO) positions within the last 12 months?	X	

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
A. REVENUES								
1) LCFF Sources		8010-8099	47,874,836.00	49,256,954.00	28,385,920.46	49,256,954.00	0.00	0.0%
2) Federal Revenue		8100-8299	140,000.00	140,000.00	55,642.30	140,000.00	0.00	0.0%
3) Other State Revenue		8300-8599	768,285.00	720,116.00	435,900.94	720,116.00	0.00	0.0%
4) Other Local Revenue		8600-8799	60,000.00	60,000.00	64,736.80	60,000.00	0.00	0.0%
5) TOTAL, REVENUES			48,843,121.00	50,177,070.00	28,942,200.50	50,177,070.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	19,059,067.12	19,798,756.12	10,940,573.07	19,798,756.12	0.00	0.0%
2) Classified Salaries		2000-2999	6,005,682.25	6,645,755.25	3,843,398.75	6,645,755.25	0.00	0.0%
3) Employee Benefits		3000-3999	8,796,266.34	8,946,630.34	4,968,124.74	8,946,630.34	0.00	0.0%
4) Books and Supplies		4000-4999	1,086,075.00	574,730.03	477,248.26	574,730.03	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	4,518,369.00	4,820,481.44	3,163,224.13	4,820,481.44	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	8,619.91	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299 7400-7499	712,378.00	712,378.00	0.00	712,378.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	(306,087.00)	(459,119.00)	0.00	(459,119.00)	0.00	0.0%
9) TOTAL, EXPENDITURES			39,871,750.71	41,039,612.18	23,401,188.86	41,039,612.18		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)								
			8,971,370.29	9,137,457.82	5,541,011.64	9,137,457.82		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	(8,416,609.15)	(8,426,007.43)	0.00	(8,426,007.43)	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			(8,416,609.15)	(8,426,007.43)	0.00	(8,426,007.43)		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			554,761.14	711,450.39	5,541,011.64	711,450.39		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	3,798,370.81	3,798,370.81		3,798,370.81	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			3,798,370.81	3,798,370.81		3,798,370.81		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			3,798,370.81	3,798,370.81		3,798,370.81		
2) Ending Balance, June 30 (E + F1e)			4,353,131.95	4,509,821.20		4,509,821.20		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	50,000.00	50,000.00		50,000.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted								
		9740	0.00	0.00		0.00		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	1,662,171.00	1,752,551.00		1,752,551.00		
ADA Overstatement Repayment Plan (	0000	9780	878,619.00					
ADA Overstatement Repayment Plan (	1100	9780	783,552.00					
ADA Overstatement Repayment Plan (	0000	9780		968,999.00				
ADA Overstatement Repayment Plan (	1100	9780		783,552.00				
ADA Overstatement Repayment Plan (	0000	9780				968,999.00		
ADA Overstatement Repayment Plan (	1100	9780				783,552.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	2,640,960.00	2,707,269.00		2,707,269.00		
Unassigned/Unappropriated Amount		9790	0.95	1.20		1.20		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
LCFF SOURCES								
Principal Apportionment								
State Aid - Current Year		8011	23,936,415.00	24,770,080.00	14,119,637.00	24,770,080.00	0.00	0.0%
Education Protection Account State Aid - Current Year		8012	842,378.00	842,132.00	421,207.00	842,132.00	0.00	0.0%
State Aid - Prior Years		8019	0.00	0.00	327,082.11	0.00	0.00	0.0%
Tax Relief Subventions								
Homeowners' Exemptions		8021	123,153.00	120,852.00	64,016.13	120,852.00	0.00	0.0%
Timber Yield Tax		8022	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8029	0.00	0.00	0.00	0.00	0.00	0.0%
County & District Taxes								
Secured Roll Taxes		8041	20,565,022.00	21,118,012.00	12,098,468.47	21,118,012.00	0.00	0.0%
Unsecured Roll Taxes		8042	680,304.00	606,993.00	628,416.31	606,993.00	0.00	0.0%
Prior Years' Taxes		8043	8,731.00	11,712.00	7,029.42	11,712.00	0.00	0.0%
Supplemental Taxes		8044	453,170.00	485,357.00	235,930.45	485,357.00	0.00	0.0%
Education Revenue Augmentation Fund (ERAF)		8045	(66,138.00)	(144,224.00)	0.00	(144,224.00)	0.00	0.0%
Community Redevelopment Funds (SB 617/699/1992)		8047	1,331,801.00	1,446,040.00	484,133.57	1,446,040.00	0.00	0.0%
Penalties and Interest from Delinquent Taxes		8048	0.00	0.00	0.00	0.00	0.00	0.0%
Miscellaneous Funds (EC 41604)								
Royalties and Bonuses		8081	0.00	0.00	0.00	0.00	0.00	0.0%
Other In-Lieu Taxes		8082	0.00	0.00	0.00	0.00	0.00	0.0%
Less: Non-LCFF (50%) Adjustment		8089	0.00	0.00	0.00	0.00	0.00	0.0%
Subtotal, LCFF Sources			47,874,836.00	49,256,954.00	28,385,920.46	49,256,954.00	0.00	0.0%
LCFF Transfers								
Unrestricted LCFF Transfers - Current Year	0000	8091	0.00	0.00	0.00	0.00	0.00	0.0%
All Other LCFF Transfers - Current Year	All Other	8091	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers to Charter Schools in Lieu of Property Taxes		8096	0.00	0.00	0.00	0.00	0.00	0.0%
Property Taxes Transfers		8097	0.00	0.00	0.00	0.00	0.00	0.0%
LCFF/Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, LCFF SOURCES			47,874,836.00	49,256,954.00	28,385,920.46	49,256,954.00	0.00	0.0%
FEDERAL REVENUE								
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	0.00	0.00	0.00	0.00		
Special Education Discretionary Grants		8182	0.00	0.00	0.00	0.00		
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00		
Donated Food Commodities		8221	0.00	0.00	0.00	0.00		
Forest Reserve Funds		8260	0.00	0.00	0.00	0.00	0.00	0.0%
Flood Control Funds		8270	0.00	0.00	0.00	0.00	0.00	0.0%
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00	0.00	0.0%
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.00	0.00		
Title I, Part A, Basic	3010	8290						
Title I, Part D, Local Delinquent Programs	3025	8290						
Title II, Part A, Supporting Effective Instruction	4035	8290					6	

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Title III, Part A, Immigrant Student Program	4201	8290						
Title III, Part A, English Learner Program	4203	8290						
Public Charter Schools Grant Program (PCSGP)	4610	8290						
	3040, 3045, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128,							
Other NCLB / Every Student Succeeds Act	5630	8290						
Career and Technical Education	3500-3599	8290						
All Other Federal Revenue	All Other	8290	140,000.00	140,000.00	55,642.30	140,000.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			140,000.00	140,000.00	55,642.30	140,000.00	0.00	0.0%
OTHER STATE REVENUE								
Other State Apportionments								
ROC/P Entitlement Prior Years	6360	8319						
Special Education Master Plan Current Year	6500	8311						
Prior Years	6500	8319						
All Other State Apportionments - Current Year	All Other	8311	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Prior Years	All Other	8319	0.00	0.00	0.00	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00		
Mandated Costs Reimbursements		8550	137,820.00	120,602.00	137,820.00	120,602.00	0.00	0.0%
Lottery - Unrestricted and Instructional Materials		8560	630,465.00	599,514.00	298,080.94	599,514.00	0.00	0.0%
Tax Relief Subventions								
Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00		
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00		
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.0%
After School Education and Safety (ASES)	6010	8590						
Charter School Facility Grant	6030	8590						
Career Technical Education Incentive Grant Program	6387	8590						
Drug/Alcohol/Tobacco Funds	6650, 6690, 6695	8590						
California Clean Energy Jobs Act	6230	8590						
Specialized Secondary	7370	8590						
American Indian Early Childhood Education	7210	8590						
All Other State Revenue	All Other	8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			768,285.00	720,116.00	435,900.94	720,116.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
OTHER LOCAL REVENUE								
Other Local Revenue								
County and District Taxes								
Other Restricted Levies								
Secured Roll		8615	0.00	0.00	0.00	0.00		
Unsecured Roll		8616	0.00	0.00	0.00	0.00		
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00		
Supplemental Taxes		8618	0.00	0.00	0.00	0.00		
Non-Ad Valorem Taxes								
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds Not Subject to LCFF Deduction								
		8625	0.00	0.00	0.00	0.00		
Penalties and Interest from Delinquent Non-LCFF Taxes								
		8629	0.00	0.00	0.00	0.00		
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	11,366.85	0.00	0.00	0.0%
Interest		8660	60,000.00	60,000.00	38,567.15	60,000.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Adult Education Fees								
Non-Resident Students		8672	0.00	0.00	0.00	0.00	0.00	0.0%
Transportation Fees From Individuals		8675	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services		8677	0.00	0.00	0.00	0.00	0.00	0.0%
Mitigation/Developer Fees		8681	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
Plus: Misc Funds Non-LCFF (50%) Adjustment		8691	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	0.00	0.00	14,802.80	0.00	0.00	0.0%
Tuition		8710	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In		8781-8783	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers Of Apportionments								
Special Education SELPA Transfers								
From Districts or Charter Schools	6500	8791						
From County Offices	6500	8792						
From JPAs	6500	8793						
ROC/P Transfers								
From Districts or Charter Schools	6360	8791						
From County Offices	6360	8792						
From JPAs	6360	8793						
Other Transfers of Apportionments								
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			60,000.00	60,000.00	64,736.80	60,000.00	0.00	0.0%
TOTAL, REVENUES			48,843,121.00	50,177,070.00	28,942,200.50	50,177,070.00	8.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
Certificated Teachers' Salaries		1100	16,750,760.41	17,332,172.41	9,578,300.45	17,332,172.41	0.00	0.0%
Certificated Pupil Support Salaries		1200	657,247.13	665,524.13	360,109.80	665,524.13	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	1,651,059.58	1,801,059.58	1,002,162.82	1,801,059.58	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			19,059,067.12	19,798,756.12	10,940,573.07	19,798,756.12	0.00	0.0%
CLASSIFIED SALARIES								
Classified Instructional Salaries		2100	0.00	0.00	2,746.54	0.00	0.00	0.0%
Classified Support Salaries		2200	2,538,074.74	2,788,074.74	1,604,368.54	2,788,074.74	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	733,398.22	733,398.22	340,156.90	733,398.22	0.00	0.0%
Clerical, Technical and Office Salaries		2400	2,346,347.63	2,456,347.63	1,467,738.97	2,456,347.63	0.00	0.0%
Other Classified Salaries		2900	387,861.66	667,934.66	428,387.80	667,934.66	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			6,005,682.25	6,645,755.25	3,843,398.75	6,645,755.25	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	2,994,690.22	3,014,698.22	1,703,834.57	3,014,698.22	0.00	0.0%
PERS		3201-3202	1,357,003.34	1,357,003.34	750,227.97	1,357,003.34	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	445,266.70	456,939.70	424,382.44	456,939.70	0.00	0.0%
Health and Welfare Benefits		3401-3402	2,760,456.97	2,855,456.97	1,564,525.48	2,855,456.97	0.00	0.0%
Unemployment Insurance		3501-3502	310,748.99	314,773.99	70,729.43	314,773.99	0.00	0.0%
Workers' Compensation		3601-3602	628,100.12	647,758.12	350,375.93	647,758.12	0.00	0.0%
OPEB, Allocated		3701-3702	300,000.00	300,000.00	102,998.92	300,000.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	1,050.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			8,796,266.34	8,946,630.34	4,968,124.74	8,946,630.34	0.00	0.0%
BOOKS AND SUPPLIES								
Approved Textbooks and Core Curricula Materials		4100	55,000.00	55,000.00	47,332.75	55,000.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	990,575.00	469,230.03	370,867.85	469,230.03	0.00	0.0%
Noncapitalized Equipment		4400	40,500.00	50,500.00	59,047.66	50,500.00	0.00	0.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			1,086,075.00	574,730.03	477,248.26	574,730.03	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	18,800.00	18,800.00	11,096.80	18,800.00	0.00	0.0%
Dues and Memberships		5300	5,000.00	5,000.00	18,573.29	5,000.00	0.00	0.0%
Insurance		5400-5450	1,600,000.00	1,600,000.00	1,173,849.97	1,600,000.00	0.00	0.0%
Operations and Housekeeping Services		5500	1,060,000.00	1,210,000.00	788,860.32	1,210,000.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	193,000.00	443,000.00	274,890.24	443,000.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	1,532,569.00	1,434,681.44	828,279.28	1,434,681.44	0.00	0.0%
Communications		5800	109,000.00	109,000.00	67,674.23	109,000.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			4,518,369.00	4,820,481.44	3,163,224.13	4,820,481.44	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	8,619.91	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	8,619.91	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Tuition								
Tuition for Instruction Under Interdistrict Attendance Agreements		7110	0.00	0.00	0.00	0.00	0.00	0.0%
State Special Schools		7130	0.00	0.00	0.00	0.00	0.00	0.0%
Tuition, Excess Costs, and/or Deficit Payments								
Payments to Districts or Charter Schools		7141	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to County Offices		7142	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to JPAs		7143	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Pass-Through Revenues								
To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments								
To Districts or Charter Schools	6500	7221						
To County Offices	6500	7222						
To JPAs	6500	7223						
ROC/P Transfers of Apportionments								
To Districts or Charter Schools	6360	7221						
To County Offices	6360	7222						
To JPAs	6360	7223						
Other Transfers of Apportionments	All Other	7221-7223	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	712,378.00	712,378.00	0.00	712,378.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			712,378.00	712,378.00	0.00	712,378.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs		7310	(103,342.00)	(301,278.00)	0.00	(301,278.00)	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	(202,745.00)	(157,841.00)	0.00	(157,841.00)	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			(306,087.00)	(459,119.00)	0.00	(459,119.00)	0.00	0.0%
TOTAL, EXPENDITURES			39,871,750.71	41,039,612.18	23,401,188.86	41,039,612.18	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: Special Reserve Fund		8912	0.00	0.00	0.00	0.00	0.00	0.0%
From: Bond Interest and Redemption Fund		8914	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: Child Development Fund		7611	0.00	0.00	0.00	0.00	0.00	0.0%
To: Special Reserve Fund		7612	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
To: Cafeteria Fund		7616	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
State Apportionments Emergency Apportionments		8931	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	(8,416,609.15)	(8,426,007.43)	0.00	(8,426,007.43)	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			(8,416,609.15)	(8,426,007.43)	0.00	(8,426,007.43)	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			(8,416,609.15)	(8,426,007.43)	0.00	(8,426,007.43)	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
A. REVENUES								
1) LCFF Sources		8010-8099	265,030.00	265,030.00	97,843.00	265,030.00	0.00	0.0%
2) Federal Revenue		8100-8299	6,584,758.00	19,625,942.30	6,374,707.91	19,625,942.30	0.00	0.0%
3) Other State Revenue		8300-8599	7,703,923.00	6,955,827.73	3,784,342.70	6,955,827.73	0.00	0.0%
4) Other Local Revenue		8600-8799	3,371,895.00	3,391,895.00	2,121,097.57	3,391,895.00	0.00	0.0%
5) TOTAL, REVENUES			17,925,606.00	30,238,695.03	12,377,991.18	30,238,695.03		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	8,635,348.62	12,905,097.62	4,048,367.52	12,905,097.62	0.00	0.0%
2) Classified Salaries		2000-2999	5,044,248.23	5,433,159.76	2,713,890.01	5,433,159.76	0.00	0.0%
3) Employee Benefits		3000-3999	6,827,196.54	8,361,409.01	2,660,289.76	8,361,409.01	0.00	0.0%
4) Books and Supplies		4000-4999	1,510,749.20	3,599,519.09	713,255.87	3,599,519.09	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	3,967,700.65	12,648,457.38	1,940,482.44	12,648,457.38	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	5,700,146.00	910,328.46	5,700,146.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299						
		7400-7499	253,630.00	253,630.00	280,026.29	253,630.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	103,342.00	301,278.00	0.00	301,278.00	0.00	0.0%
9) TOTAL, EXPENDITURES			26,342,215.24	49,202,696.86	13,266,640.35	49,202,696.86		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)								
			(8,416,609.24)	(18,964,001.83)	(888,649.17)	(18,964,001.83)		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	8,416,609.15	8,426,007.43	0.00	8,426,007.43	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			8,416,609.15	8,426,007.43	0.00	8,426,007.43		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(0.09)	(10,537,994.40)	(888,649.17)	(10,537,994.40)		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	10,874,382.60	10,874,382.60		10,874,382.60	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			10,874,382.60	10,874,382.60		10,874,382.60		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			10,874,382.60	10,874,382.60		10,874,382.60		
2) Ending Balance, June 30 (E + F1e)								
			10,874,382.51	336,388.20		336,388.20		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted		9740	10,874,382.60	336,388.59		336,388.59		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount		9790	(0.09)	(0.39)		(0.39)		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
LCFF SOURCES								
Principal Apportionment								
State Aid - Current Year		8011	0.00	0.00	0.00	0.00		
Education Protection Account State Aid - Current Year		8012	0.00	0.00	0.00	0.00		
State Aid - Prior Years		8019	0.00	0.00	0.00	0.00		
Tax Relief Subventions								
Homeowners' Exemptions		8021	0.00	0.00	0.00	0.00		
Timber Yield Tax		8022	0.00	0.00	0.00	0.00		
Other Subventions/In-Lieu Taxes		8029	0.00	0.00	0.00	0.00		
County & District Taxes								
Secured Roll Taxes		8041	0.00	0.00	0.00	0.00		
Unsecured Roll Taxes		8042	0.00	0.00	0.00	0.00		
Prior Years' Taxes		8043	0.00	0.00	0.00	0.00		
Supplemental Taxes		8044	0.00	0.00	0.00	0.00		
Education Revenue Augmentation Fund (ERAF)		8045	0.00	0.00	0.00	0.00		
Community Redevelopment Funds (SB 617/699/1992)		8047	0.00	0.00	0.00	0.00		
Penalties and Interest from Delinquent Taxes		8048	0.00	0.00	0.00	0.00		
Miscellaneous Funds (EC 41604)								
Royalties and Bonuses		8081	0.00	0.00	0.00	0.00		
Other In-Lieu Taxes		8082	0.00	0.00	0.00	0.00		
Less: Non-LCFF (50%) Adjustment		8089	0.00	0.00	0.00	0.00		
Subtotal, LCFF Sources			0.00	0.00	0.00	0.00		
LCFF Transfers								
Unrestricted LCFF Transfers - Current Year	0000	8091						
All Other LCFF Transfers - Current Year	All Other	8091	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers to Charter Schools in Lieu of Property Taxes		8096	0.00	0.00	0.00	0.00		
Property Taxes Transfers		8097	265,030.00	265,030.00	97,843.00	265,030.00	0.00	0.0%
LCFF/Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, LCFF SOURCES			265,030.00	265,030.00	97,843.00	265,030.00	0.00	0.0%
FEDERAL REVENUE								
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	864,000.00	864,000.00	0.00	864,000.00	0.00	0.0%
Special Education Discretionary Grants		8182	89,636.00	91,451.00	106,919.03	91,451.00	0.00	0.0%
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.00	0.00	0.00	0.0%
Forest Reserve Funds		8260	0.00	0.00	0.00	0.00		
Flood Control Funds		8270	0.00	0.00	0.00	0.00		
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00		
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.00	0.00	0.00	0.0%
Title I, Part A, Basic	3010	8290	1,299,953.00	2,614,371.00	913,959.70	2,614,371.00	0.00	0.0%
Title I, Part D, Local Delinquent Programs	3025	8290	0.00	0.00	0.00	0.00	0.00	0.0%
Title II, Part A, Supporting Effective Instruction	4035	8290	176,600.00	477,103.00	147,689.73	477,103.00	14 0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
Title III, Part A, Immigrant Student Program	4201	8290	0.00	9,696.08	9,696.08	9,696.08	0.00	0.0%
Title III, Part A, English Learner Program	4203	8290	295,284.00	514,667.00	208,985.71	514,667.00	0.00	0.0%
Public Charter Schools Grant Program (PCSGP)	4610	8290	0.00	0.00	0.00	0.00	0.00	0.0%
Other NCLB / Every Student Succeeds Act	3040, 3045, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630	8290	326,587.00	1,015,348.22	564,071.54	1,015,348.22	0.00	0.0%
Career and Technical Education	3500-3599	8290	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	3,532,698.00	14,039,306.00	4,423,386.12	14,039,306.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			6,584,758.00	19,625,942.30	6,374,707.91	19,625,942.30	0.00	0.0%
OTHER STATE REVENUE								
Other State Apportionments								
ROC/P Entitlement Prior Years	6360	8319	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Master Plan Current Year	6500	8311	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years	6500	8319	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Current Year	All Other	8311	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Prior Years	All Other	8319	0.00	0.00	0.00	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00	0.00	0.0%
Mandated Costs Reimbursements		8550	0.00	0.00	0.00	0.00		
Lottery - Unrestricted and Instructional Materi		8560	205,952.00	239,070.00	(5,691.03)	239,070.00	0.00	0.0%
Tax Relief Subventions Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.0%
After School Education and Safety (ASES)	6010	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Charter School Facility Grant	6030	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Career Technical Education Incentive Grant Program	6387	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Drug/Alcohol/Tobacco Funds	6650, 6690, 6695	8590	0.00	0.00	0.00	0.00	0.00	0.0%
California Clean Energy Jobs Act	6230	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Specialized Secondary	7370	8590	0.00	0.00	0.00	0.00	0.00	0.0%
American Indian Early Childhood Education	7210	8590	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue	All Other	8590	7,497,971.00	6,716,757.73	3,790,033.73	6,716,757.73	0.00	0.0%
TOTAL, OTHER STATE REVENUE			7,703,923.00	6,955,827.73	3,784,342.70	6,955,827.73	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
OTHER LOCAL REVENUE								
Other Local Revenue								
County and District Taxes								
Other Restricted Levies								
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes								
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds								
Not Subject to LCFF Deduction		8625	253,630.00	253,630.00	186,831.43	253,630.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes								
		8629	0.00	0.00	0.00	0.00	0.00	0.0%
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	0.00	0.00	0.00	0.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Adult Education Fees		8671	0.00	0.00	0.00	0.00		
Non-Resident Students		8672	0.00	0.00	0.00	0.00		
Transportation Fees From Individuals		8675	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services		8677	902,445.00	902,445.00	79,332.99	902,445.00	0.00	0.0%
Mitigation/Developer Fees		8681	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
Plus: Misc Funds Non-LCFF (50%) Adjustm		8691	0.00	0.00	0.00	0.00		
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	0.00	20,000.00	378,482.15	20,000.00	0.00	0.0%
Tuition		8710	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In		8781-8783	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers Of Apportionments								
Special Education SELPA Transfers								
From Districts or Charter Schools	6500	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	6500	8792	2,215,820.00	2,215,820.00	1,476,451.00	2,215,820.00	0.00	0.0%
From JPAs	6500	8793	0.00	0.00	0.00	0.00	0.00	0.0%
ROC/P Transfers								
From Districts or Charter Schools	6360	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	6360	8792	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	6360	8793	0.00	0.00	0.00	0.00	0.00	0.0%
Other Transfers of Apportionments								
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			3,371,895.00	3,391,895.00	2,121,097.57	3,391,895.00	0.00	0.0%
TOTAL, REVENUES			17,925,606.00	30,238,695.03	12,377,991.18	30,238,695.03	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
CERTIFICATED SALARIES								
Certificated Teachers' Salaries		1100	7,393,419.72	11,814,868.72	3,634,327.56	11,814,868.72	0.00	0.0%
Certificated Pupil Support Salaries		1200	903,992.04	752,292.04	188,785.73	752,292.04	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	337,936.86	337,936.86	225,044.23	337,936.86	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	210.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			8,635,348.62	12,905,097.62	4,048,367.52	12,905,097.62	0.00	0.0%
CLASSIFIED SALARIES								
Classified Instructional Salaries		2100	2,710,910.55	2,952,211.55	1,521,587.21	2,952,211.55	0.00	0.0%
Classified Support Salaries		2200	1,086,798.48	1,086,798.48	642,293.29	1,086,798.48	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	775,191.15	685,801.68	285,443.15	685,801.68	0.00	0.0%
Clerical, Technical and Office Salaries		2400	471,348.05	471,348.05	263,079.68	471,348.05	0.00	0.0%
Other Classified Salaries		2900	0.00	237,000.00	1,486.68	237,000.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			5,044,248.23	5,433,159.76	2,713,890.01	5,433,159.76	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	3,729,347.13	4,455,419.98	710,569.65	4,455,419.98	0.00	0.0%
PERS		3201-3202	1,094,480.55	1,245,269.55	577,888.77	1,245,269.55	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	203,161.85	340,502.45	252,152.10	340,502.45	0.00	0.0%
Health and Welfare Benefits		3401-3402	1,444,000.00	1,813,850.00	909,247.30	1,813,850.00	0.00	0.0%
Unemployment Insurance		3501-3502	117,877.57	140,757.60	36,674.02	140,757.60	0.00	0.0%
Workers' Compensation		3601-3602	238,329.44	365,609.43	173,757.92	365,609.43	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			6,827,196.54	8,361,409.01	2,660,289.76	8,361,409.01	0.00	0.0%
BOOKS AND SUPPLIES								
Approved Textbooks and Core Curricula Materials		4100	205,952.00	613,083.00	20,725.45	613,083.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	442,054.99	94,231.70	442,054.99	0.00	0.0%
Materials and Supplies		4300	1,304,797.20	2,444,381.10	552,951.39	2,444,381.10	0.00	0.0%
Noncapitalized Equipment		4400	0.00	100,000.00	45,347.33	100,000.00	0.00	0.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			1,510,749.20	3,599,519.09	713,255.87	3,599,519.09	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	160,614.61	190,314.61	19,492.03	190,314.61	0.00	0.0%
Dues and Memberships		5300	0.00	0.00	14,805.68	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	10,924.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	319,000.00	658,466.00	327,494.92	658,466.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	3,488,086.04	11,799,676.77	1,567,765.81	11,799,676.77	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			3,967,700.65	12,648,457.38	1,940,482.44	12,648,457.38	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	5,670,146.00	738,328.64	5,670,146.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	30,000.00	171,999.82	30,000.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	5,700,146.00	910,328.46	5,700,146.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Tuition								
Tuition for Instruction Under Interdistrict Attendance Agreements		7110	0.00	0.00	0.00	0.00	0.00	0.0%
State Special Schools		7130	0.00	0.00	0.00	0.00	0.00	0.0%
Tuition, Excess Costs, and/or Deficit Payments								
Payments to Districts or Charter Schools		7141	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to County Offices		7142	0.00	0.00	28,728.00	0.00	0.00	0.0%
Payments to JPAs		7143	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Pass-Through Revenues								
To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments								
To Districts or Charter Schools	6500	7221	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices	6500	7222	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs	6500	7223	0.00	0.00	0.00	0.00	0.00	0.0%
ROC/P Transfers of Apportionments								
To Districts or Charter Schools	6360	7221	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices	6360	7222	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs	6360	7223	0.00	0.00	0.00	0.00	0.00	0.0%
Other Transfers of Apportionments								
All Other Transfers	All Other	7221-7223	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	253,630.00	253,630.00	251,298.29	253,630.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			253,630.00	253,630.00	280,026.29	253,630.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs		7310	103,342.00	301,278.00	0.00	301,278.00	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			103,342.00	301,278.00	0.00	301,278.00	0.00	0.0%
TOTAL, EXPENDITURES			26,342,215.24	49,202,696.86	13,266,640.35	49,202,696.86	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: Special Reserve Fund		8912	0.00	0.00	0.00	0.00	0.00	0.0%
From: Bond Interest and Redemption Fund		8914	0.00	0.00	0.00	0.00		
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: Child Development Fund		7611	0.00	0.00	0.00	0.00	0.00	0.0%
To: Special Reserve Fund		7612	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
To: Cafeteria Fund		7616	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
State Apportionments Emergency Apportionments		8931	0.00	0.00	0.00	0.00		
Proceeds								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	8,416,609.15	8,426,007.43	0.00	8,426,007.43	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			8,416,609.15	8,426,007.43	0.00	8,426,007.43	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			8,416,609.15	8,426,007.43	0.00	8,426,007.43	0.00	0.0%

2021-22 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
A. REVENUES								
1) LCFF Sources		8010-8099	48,139,866.00	49,521,984.00	28,483,763.46	49,521,984.00	0.00	0.0%
2) Federal Revenue		8100-8299	6,724,758.00	19,765,942.30	6,430,350.21	19,765,942.30	0.00	0.0%
3) Other State Revenue		8300-8599	8,472,208.00	7,675,943.73	4,220,243.64	7,675,943.73	0.00	0.0%
4) Other Local Revenue		8600-8799	3,431,895.00	3,451,895.00	2,185,834.37	3,451,895.00	0.00	0.0%
5) TOTAL, REVENUES			66,768,727.00	80,415,765.03	41,320,191.68	80,415,765.03		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	27,694,415.74	32,703,853.74	14,988,940.59	32,703,853.74	0.00	0.0%
2) Classified Salaries		2000-2999	11,049,930.48	12,078,915.01	6,557,288.76	12,078,915.01	0.00	0.0%
3) Employee Benefits		3000-3999	15,623,462.88	17,308,039.35	7,628,414.50	17,308,039.35	0.00	0.0%
4) Books and Supplies		4000-4999	2,596,824.20	4,174,249.12	1,190,504.13	4,174,249.12	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	8,486,069.65	17,468,938.82	5,103,706.57	17,468,938.82	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	5,700,146.00	918,948.37	5,700,146.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299						
		7400-7499	966,008.00	966,008.00	280,026.29	966,008.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	(202,745.00)	(157,841.00)	0.00	(157,841.00)	0.00	0.0%
9) TOTAL, EXPENDITURES			66,213,965.95	90,242,309.04	36,667,829.21	90,242,309.04		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A6 - B9)			554,761.05	(9,826,544.01)	4,652,362.47	(9,826,544.01)		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

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General Fund
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Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			554,761.05	(9,826,544.01)	4,652,362.47	(9,826,544.01)		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	14,672,753.41	14,672,753.41		14,672,753.41	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			14,672,753.41	14,672,753.41		14,672,753.41		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			14,672,753.41	14,672,753.41		14,672,753.41		
2) Ending Balance, June 30 (E + F1e)			15,227,514.46	4,846,209.40		4,846,209.40		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	50,000.00	50,000.00		50,000.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted		9740	10,874,382.60	336,388.59		336,388.59		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	1,662,171.00	1,752,551.00		1,752,551.00		
ADA Overstatement Repayment Plan (	0000	9780	878,619.00					
ADA Overstatement Repayment Plan (	1100	9780	783,552.00					
ADA Overstatement Repayment Plan (	0000	9780		968,999.00				
ADA Overstatement Repayment Plan (	1100	9780		783,552.00				
ADA Overstatement Repayment Plan (	0000	9780				968,999.00		
ADA Overstatement Repayment Plan (	1100	9780				783,552.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	2,640,960.00	2,707,269.00		2,707,269.00		
Unassigned/Unappropriated Amount		9790	0.86	0.81		0.81		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
LCFF SOURCES								
Principal Apportionment								
State Aid - Current Year		8011	23,936,415.00	24,770,080.00	14,119,637.00	24,770,080.00	0.00	0.0%
Education Protection Account State Aid - Current Year		8012	842,378.00	842,132.00	421,207.00	842,132.00	0.00	0.0%
State Aid - Prior Years		8019	0.00	0.00	327,082.11	0.00	0.00	0.0%
Tax Relief Subventions								
Homeowners' Exemptions		8021	123,153.00	120,852.00	64,016.13	120,852.00	0.00	0.0%
Timber Yield Tax		8022	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8029	0.00	0.00	0.00	0.00	0.00	0.0%
County & District Taxes								
Secured Roll Taxes		8041	20,565,022.00	21,118,012.00	12,098,468.47	21,118,012.00	0.00	0.0%
Unsecured Roll Taxes		8042	680,304.00	606,993.00	628,416.31	606,993.00	0.00	0.0%
Prior Years' Taxes		8043	8,731.00	11,712.00	7,029.42	11,712.00	0.00	0.0%
Supplemental Taxes		8044	453,170.00	485,357.00	235,930.45	485,357.00	0.00	0.0%
Education Revenue Augmentation Fund (ERAF)		8045	(66,138.00)	(144,224.00)	0.00	(144,224.00)	0.00	0.0%
Community Redevelopment Funds (SB 617/699/1992)		8047	1,331,801.00	1,446,040.00	484,133.57	1,446,040.00	0.00	0.0%
Penalties and Interest from Delinquent Taxes		8048	0.00	0.00	0.00	0.00	0.00	0.0%
Miscellaneous Funds (EC 41604)								
Royalties and Bonuses		8081	0.00	0.00	0.00	0.00	0.00	0.0%
Other In-Lieu Taxes		8082	0.00	0.00	0.00	0.00	0.00	0.0%
Less: Non-LCFF (50%) Adjustment		8089	0.00	0.00	0.00	0.00	0.00	0.0%
Subtotal, LCFF Sources			47,874,836.00	49,256,954.00	28,385,920.46	49,256,954.00	0.00	0.0%
LCFF Transfers								
Unrestricted LCFF Transfers - Current Year	0000	8091	0.00	0.00	0.00	0.00	0.00	0.0%
All Other LCFF Transfers - Current Year	All Other	8091	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers to Charter Schools in Lieu of Property Taxes		8096	0.00	0.00	0.00	0.00	0.00	0.0%
Property Taxes Transfers		8097	265,030.00	265,030.00	97,843.00	265,030.00	0.00	0.0%
LCFF/Revenue Limit Transfers - Prior Years		8099	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, LCFF SOURCES			48,139,866.00	49,521,984.00	28,483,763.46	49,521,984.00	0.00	0.0%
FEDERAL REVENUE								
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	864,000.00	864,000.00	0.00	864,000.00	0.00	0.0%
Special Education Discretionary Grants		8182	89,636.00	91,451.00	106,919.03	91,451.00	0.00	0.0%
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.00	0.00	0.00	0.0%
Forest Reserve Funds		8260	0.00	0.00	0.00	0.00	0.00	0.0%
Flood Control Funds		8270	0.00	0.00	0.00	0.00	0.00	0.0%
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00	0.00	0.0%
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.00	0.00	0.00	0.0%
Title I, Part A, Basic	3010	8290	1,299,953.00	2,614,371.00	913,959.70	2,614,371.00	0.00	0.0%
Title I, Part D, Local Delinquent Programs	3025	8290	0.00	0.00	0.00	0.00	0.00	0.0%
Title II, Part A, Supporting Effective Instruction	4035	8290	176,600.00	477,103.00	147,689.73	477,103.00	22 0.00	0.0%

2021-22 Second Interim
General Fund
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Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
Title III, Part A, Immigrant Student Program	4201	8290	0.00	9,696.08	9,696.08	9,696.08	0.00	0.0%
Title III, Part A, English Learner Program	4203	8290	295,284.00	514,667.00	208,985.71	514,667.00	0.00	0.0%
Public Charter Schools Grant Program (PCSGP)	4610	8290	0.00	0.00	0.00	0.00	0.00	0.0%
Other NCLB / Every Student Succeeds Act	3040, 3045, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630	8290	326,587.00	1,015,348.22	564,071.54	1,015,348.22	0.00	0.0%
Career and Technical Education	3500-3599	8290	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	3,672,698.00	14,179,306.00	4,479,028.42	14,179,306.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			6,724,758.00	19,765,942.30	6,430,350.21	19,765,942.30	0.00	0.0%
OTHER STATE REVENUE								
Other State Apportionments								
ROC/P Entitlement								
Prior Years	6360	8319	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Master Plan								
Current Year	6500	8311	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years	6500	8319	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Current Year	All Other	8311	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Apportionments - Prior Years	All Other	8319	0.00	0.00	0.00	0.00	0.00	0.0%
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00	0.00	0.0%
Mandated Costs Reimbursements		8550	137,820.00	120,602.00	137,820.00	120,602.00	0.00	0.0%
Lottery - Unrestricted and Instructional Materi		8560	836,417.00	838,584.00	292,389.91	838,584.00	0.00	0.0%
Tax Relief Subventions								
Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.0%
After School Education and Safety (ASES)	6010	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Charter School Facility Grant	6030	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Career Technical Education Incentive Grant Program	6387	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Drug/Alcohol/Tobacco Funds	6650, 6690, 6695	8590	0.00	0.00	0.00	0.00	0.00	0.0%
California Clean Energy Jobs Act	6230	8590	0.00	0.00	0.00	0.00	0.00	0.0%
Specialized Secondary	7370	8590	0.00	0.00	0.00	0.00	0.00	0.0%
American Indian Early Childhood Education	7210	8590	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue	All Other	8590	7,497,971.00	6,716,757.73	3,790,033.73	6,716,757.73	0.00	0.0%
TOTAL, OTHER STATE REVENUE			8,472,208.00	7,675,943.73	4,220,243.64	7,675,943.73	0.00	0.0%

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OTHER LOCAL REVENUE								
Other Local Revenue								
County and District Taxes								
Other Restricted Levies								
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes								
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds								
Not Subject to LCFF Deduction		8625	253,630.00	253,630.00	186,831.43	253,630.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes								
		8629	0.00	0.00	0.00	0.00	0.00	0.0%
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Sale of Publications		8632	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	11,366.85	0.00	0.00	0.0%
Interest		8660	60,000.00	60,000.00	38,567.15	60,000.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Adult Education Fees		8671	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Resident Students		8672	0.00	0.00	0.00	0.00	0.00	0.0%
Transportation Fees From Individuals		8675	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services		8677	902,445.00	902,445.00	79,332.99	902,445.00	0.00	0.0%
Mitigation/Developer Fees		8681	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
Plus: Misc Funds Non-LCFF (50%) Adjustment		8691	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues From Local Sources		8697	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	0.00	20,000.00	393,284.95	20,000.00	0.00	0.0%
Tuition		8710	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In		8781-8783	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers Of Apportionments								
Special Education SELPA Transfers								
From Districts or Charter Schools	6500	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	6500	8792	2,215,820.00	2,215,820.00	1,476,451.00	2,215,820.00	0.00	0.0%
From JPAs	6500	8793	0.00	0.00	0.00	0.00	0.00	0.0%
ROC/P Transfers								
From Districts or Charter Schools	6360	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	6360	8792	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	6360	8793	0.00	0.00	0.00	0.00	0.00	0.0%
Other Transfers of Apportionments								
From Districts or Charter Schools	All Other	8791	0.00	0.00	0.00	0.00	0.00	0.0%
From County Offices	All Other	8792	0.00	0.00	0.00	0.00	0.00	0.0%
From JPAs	All Other	8793	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			3,431,895.00	3,451,895.00	2,185,834.37	3,451,895.00	0.00	0.0%
TOTAL, REVENUES			66,768,727.00	80,415,765.03	41,320,191.68	80,415,765.03	0.00	0.0%

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CERTIFICATED SALARIES								
Certificated Teachers' Salaries		1100	24,144,180.13	29,147,041.13	13,212,628.01	29,147,041.13	0.00	0.0%
Certificated Pupil Support Salaries		1200	1,561,239.17	1,417,816.17	548,895.53	1,417,816.17	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	1,988,996.44	2,138,996.44	1,227,207.05	2,138,996.44	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	210.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			27,694,415.74	32,703,853.74	14,988,940.59	32,703,853.74	0.00	0.0%
CLASSIFIED SALARIES								
Classified Instructional Salaries		2100	2,710,910.55	2,952,211.55	1,524,333.75	2,952,211.55	0.00	0.0%
Classified Support Salaries		2200	3,624,873.22	3,874,873.22	2,246,661.83	3,874,873.22	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	1,508,589.37	1,419,199.90	625,600.05	1,419,199.90	0.00	0.0%
Clerical, Technical and Office Salaries		2400	2,817,695.68	2,927,695.68	1,730,818.65	2,927,695.68	0.00	0.0%
Other Classified Salaries		2900	387,861.66	904,934.66	429,874.48	904,934.66	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			11,049,930.48	12,078,915.01	6,557,288.76	12,078,915.01	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	6,724,037.35	7,470,118.20	2,414,404.22	7,470,118.20	0.00	0.0%
PERS		3201-3202	2,451,483.89	2,602,272.89	1,328,116.74	2,602,272.89	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	648,428.55	797,442.15	676,534.54	797,442.15	0.00	0.0%
Health and Welfare Benefits		3401-3402	4,204,456.97	4,669,306.97	2,473,772.78	4,669,306.97	0.00	0.0%
Unemployment Insurance		3501-3502	428,626.56	455,531.59	107,403.45	455,531.59	0.00	0.0%
Workers' Compensation		3601-3602	866,429.56	1,013,367.55	524,133.85	1,013,367.55	0.00	0.0%
OPEB, Allocated		3701-3702	300,000.00	300,000.00	102,998.92	300,000.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	1,050.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			15,623,462.88	17,308,039.35	7,628,414.50	17,308,039.35	0.00	0.0%
BOOKS AND SUPPLIES								
Approved Textbooks and Core Curricula Materials		4100	260,952.00	668,083.00	68,058.20	668,083.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	442,054.99	94,231.70	442,054.99	0.00	0.0%
Materials and Supplies		4300	2,295,372.20	2,913,611.13	923,819.24	2,913,611.13	0.00	0.0%
Noncapitalized Equipment		4400	40,500.00	150,500.00	104,394.99	150,500.00	0.00	0.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			2,596,824.20	4,174,249.12	1,190,504.13	4,174,249.12	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	179,414.61	209,114.61	30,588.83	209,114.61	0.00	0.0%
Dues and Memberships		5300	5,000.00	5,000.00	33,378.97	5,000.00	0.00	0.0%
Insurance		5400-5450	1,600,000.00	1,600,000.00	1,173,849.97	1,600,000.00	0.00	0.0%
Operations and Housekeeping Services		5500	1,060,000.00	1,210,000.00	799,784.32	1,210,000.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	512,000.00	1,101,466.00	602,385.16	1,101,466.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	5,020,655.04	13,234,358.21	2,396,045.09	13,234,358.21	0.00	0.0%
Communications		5900	109,000.00	109,000.00	67,674.23	109,000.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			8,486,069.65	17,468,938.82	5,103,706.57	17,468,938.82	0.00	0.0%

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Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	5,670,146.00	738,328.64	5,670,146.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	30,000.00	180,619.73	30,000.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	5,700,146.00	918,948.37	5,700,146.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Tuition								
Tuition for Instruction Under Interdistrict Attendance Agreements		7110	0.00	0.00	0.00	0.00	0.00	0.0%
State Special Schools		7130	0.00	0.00	0.00	0.00	0.00	0.0%
Tuition, Excess Costs, and/or Deficit Payments								
Payments to Districts or Charter Schools		7141	0.00	0.00	0.00	0.00	0.00	0.0%
Payments to County Offices		7142	0.00	0.00	28,728.00	0.00	0.00	0.0%
Payments to JPAs		7143	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Pass-Through Revenues								
To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education SELPA Transfers of Apportionments								
To Districts or Charter Schools	6500	7221	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices	6500	7222	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs	6500	7223	0.00	0.00	0.00	0.00	0.00	0.0%
ROC/P Transfers of Apportionments								
To Districts or Charter Schools	6360	7221	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices	6360	7222	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs	6360	7223	0.00	0.00	0.00	0.00	0.00	0.0%
Other Transfers of Apportionments								
	All Other	7221-7223	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers		7281-7283	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	966,008.00	966,008.00	251,298.29	966,008.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			966,008.00	966,008.00	280,026.29	966,008.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs		7310	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Indirect Costs - Interfund		7350	(202,745.00)	(157,841.00)	0.00	(157,841.00)	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			(202,745.00)	(157,841.00)	0.00	(157,841.00)	0.00	0.0%
TOTAL, EXPENDITURES			66,213,965.95	90,242,309.04	36,667,829.21	90,242,309.04	0.00	0.0%

2021-22 Second Interim
General Fund
Summary - Unrestricted/Restricted
Revenues, Expenditures, and Changes in Fund Balance

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff (E/B) (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: Special Reserve Fund		8912	0.00	0.00	0.00	0.00	0.00	0.0%
From: Bond Interest and Redemption Fund		8914	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: Child Development Fund		7611	0.00	0.00	0.00	0.00	0.00	0.0%
To: Special Reserve Fund		7612	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
To: Cafeteria Fund		7616	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
State Apportionments Emergency Apportionments		8931	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00		
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00		
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00	0.00	0.0%

<u>Resource</u>	<u>Description</u>	<u>2021-22 Projected Year Totals</u>
5640	Medi-Cal Billing Option	0.98
6300	Lottery: Instructional Materials	0.94
6546	Mental Health-Related Services	0.45
7121	Distance Learning California Advanced Servi	0.45
7425	Expanded Learning Opportunities (ELO) Gra	316,384.00
8150	Ongoing & Major Maintenance Account (RM,	0.73
9010	Other Restricted Local	20,001.04
Total, Restricted Balance		<u>336,388.59</u>

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.00	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.00	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	0.00	0.00	0.00	0.00	0.00	0.0%
5) TOTAL, REVENUES			0.00	0.00	0.00	0.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.00	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.00	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.00	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.00	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.00	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			0.00	0.00	0.00	0.00		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)								
			0.00	0.00	0.00	0.00		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			0.00	0.00	0.00	0.00		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	55,543.88	55,543.88		55,543.88	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			55,543.88	55,543.88		55,543.88		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			55,543.88	55,543.88		55,543.88		
2) Ending Balance, June 30 (E + F1e)			55,543.88	55,543.88		55,543.88		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted		9740	55,543.88	55,543.88		55,543.88		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9760	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount		9790	0.00	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
REVENUES								
Sale of Equipment and Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Sales		8639	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Fees and Contracts		8669	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Local Revenue		8699	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, REVENUES			0.00	0.00	0.00	0.00		
CERTIFICATED SALARIES								
Certificated Teachers' Salaries		1100	0.00	0.00	0.00	0.00	0.00	0.0%
Certificated Pupil Support Salaries		1200	0.00	0.00	0.00	0.00	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	0.00	0.00	0.00	0.00	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
CLASSIFIED SALARIES								
Classified Instructional Salaries		2100	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Support Salaries		2200	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.00	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.00	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.00	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.00	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.00	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.00	0.00	0.00	0.0%
BOOKS AND SUPPLIES								
Materials and Supplies		4300	0.00	0.00	0.00	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.00	0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Dues and Memberships		5300	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CAPITAL OUTLAY								
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs - Interfund		7350	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL EXPENDITURES								
			0.00	0.00	0.00	0.00		
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES								
(a - b + c - d + e)			0.00	0.00	0.00	0.00		

<u>Resource</u>	<u>Description</u>	<u>2021/22 Projected Year Totals</u>
8210	Student Activity Funds	55,543.88
Total, Restricted Balance		<u>55,543.88</u>

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	314,000.00	503,294.94	463,013.25	503,294.94	0.00	0.0%
3) Other State Revenue		8300-8599	1,415,291.00	1,415,291.00	588,761.00	1,415,291.00	0.00	0.0%
4) Other Local Revenue		8600-8799	78,054.28	81,889.83	2,435.38	81,889.83	0.00	0.0%
5) TOTAL, REVENUES			1,807,345.28	2,000,475.77	1,054,209.61	2,000,475.77		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	866,495.93	782,320.10	315,177.70	782,320.10	0.00	0.0%
2) Classified Salaries		2000-2999	389,840.96	530,974.81	270,332.68	530,974.81	0.00	0.0%
3) Employee Benefits		3000-3999	434,163.45	379,952.92	182,492.88	379,952.92	0.00	0.0%
4) Books and Supplies		4000-4999	34,000.00	143,988.00	16,441.66	143,988.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	4,500.00	84,894.94	18,637.00	84,894.94	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	78,345.00	78,345.00	0.00	78,345.00	0.00	0.0%
9) TOTAL, EXPENDITURES			1,807,345.34	2,000,475.77	803,081.90	2,000,475.77		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)								
			(0.06)	0.00	251,127.71	0.00		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(0.08)	0.00	251,127.71	0.00		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited								
		9791	308,606.59	308,606.59		308,606.59	0.00	0.0%
b) Audit Adjustments								
		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)								
			308,606.59	308,606.59		308,606.59		
d) Other Restatements								
		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)								
			308,606.59	308,606.59		308,606.59		
2) Ending Balance, June 30 (E + F1e)								
			308,606.53	308,606.59		308,606.59		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash								
		9711	0.00	0.00		0.00		
Stores								
		9712	0.00	0.00		0.00		
Prepaid Items								
		9713	0.00	0.00		0.00		
All Others								
		9719	0.00	0.00		0.00		
b) Restricted								
		9740	308,606.59	308,606.59		308,606.59		
c) Committed								
Stabilization Arrangements								
		9750	0.00	0.00		0.00		
Other Commitments								
		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments								
		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties								
		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount								
		9790	(0.06)	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
FEDERAL REVENUE								
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	314,000.00	314,000.00	109,317.54	314,000.00	0.00	0.0%
Title I, Part A, Basic	3010	8290	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue	All Other	8290	0.00	189,294.94	353,695.71	189,294.94	0.00	0.0%
TOTAL, FEDERAL REVENUE			314,000.00	503,294.94	463,013.25	503,294.94	0.00	0.0%
OTHER STATE REVENUE								
Child Nutrition Programs		8520	0.00	0.00	0.00	0.00	0.00	0.0%
Child Development Apportionments		8530	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.0%
State Preschool	6105	8590	1,415,291.00	1,415,291.00	588,781.00	1,415,291.00	0.00	0.0%
All Other State Revenue	All Other	8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			1,415,291.00	1,415,291.00	588,781.00	1,415,291.00	0.00	0.0%
OTHER LOCAL REVENUE								
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	0.00	0.00	2,435.38	0.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Child Development Parent Fees		8673	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Services		8677	78,054.28	81,889.83	0.00	81,889.83	0.00	0.0%
All Other Fees and Contracts		8689	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			78,054.28	81,889.83	2,435.38	81,889.83	0.00	0.0%
TOTAL, REVENUES			1,807,345.28	2,000,475.77	1,054,209.61	2,000,475.77		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CERTIFICATED SALARIES								
Certificated Teachers' Salaries		1100	724,839.90	611,664.07	233,025.00	611,664.07	0.00	0.0%
Certificated Pupil Support Salaries		1200	0.00	0.00	0.00	0.00	0.00	0.0%
Certificated Supervisors' and Administrators' Salaries		1300	141,656.03	170,656.03	82,152.70	170,656.03	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			866,495.93	782,320.10	315,177.70	782,320.10	0.00	0.0%
CLASSIFIED SALARIES								
Classified Instructional Salaries		2100	190,940.39	306,940.39	162,560.56	306,940.39	0.00	0.0%
Classified Support Salaries		2200	123,702.98	148,902.98	71,705.47	148,902.98	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	62,831.44	75,131.44	36,096.65	75,131.44	0.00	0.0%
Other Classified Salaries		2900	12,566.15	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			389,840.96	530,974.81	270,332.68	530,974.81	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	112,695.55	101,695.55	48,573.97	101,695.55	0.00	0.0%
PERS		3201-3202	88,172.10	87,672.10	42,295.38	87,672.10	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	24,342.43	43,896.86	20,615.36	43,896.86	0.00	0.0%
Health and Welfare Benefits		3401-3402	161,500.00	99,200.00	53,904.83	99,200.00	0.00	0.0%
Unemployment Insurance		3501-3502	15,775.10	15,620.53	2,927.56	15,620.53	0.00	0.0%
Workers' Compensation		3601-3602	31,678.27	31,867.88	14,175.76	31,867.88	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			434,163.45	379,952.92	182,492.66	379,952.92	0.00	0.0%
BOOKS AND SUPPLIES								
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	34,000.00	143,988.00	16,441.66	143,988.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			34,000.00	143,988.00	16,441.66	143,988.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	2,000.00	42,394.94	18,395.00	42,394.94	0.00	0.0%
Dues and Memberships		5300	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	2,500.00	42,500.00	242.00	42,500.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			4,500.00	84,894.94	18,637.00	84,894.94	0.00	0.0%
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Other Transfers Out								
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs - Interfund		7350	78,345.00	78,345.00	0.00	78,345.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			78,345.00	78,345.00	0.00	78,345.00	0.00	0.0%
TOTAL, EXPENDITURES			1,807,345.34	2,000,475.77	803,081.90	2,000,475.77		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: General Fund		8911	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
Other Authorized Interfund Transfers Out		7818	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Certificates of Participation		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8979	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources			0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7851	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7899	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

Resource	Description	2021/22 Projected Year Totals
5058	Child Development: Coronavirus Response and Relief Suppl	84,341.25
6130	Child Development: Center-Based Reserve Account	214,211.09
9010	Other Restricted Local	10,054.25
Total, Restricted Balance		308,606.59

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	1,786,158.00	1,830,228.00	1,106,056.58	1,830,228.00	0.00	0.0%
3) Other State Revenue		8300-8599	732,000.00	732,000.00	66,144.45	732,000.00	0.00	0.0%
4) Other Local Revenue		8600-8799	2,000.00	22,000.00	23,921.33	22,000.00	0.00	0.0%
5) TOTAL, REVENUES			2,520,158.00	2,584,228.00	1,196,122.36	2,584,228.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	887,662.59	887,662.59	567,288.89	887,662.59	0.00	0.0%
3) Employee Benefits		3000-3999	400,093.74	400,093.74	245,858.28	400,093.74	0.00	0.0%
4) Books and Supplies		4000-4999	1,050,000.00	1,141,595.00	383,131.84	1,141,595.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	58,000.00	58,000.00	25,844.69	58,000.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	124,400.00	79,496.00	0.00	79,496.00	0.00	0.0%
9) TOTAL, EXPENDITURES			2,520,158.33	2,566,847.33	1,222,123.70	2,566,847.33		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(0.33)	17,380.67	(26,001.34)	17,380.67		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(0.33)	17,380.67	(26,001.34)	17,380.67		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	398,878.35	398,878.35		398,878.35	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			398,878.35	398,878.35		398,878.35		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			398,878.35	398,878.35		398,878.35		
2) Ending Balance, June 30 (E + F1e)			398,878.02	416,259.02		416,259.02		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Restricted			398,878.02	416,259.02		416,259.02		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount		9780	0.00	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
FEDERAL REVENUE								
Child Nutrition Programs		8220	1,788,156.00	1,818,633.00	1,094,460.75	1,818,633.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue		8290	0.00	11,595.00	11,595.83	11,595.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			1,788,156.00	1,830,228.00	1,106,056.58	1,830,228.00	0.00	0.0%
OTHER STATE REVENUE								
Child Nutrition Programs		8520	732,000.00	732,000.00	66,144.45	732,000.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			732,000.00	732,000.00	66,144.45	732,000.00	0.00	0.0%
OTHER LOCAL REVENUE								
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Food Service Sales		8634	0.00	0.00	475.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	2,000.00	2,000.00	3,446.33	2,000.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Interagency Services		8677	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	0.00	20,000.00	20,000.00	20,000.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			2,000.00	22,000.00	23,921.33	22,000.00	0.00	0.0%
TOTAL, REVENUES			2,520,156.00	2,584,228.00	1,196,122.36	2,584,228.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CERTIFICATED SALARIES								
Certificated Supervisors' and Administrators' Salaries		1300	0.00	0.00	0.00	0.00	0.00	0.0%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
CLASSIFIED SALARIES								
Classified Support Salaries		2200	704,148.98	704,148.98	459,382.18	704,148.98	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	126,263.82	126,263.82	74,014.92	126,263.82	0.00	0.0%
Clerical, Technical and Office Salaries		2400	57,249.81	57,249.81	33,911.81	57,249.81	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			887,662.59	887,662.59	567,288.89	887,662.59	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	172,363.39	172,363.39	106,162.88	172,363.39	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	23,886.48	23,886.48	38,148.67	23,886.48	0.00	0.0%
Health and Welfare Benefits		3401-3402	171,000.00	171,000.00	84,699.67	171,000.00	0.00	0.0%
Unemployment Insurance		3501-3502	10,918.42	10,918.42	2,836.18	10,918.42	0.00	0.0%
Workers' Compensation		3601-3602	21,925.45	21,925.45	14,010.88	21,925.45	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			400,093.74	400,093.74	245,858.28	400,093.74	0.00	0.0%
BOOKS AND SUPPLIES								
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	91,595.00	35,880.38	91,595.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
Food		4700	1,050,000.00	1,050,000.00	347,251.48	1,050,000.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			1,050,000.00	1,141,595.00	383,131.84	1,141,595.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	105.32	0.00	0.00	0.0%
Dues and Memberships		5300	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	3,000.00	3,000.00	1,328.00	3,000.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	20,000.00	20,000.00	18,950.57	20,000.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	35,000.00	35,000.00	5,480.80	35,000.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			58,000.00	58,000.00	25,844.69	58,000.00	0.00	0.0%
CAPITAL OUTLAY								
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO - TRANSFERS OF INDIRECT COSTS								
Transfers of Indirect Costs - Interfund		7350	124,400.00	79,496.00	0.00	79,496.00	0.00	0.0%
TOTAL, OTHER OUTGO - TRANSFERS OF INDIRECT COSTS			124,400.00	79,496.00	0.00	79,496.00	0.00	0.0%
TOTAL EXPENDITURES			2,520,156.33	2,568,847.33	1,222,123.70	2,568,847.33		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: General Fund		8916	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

Resource	Description	2021/22 Projected Year Totals
5310	Child Nutrition: School Programs (e.g., School Lunch, School	63,527.79
5316	Child Nutrition: COVID CARES Act Supplemental Meal Reim	7,834.50
5465	Child Nutrition: SNP COVID-19 Emergency Operational Cost	32,477.00
7027	Child Nutrition: COVID State Supplemental Meal Reimburs	312,419.73
Total, Restricted Balance		416,259.02

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.00	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.00	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	102,050.00	177,050.00	100,988.88	177,050.00	0.00	0.0%
5) TOTAL, REVENUES			102,050.00	177,050.00	100,988.88	177,050.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.00	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.00	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.00	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.00	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	8,072.60	8,072.60	8,072.60	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.00	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			0.00	8,072.60	8,072.60	8,072.60		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			102,050.00	168,977.40	92,916.28	168,977.40		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			102,050.00	168,977.40	92,916.26	168,977.40		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	20,012,562.64	20,012,562.64		20,012,562.64	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			20,012,562.64	20,012,562.64		20,012,562.64		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			20,012,562.64	20,012,562.64		20,012,562.64		
2) Ending Balance, June 30 (E + F1e)			20,114,612.64	20,181,540.04		20,181,540.04		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Legally Restricted Balance			20,114,612.64	20,181,540.04		20,181,540.04		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount		9790	0.00	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
FEDERAL REVENUE								
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue		8290	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER STATE REVENUE								
Tax Relief Subventions Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER LOCAL REVENUE								
County and District Taxes								
Other Restricted Levies								
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes								
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds Not Subject to LCFF Deduction								
		8625	0.00	0.00	0.00	0.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes								
		8629	0.00	0.00	0.00	0.00	0.00	0.0%
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals								
		8650	0.00	0.00	0.00	0.00	0.00	0.0%
Interest								
		8660	100,050.00	175,050.00	100,894.89	175,050.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments								
		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	2,000.00	2,000.00	93.97	2,000.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			102,050.00	177,050.00	100,988.86	177,050.00	0.00	0.0%
TOTAL REVENUES			102,050.00	177,050.00	100,988.86	177,050.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CLASSIFIED SALARIES								
Classified Support Salaries		2200	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.00	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.00	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.00	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.00	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.00	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.00	0.00	0.00	0.0%
BOOKS AND SUPPLIES								
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.00	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.00	0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	0.00	0.00	0.00	0.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	8,072.60	8,072.60	8,072.60	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	8,072.60	8,072.60	8,072.60	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Other Transfers Out								
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Repayment of State School Building Fund Aid - Proceeds from Bonds		7435	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL EXPENDITURES			0.00	8,072.60	8,072.60	8,072.60		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Proceeds								
Proceeds from Sale of Bonds		8951	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
County School Building Aid		8961	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

<u>Resource</u>	<u>Description</u>	<u>2021/22 Projected Year Totals</u>
9010	Other Restricted Local	20,181,540.04
Total, Restricted Balance		<u>20,181,540.04</u>

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.00	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.00	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	568,000.00	238,000.00	54,609.19	238,000.00	0.00	0.0%
5) TOTAL REVENUES			568,000.00	238,000.00	54,609.19	238,000.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.00	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.00	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.00	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.00	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.00	0.00	0.00	0.0%
9) TOTAL EXPENDITURES			0.00	0.00	0.00	0.00		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			568,000.00	238,000.00	54,609.19	238,000.00		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			588,000.00	238,000.00	54,609.19	238,000.00		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	3,850,355.53	3,850,355.53		3,850,355.53	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			3,850,355.53	3,850,355.53		3,850,355.53		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			3,850,355.53	3,850,355.53		3,850,355.53		
2) Ending Balance, June 30 (E + F1e)			4,418,355.53	4,088,355.53		4,088,355.53		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Legally Restricted Balance			4,418,355.53	4,088,355.53		4,088,355.53		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount			0.00	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
OTHER STATE REVENUE								
Tax Relief Subventions								
Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER LOCAL REVENUE								
County and District Taxes								
Other Restricted Levies								
Secured Roll		8615	0.00	0.00	0.00	0.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes								
Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds								
Not Subject to LCFF Deduction		8825	0.00	0.00	0.00	0.00	0.00	0.0%
Penalties and Interest from Delinquent								
Non-LCFF Taxes		8629	0.00	0.00	0.00	0.00	0.00	0.0%
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	18,000.00	18,000.00	12,305.56	18,000.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Fees and Contracts								
Mitigation/Developer Fees		8681	550,000.00	220,000.00	42,303.63	220,000.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			588,000.00	238,000.00	54,609.19	238,000.00	0.00	0.0%
TOTAL, REVENUES			588,000.00	238,000.00	54,609.19	238,000.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CERTIFICATED SALARIES								
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CERTIFICATED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
CLASSIFIED SALARIES								
Classified Support Salaries		2200	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.00	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.00	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.00	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.00	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.00	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.00	0.00	0.00	0.0%
BOOKS AND SUPPLIES								
Approved Textbooks and Core Curricula Materials		4100	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.00	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.00	0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5800	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	0.00	0.00	0.00	0.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Other Transfers Out								
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EXPENDITURES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Proceeds								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

<u>Resource</u>	<u>Description</u>	<u>2021/22 Projected Year Totals</u>
9010	Other Restricted Local	4,088,355.53
Total, Restricted Balance		<u>4,088,355.53</u>

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.00	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.00	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	700.00	6,248,944.00	6,248,661.26	6,248,944.00	0.00	0.0%
5) TOTAL, REVENUES			700.00	6,248,944.00	6,248,661.26	6,248,944.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.00	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.00	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.00	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	0.00	0.00	0.00	0.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	0.00	0.00	0.00	0.00	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.00	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			0.00	0.00	0.00	0.00		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			700.00	6,248,944.00	6,248,661.26	6,248,944.00		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7800-7829	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7830-7899	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			700.00	6,248,944.00	6,248,661.26	6,248,944.00		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	82,478.70	82,478.70		82,478.70	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			82,478.70	82,478.70		82,478.70		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			82,478.70	82,478.70		82,478.70		
2) Ending Balance, June 30 (E + F1e)			83,178.70	6,331,422.70		6,331,422.70		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Legally Restricted Balance			83,178.70	6,331,422.70		6,331,422.70		
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount			0.00	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
FEDERAL REVENUE								
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Federal Revenue		8290	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER STATE REVENUE								
Pass-Through Revenues from State Sources		8587	0.00	0.00	0.00	0.00	0.00	0.0%
California Clean Energy Jobs Act	6230	8590	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue	All Other	8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER LOCAL REVENUE								
Other Local Revenue								
Community Redevelopment Funds Not Subject to LCFF Deduction		8625	0.00	0.00	0.00	0.00	0.00	0.0%
Sales								
Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	700.00	700.00	417.26	700.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	0.00	6,248,244.00	6,248,244.00	6,248,244.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			700.00	6,248,944.00	6,248,661.26	6,248,944.00	0.00	0.0%
TOTAL REVENUES			700.00	6,248,944.00	6,248,661.26	6,248,944.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CLASSIFIED SALARIES								
Classified Support Salaries		2200	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.00	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.00	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.00	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.00	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.00	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.00	0.00	0.00	0.0%
BOOKS AND SUPPLIES								
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.00	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.00	0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	0.00	0.00	0.00	0.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			0.00	0.00	0.00	0.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6600	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Other Transfers Out								
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Debt Service - Interest		7438	0.00	0.00	0.00	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EXPENDITURES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
From: General Fund/CSSF		8912	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers In		8919	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: General Fund/CSSF		7612	0.00	0.00	0.00	0.00	0.00	0.0%
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Proceeds								
Proceeds from Disposal of Capital Assets		8953	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

<u>Resource</u>	<u>Description</u>	<u>2021/22 Projected Year Totals</u>
9010	Other Restricted Local	6,331,422.70
Total, Restricted Balance		<u>6,331,422.70</u>

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
A. REVENUES								
1) LCFF Sources		8010-8099	0.00	0.00	0.00	0.00	0.00	0.0%
2) Federal Revenue		8100-8299	0.00	0.00	0.00	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.00	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	3,371,500.00	3,371,500.00	1,833,440.58	3,371,500.00	0.00	0.0%
5) TOTAL, REVENUES			3,371,500.00	3,371,500.00	1,833,440.58	3,371,500.00		
B. EXPENDITURES								
1) Certificated Salaries		1000-1999	0.00	0.00	0.00	0.00	0.00	0.0%
2) Classified Salaries		2000-2999	0.00	0.00	0.00	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.00	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.00	0.00	0.00	0.0%
5) Services and Other Operating Expenditures		5000-5999	30,000.00	30,000.00	(40,000.00)	30,000.00	0.00	0.0%
6) Capital Outlay		6000-6999	0.00	0.00	0.00	0.00	0.00	0.0%
7) Other Outgo (excluding Transfers of Indirect Costs)		7100-7299, 7400-7499	5,871,800.00	5,299,484.70	1,308,693.21	5,299,484.70	0.00	0.0%
8) Other Outgo - Transfers of Indirect Costs		7300-7399	0.00	0.00	0.00	0.00	0.00	0.0%
9) TOTAL, EXPENDITURES			5,901,800.00	5,329,484.70	1,268,693.21	5,329,484.70		
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(2,530,300.00)	(1,957,984.70)	564,747.37	(1,957,984.70)		
D. OTHER FINANCING SOURCES/USES								
1) Interfund Transfers								
a) Transfers In		8900-8929	0.00	0.00	0.00	0.00	0.00	0.0%
b) Transfers Out		7600-7629	0.00	0.00	0.00	0.00	0.00	0.0%
2) Other Sources/Uses								
a) Sources		8930-8979	0.00	0.00	0.00	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.00	0.00	0.00	0.0%
3) Contributions		8980-8999	0.00	0.00	0.00	0.00	0.00	0.0%
4) TOTAL, OTHER FINANCING SOURCES/USES			0.00	0.00	0.00	0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)			(2,530,300.00)	(1,957,984.70)	564,747.37	(1,957,984.70)		
F. FUND BALANCE, RESERVES								
1) Beginning Fund Balance								
a) As of July 1 - Unaudited		9791	1,957,984.70	1,957,984.70		1,957,984.70	0.00	0.0%
b) Audit Adjustments		9793	0.00	0.00		0.00	0.00	0.0%
c) As of July 1 - Audited (F1a + F1b)			1,957,984.70	1,957,984.70		1,957,984.70		
d) Other Restatements		9795	0.00	0.00		0.00	0.00	0.0%
e) Adjusted Beginning Balance (F1c + F1d)			1,957,984.70	1,957,984.70		1,957,984.70		
2) Ending Balance, June 30 (E + F1e)			(572,315.30)	0.00		0.00		
Components of Ending Fund Balance								
a) Nonspendable								
Revolving Cash		9711	0.00	0.00		0.00		
Stores		9712	0.00	0.00		0.00		
Prepaid Items		9713	0.00	0.00		0.00		
All Others		9719	0.00	0.00		0.00		
b) Legally Restricted Balance								
c) Committed								
Stabilization Arrangements		9750	0.00	0.00		0.00		
Other Commitments		9760	0.00	0.00		0.00		
d) Assigned								
Other Assignments		9780	0.00	0.00		0.00		
e) Unassigned/Unappropriated								
Reserve for Economic Uncertainties		9789	0.00	0.00		0.00		
Unassigned/Unappropriated Amount			(572,315.30)	0.00		0.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
FEDERAL REVENUE								
All Other Federal Revenue		8290	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, FEDERAL REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER STATE REVENUE								
Tax Relief Subventions Restricted Levies - Other								
Homeowners' Exemptions		8575	0.00	0.00	0.00	0.00	0.00	0.0%
Other Subventions/In-Lieu Taxes		8576	0.00	0.00	0.00	0.00	0.00	0.0%
All Other State Revenue		8590	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER STATE REVENUE			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER LOCAL REVENUE								
County and District Taxes								
Other Restricted Levies Secured Roll		8615	3,333,000.00	3,333,000.00	1,825,221.04	3,333,000.00	0.00	0.0%
Unsecured Roll		8616	0.00	0.00	0.00	0.00	0.00	0.0%
Prior Years' Taxes		8617	0.00	0.00	0.00	0.00	0.00	0.0%
Supplemental Taxes		8618	0.00	0.00	0.00	0.00	0.00	0.0%
Non-Ad Valorem Taxes Parcel Taxes		8621	0.00	0.00	0.00	0.00	0.00	0.0%
Other		8622	0.00	0.00	0.00	0.00	0.00	0.0%
Community Redevelopment Funds Not Subject to LCFF Deduction		8625	0.00	0.00	0.00	0.00	0.00	0.0%
Penalties and Interest from Delinquent Non-LCFF Taxes		8629	0.00	0.00	0.00	0.00	0.00	0.0%
Sales Sale of Equipment/Supplies		8631	0.00	0.00	0.00	0.00	0.00	0.0%
Leases and Rentals		8650	0.00	0.00	0.00	0.00	0.00	0.0%
Interest		8660	38,500.00	38,500.00	8,219.54	38,500.00	0.00	0.0%
Net Increase (Decrease) in the Fair Value of Investments		8662	0.00	0.00	0.00	0.00	0.00	0.0%
Other Local Revenue								
All Other Local Revenue		8699	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers In from All Others		8799	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER LOCAL REVENUE			3,371,500.00	3,371,500.00	1,833,440.58	3,371,500.00	0.00	0.0%
TOTAL, REVENUES			3,371,500.00	3,371,500.00	1,833,440.58	3,371,500.00		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CLASSIFIED SALARIES								
Classified Support Salaries		2200	0.00	0.00	0.00	0.00	0.00	0.0%
Classified Supervisors' and Administrators' Salaries		2300	0.00	0.00	0.00	0.00	0.00	0.0%
Clerical, Technical and Office Salaries		2400	0.00	0.00	0.00	0.00	0.00	0.0%
Other Classified Salaries		2900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CLASSIFIED SALARIES			0.00	0.00	0.00	0.00	0.00	0.0%
EMPLOYEE BENEFITS								
STRS		3101-3102	0.00	0.00	0.00	0.00	0.00	0.0%
PERS		3201-3202	0.00	0.00	0.00	0.00	0.00	0.0%
OASDI/Medicare/Alternative		3301-3302	0.00	0.00	0.00	0.00	0.00	0.0%
Health and Welfare Benefits		3401-3402	0.00	0.00	0.00	0.00	0.00	0.0%
Unemployment Insurance		3501-3502	0.00	0.00	0.00	0.00	0.00	0.0%
Workers' Compensation		3601-3602	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Allocated		3701-3702	0.00	0.00	0.00	0.00	0.00	0.0%
OPEB, Active Employees		3751-3752	0.00	0.00	0.00	0.00	0.00	0.0%
Other Employee Benefits		3901-3902	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, EMPLOYEE BENEFITS			0.00	0.00	0.00	0.00	0.00	0.0%
BOOKS AND SUPPLIES								
Books and Other Reference Materials		4200	0.00	0.00	0.00	0.00	0.00	0.0%
Materials and Supplies		4300	0.00	0.00	0.00	0.00	0.00	0.0%
Noncapitalized Equipment		4400	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, BOOKS AND SUPPLIES			0.00	0.00	0.00	0.00	0.00	0.0%
SERVICES AND OTHER OPERATING EXPENDITURES								
Subagreements for Services		5100	0.00	0.00	0.00	0.00	0.00	0.0%
Travel and Conferences		5200	0.00	0.00	0.00	0.00	0.00	0.0%
Insurance		5400-5450	0.00	0.00	0.00	0.00	0.00	0.0%
Operations and Housekeeping Services		5500	0.00	0.00	0.00	0.00	0.00	0.0%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	30,000.00	30,000.00	(40,000.00)	30,000.00	0.00	0.0%
Communications		5900	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, SERVICES AND OTHER OPERATING EXPENDITURES			30,000.00	30,000.00	(40,000.00)	30,000.00	0.00	0.0%

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
CAPITAL OUTLAY								
Land		6100	0.00	0.00	0.00	0.00	0.00	0.0%
Land Improvements		6170	0.00	0.00	0.00	0.00	0.00	0.0%
Buildings and Improvements of Buildings		6200	0.00	0.00	0.00	0.00	0.00	0.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.00	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.00	0.00	0.00	0.0%
Lease Assets		6800	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, CAPITAL OUTLAY			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER OUTGO (excluding Transfers of Indirect Costs)								
Other Transfers Out								
Transfers of Pass-Through Revenues To Districts or Charter Schools		7211	0.00	0.00	0.00	0.00	0.00	0.0%
To County Offices		7212	0.00	0.00	0.00	0.00	0.00	0.0%
To JPAs		7213	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Transfers Out to All Others		7299	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service								
Repayment of State School Building Fund Aid - Proceeds from Bonds		7435	0.00	0.00	0.00	0.00	0.00	0.0%
Debt Service - Interest		7438	1,356,000.00	1,356,000.00	264,423.51	1,356,000.00	0.00	0.0%
Other Debt Service - Principal		7439	4,515,800.00	3,943,484.70	1,044,269.70	3,943,484.70	0.00	0.0%
TOTAL, OTHER OUTGO (excluding Transfers of Indirect Costs)			5,871,800.00	5,299,484.70	1,308,693.21	5,299,484.70	0.00	0.0%
TOTAL, EXPENDITURES			5,901,800.00	5,329,484.70	1,268,693.21	5,329,484.70		

Description	Resource Codes	Object Codes	Original Budget (A)	Board Approved Operating Budget (B)	Actuals To Date (C)	Projected Year Totals (D)	Difference (Col B & D) (E)	% Diff Column B & D (F)
INTERFUND TRANSFERS								
INTERFUND TRANSFERS IN								
Other Authorized Interfund Transfers In		8819	0.00	0.00	0.00	0.00	0.00	0.0%
(a) TOTAL, INTERFUND TRANSFERS IN			0.00	0.00	0.00	0.00	0.00	0.0%
INTERFUND TRANSFERS OUT								
To: State School Building Fund/ County School Facilities Fund		7613	0.00	0.00	0.00	0.00	0.00	0.0%
Other Authorized Interfund Transfers Out		7619	0.00	0.00	0.00	0.00	0.00	0.0%
(b) TOTAL, INTERFUND TRANSFERS OUT			0.00	0.00	0.00	0.00	0.00	0.0%
OTHER SOURCES/USES								
SOURCES								
Proceeds from Sale of Bonds		8951	0.00	0.00	0.00	0.00	0.00	0.0%
Other Sources								
County School Building Aid		8981	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers from Funds of Lapsed/Reorganized LEAs		8965	0.00	0.00	0.00	0.00	0.00	0.0%
Long-Term Debt Proceeds								
Proceeds from Certificates of Participation		8971	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Leases		8972	0.00	0.00	0.00	0.00	0.00	0.0%
Proceeds from Lease Revenue Bonds		8973	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Sources		8979	0.00	0.00	0.00	0.00	0.00	0.0%
(c) TOTAL, SOURCES			0.00	0.00	0.00	0.00	0.00	0.0%
USES								
Transfers of Funds from Lapsed/Reorganized LEAs		7651	0.00	0.00	0.00	0.00	0.00	0.0%
All Other Financing Uses		7699	0.00	0.00	0.00	0.00	0.00	0.0%
(d) TOTAL, USES			0.00	0.00	0.00	0.00	0.00	0.0%
CONTRIBUTIONS								
Contributions from Unrestricted Revenues		8980	0.00	0.00	0.00	0.00	0.00	0.0%
Contributions from Restricted Revenues		8990	0.00	0.00	0.00	0.00	0.00	0.0%
(e) TOTAL, CONTRIBUTIONS			0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL, OTHER FINANCING SOURCES/USES (a - b + c - d + e)			0.00	0.00	0.00	0.00		

<u>Resource</u>	<u>Description</u>	<u>2021/22 Projected Year Totals</u>
9010	Other Restricted Local	0.00
Total, Restricted Balance		<u>0.00</u>

Description	ESTIMATED FUNDED ADA Original Budget (A)	ESTIMATED FUNDED ADA Board Approved Operating Budget (B)	ESTIMATED P-2 REPORT ADA Projected Year Totals (C)	ESTIMATED FUNDED ADA Projected Year Totals (D)	DIFFERENCE (Col. D - B) (E)	PERCENTAGE DIFFERENCE (Col. E / B) (F)
A. DISTRICT						
1. Total District Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (includes Necessary Small School ADA)	4,211.89	4,196.42	3,671.58	4,196.42	0.00	0%
2. Total Basic Aid Choice/Court Ordered Voluntary Pupil Transfer Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above)	0.00	0.00	0.00	0.00	0.00	0%
3. Total Basic Aid Open Enrollment Regular ADA Includes Opportunity Classes, Home & Hospital, Special Day Class, Continuation Education, Special Education NPS/LCI and Extended Year, and Community Day School (ADA not included in Line A1 above)	0.00	0.00	0.00	0.00	0.00	0%
4. Total, District Regular ADA (Sum of Lines A1 through A3)	4,211.89	4,196.42	3,671.58	4,196.42	0.00	0%
5. District Funded County Program ADA						
a. County Community Schools	0.00	0.00	0.00	0.00	0.00	0%
b. Special Education-Special Day Class	0.00	14.24	14.24	14.24	0.00	0%
c. Special Education-NPS/LCI	0.00	0.00	0.00	0.00	0.00	0%
d. Special Education Extended Year	0.00	0.00	0.00	0.00	0.00	0%
e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools	0.00	0.00	0.00	0.00	0.00	0%
f. County School Tuition Fund (Out of State Tuition) [EC 2000 and 46380]	0.00	0.00	0.00	0.00	0.00	0%
g. Total, District Funded County Program ADA (Sum of Lines A5a through A5f)	0.00	14.24	14.24	14.24	0.00	0%
6. TOTAL DISTRICT ADA (Sum of Line A4 and Line A5g)	4,211.89	4,210.66	3,685.82	4,210.66	0.00	0%
7. Adults in Correctional Facilities	0.00	0.00	0.00	0.00	0.00	0%
8. Charter School ADA (Enter Charter School ADA using Tab C. Charter School ADA)						

Description	ESTIMATED FUNDED ADA Original Budget (A)	ESTIMATED FUNDED ADA Board Approved Operating Budget (B)	ESTIMATED P-2 REPORT ADA Projected Year Totals (C)	ESTIMATED FUNDED ADA Projected Year Totals (D)	DIFFERENCE (Col. D - B) (E)	PERCENTAGE DIFFERENCE (Col. E / B) (F)
B. COUNTY OFFICE OF EDUCATION						
1. County Program Alternative Education Grant ADA						
a. County Group Home and Institution Pupils	0.00	0.00	0.00	0.00	0.00	0%
b. Juvenile Halls, Homes, and Camps	0.00	0.00	0.00	0.00	0.00	0%
c. Probation Referred, On Probation or Parole, Expelled per EC 48915(a) or (c) [EC 2574(c)(4)(A)]	0.00	0.00	0.00	0.00	0.00	0%
d. Total, County Program Alternative Education ADA (Sum of Lines B1a through B1c)	0.00	0.00	0.00	0.00	0.00	0%
2. District Funded County Program ADA						
a. County Community Schools	0.00	0.00	0.00	0.00	0.00	0%
b. Special Education-Special Day Class	0.00	0.00	0.00	0.00	0.00	0%
c. Special Education-NPS/LCI	0.00	0.00	0.00	0.00	0.00	0%
d. Special Education Extended Year	0.00	0.00	0.00	0.00	0.00	0%
e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools	0.00	0.00	0.00	0.00	0.00	0%
f. County School Tuition Fund (Out of State Tuition) [EC 2000 and 46380]	0.00	0.00	0.00	0.00	0.00	0%
g. Total, District Funded County Program ADA (Sum of Lines B2a through B2f)	0.00	0.00	0.00	0.00	0.00	0%
3. TOTAL COUNTY OFFICE ADA (Sum of Lines B1d and B2g)	0.00	0.00	0.00	0.00	0.00	0%
4. Adults in Correctional Facilities	0.00	0.00	0.00	0.00	0.00	0%
5. County Operations Grant ADA	0.00	0.00	0.00	0.00	0.00	0%
6. Charter School ADA (Enter Charter School ADA using Tab C. Charter School ADA)						

Description	ESTIMATED FUNDED ADA Original Budget (A)	ESTIMATED FUNDED ADA Board Approved Operating Budget (B)	ESTIMATED P-2 REPORT ADA Projected Year Totals (C)	ESTIMATED FUNDED ADA Projected Year Totals (D)	DIFFERENCE (Col. D - B) (E)	PERCENTAGE DIFFERENCE (Col. E / B) (F)
C. CHARTER SCHOOL ADA						
Authorizing LEAs reporting charter school SACS financial data in their Fund 01, 09, or 62 use this worksheet to report ADA for those charter schools. Charter schools reporting SACS financial data separately from their authorizing LEAs in Fund 01 or Fund 62 use this worksheet to report their ADA.						
FUND 01: Charter School ADA corresponding to SACS financial data reported in Fund 01.						
1. Total Charter School Regular ADA	0.00	0.00	0.00	0.00	0.00	0%
2. Charter School County Program Alternative Education ADA						
a. County Group Home and Institution Pupils	0.00	0.00	0.00	0.00	0.00	0%
b. Juvenile Halls, Homes, and Camps	0.00	0.00	0.00	0.00	0.00	0%
c. Probation Referred, On Probation or Parole, Expelled per EC 48915(a) or (c) [EC 2574(c)(4)(A)]	0.00	0.00	0.00	0.00	0.00	0%
d. Total, Charter School County Program Alternative Education ADA (Sum of Lines C2a through C2c)	0.00	0.00	0.00	0.00	0.00	0%
3. Charter School Funded County Program ADA						
a. County Community Schools	0.00	0.00	0.00	0.00	0.00	0%
b. Special Education-Special Day Class	0.00	0.00	0.00	0.00	0.00	0%
c. Special Education-NPS/LCI	0.00	0.00	0.00	0.00	0.00	0%
d. Special Education Extended Year	0.00	0.00	0.00	0.00	0.00	0%
e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools	0.00	0.00	0.00	0.00	0.00	0%
f. Total, Charter School Funded County Program ADA (Sum of Lines C3a through C3e)	0.00	0.00	0.00	0.00	0.00	0%
4. TOTAL CHARTER SCHOOL ADA (Sum of Lines C1, C2d, and C3f)	0.00	0.00	0.00	0.00	0.00	0%
FUND 09 or 62: Charter School ADA corresponding to SACS financial data reported in Fund 09 or Fund 62.						
5. Total Charter School Regular ADA	0.00	0.00	0.00	0.00	0.00	0%
6. Charter School County Program Alternative Education ADA						
a. County Group Home and Institution Pupils	0.00	0.00	0.00	0.00	0.00	0%
b. Juvenile Halls, Homes, and Camps	0.00	0.00	0.00	0.00	0.00	0%
c. Probation Referred, On Probation or Parole, Expelled per EC 48915(a) or (c) [EC 2574(c)(4)(A)]	0.00	0.00	0.00	0.00	0.00	0%
d. Total, Charter School County Program Alternative Education ADA (Sum of Lines C6a through C6c)	0.00	0.00	0.00	0.00	0.00	0%
7. Charter School Funded County Program ADA						
a. County Community Schools	0.00	0.00	0.00	0.00	0.00	0%
b. Special Education-Special Day Class	0.00	0.00	0.00	0.00	0.00	0%
c. Special Education-NPS/LCI	0.00	0.00	0.00	0.00	0.00	0%
d. Special Education Extended Year	0.00	0.00	0.00	0.00	0.00	0%
e. Other County Operated Programs: Opportunity Schools and Full Day Opportunity Classes, Specialized Secondary Schools	0.00	0.00	0.00	0.00	0.00	0%
f. Total, Charter School Funded County Program ADA (Sum of Lines C7a through C7e)	0.00	0.00	0.00	0.00	0.00	0%
8. TOTAL CHARTER SCHOOL ADA (Sum of Lines C5, C6d, and C7f)	0.00	0.00	0.00	0.00	0.00	0%
9. TOTAL CHARTER SCHOOL ADA Reported in Fund 01, 09, or 62 (Sum of Lines C4 and C8)	0.00	0.00	0.00	0.00	0.00	0%

Section I - Expenditures	Funds 01, 09, and 62			2021-22 Expenditures
	Goals	Functions	Objects	
A. Total state, federal, and local expenditures (all resources)	All	All	1000-7999	90,242,309.04
B. Less all federal expenditures not allowed for MOE (Resources 3000-5999, except 3385)	All	All	1000-7999	19,646,016.69
C. Less state and local expenditures not allowed for MOE: (All resources, except federal as identified in Line B)				
1. Community Services	All	5000-5999	1000-7999	0.00
2. Capital Outlay	All except 7100-7199	All except 5000-5999	6000-6999	5,700,146.00
3. Debt Service	All	9100	5400-5450, 5800, 7430-7439	966,008.00
4. Other Transfers Out	All	9200	7200-7299	0.00
5. Interfund Transfers Out	All	9300	7600-7629	0.00
6. All Other Financing Uses	All	9100 9200	7699 7651	0.00
7. Nonagency	7100-7199	All except 5000-5999, 9000-9999	1000-7999	0.00
8. Tuition (Revenue, in lieu of expenditures, to approximate costs of services for which tuition is received)	All	All	8710	0.00
9. Supplemental expenditures made as a result of a Presidentially declared disaster	Manually entered. Must not include expenditures in lines B, C1-C8, D1, or D2.			
10. Total state and local expenditures not allowed for MOE calculation (Sum lines C1 through C9)				6,666,154.00
D. Plus additional MOE expenditures:				
1. Expenditures to cover deficits for food services (Funds 13 and 61) (If negative, then zero)	All	All	1000-7143, 7300-7439 minus 8000-8699	0.00
2. Expenditures to cover deficits for student body activities	Manually entered. Must not include expenditures in lines A or D1.			
E. Total expenditures subject to MOE (Line A minus lines B and C10, plus lines D1 and D2)				63,930,138.35

Section II - Expenditures Per ADA		2021-22 Annual ADA/ Exps. Per ADA
A. Average Daily Attendance (Form AI, Column C, sum of lines A6 and C9)*		3,685.82
B. Expenditures per ADA (Line I.E divided by Line II.A)		17,344.89
Section III - MOE Calculation (For data collection only. Final determination will be done by CDE)		
	Total	Per ADA
A. Base expenditures (Preloaded expenditures extracted from prior year Unaudited Actuals MOE calculation). (Note: If the prior year MOE was not met, in its final determination, CDE will adjust the prior year base to 90 percent of the preceding prior year amount rather than the actual prior year expenditure amount.)	53,693,809.50	12,747.61
1. Adjustment to base expenditure and expenditure per ADA amounts for LEAs failing prior year MOE calculation (From Section IV)	0.00	0.00
2. Total adjusted base expenditure amounts (Line A plus Line A.1)	53,693,809.50	12,747.61
B. Required effort (Line A.2 times 90%)	48,324,428.55	11,472.85
C. Current year expenditures (Line I.E and Line II.B)	63,930,138.35	17,344.89
D. MOE deficiency amount, if any (Line B minus Line C) (If negative, then zero)	0.00	0.00
E. MOE determination (If one or both of the amounts in line D are zero, the MOE requirement is met; if both amounts are positive, the MOE requirement is not met. If either column in Line A.2 or Line C equals zero, the MOE calculation is incomplete.)	MOE Met	
F. MOE deficiency percentage, if MOE not met; otherwise, zero (Line D divided by Line B) (Funding under ESSA covered programs in FY 2023-24 may be reduced by the lower of the two percentages)	0.00%	0.00%

*Interim Periods - Annual ADA not available from Form AI. For your convenience, Projected Year Totals Estimated P-2 ADA is extracted. Manual adjustment may be required to reflect estimated Annual ADA.

SECTION IV - Detail of Adjustments to Base Expenditures (used in Section III, Line A.1)		
Description of Adjustments	Total Expenditures	Expenditures Per ADA
Total adjustments to base expenditures	0.00	0.00

Part I - General Administrative Share of Plant Services Costs

California's indirect cost plan allows that the general administrative costs in the indirect cost pool may include that portion of plant services costs (maintenance and operations costs and facilities rents and leases costs) attributable to the general administrative offices. The calculation of the plant services costs attributed to general administration and included in the pool is standardized and automated using the percentage of salaries and benefits relating to general administration as proxy for the percentage of square footage occupied by general administration.

A. Salaries and Benefits - Other General Administration and Centralized Data Processing

- 1. Salaries and benefits paid through payroll (Funds 01, 09, and 62, objects 1000-3999 except 3701-3702) (Functions 7200-7700, goals 0000 and 9000) 2,250,759.80
- 2. Contracted general administrative positions not paid through payroll _____
 - a. Enter the costs, if any, of general administrative positions performing services ON SITE but paid through a contract, rather than through payroll, in functions 7200-7700, goals 0000 and 9000, Object 5800. _____
 - b. If an amount is entered on Line A2a, provide the title, duties, and approximate FTE of each general administrative position paid through a contract. Retain supporting documentation in case of audit.

B. Salaries and Benefits - All Other Activities

- 1. Salaries and benefits paid through payroll (Funds 01, 09, and 62, objects 1000-3999 except 3701-3702) (Functions 1000-6999, 7100-7180, & 8100-8400; Functions 7200-7700, all goals except 0000 & 9000) 59,540,048.30

C. Percentage of Plant Services Costs Attributable to General Administration

(Line A1 plus Line A2a, divided by Line B1; zero if negative) (See Part III, Lines A5 and A6) 3.78%

Part II - Adjustments for Employment Separation Costs

When an employee separates from service, the local educational agency (LEA) may incur costs associated with the separation in addition to the employee's regular salary and benefits for the final pay period. These additional costs can be categorized as "normal" or "abnormal or mass" separation costs.

Normal separation costs include items such as pay for accumulated unused leave or routine severance pay authorized by governing board policy. Normal separation costs are not allowable as direct costs to federal programs, but are allowable as indirect costs. State programs may have similar restrictions. Where federal or state program guidelines required that the LEA charge an employee's normal separation costs to an unrestricted resource rather than to the restricted program in which the employee worked, the LEA may identify and enter these costs on Line A for inclusion in the indirect cost pool.

Abnormal or mass separation costs are those costs resulting from actions taken by an LEA to influence employees to terminate their employment earlier than they normally would have. Abnormal or mass separation costs include retirement incentives such as a Golden Handshake or severance packages negotiated to effect termination. Abnormal or mass separation costs may not be charged to federal programs as either direct costs or indirect costs. Where an LEA paid abnormal or mass separation costs on behalf of positions in general administrative functions included in the indirect cost pool, the LEA must identify and enter these costs on Line B for exclusion from the pool.

A. Normal Separation Costs (optional)

Enter any normal separation costs paid on behalf of employees of restricted state or federal programs that were charged to an unrestricted resource (0000-1999) in funds 01, 09, and 62 with functions 1000-6999 or 8100-8400 rather than to the restricted program. These costs will be moved in Part III from base costs to the indirect cost pool. _____
Retain supporting documentation.

B. Abnormal or Mass Separation Costs (required)

Enter any abnormal or mass separation costs paid on behalf of general administrative positions charged to unrestricted resources (0000-1999) in funds 01, 09, and 62 with functions 7200-7700. These costs will be moved in Part III from the indirect cost pool to base costs. If none, enter zero. 0.00

Part III - Indirect Cost Rate Calculation (Funds 01, 09, and 62, unless indicated otherwise)

A. Indirect Costs

1. Other General Administration, less portion charged to restricted resources or specific goals (Functions 7200-7600, objects 1000-5999, minus Line B9)	4,004,601.34
2. Centralized Data Processing, less portion charged to restricted resources or specific goals (Function 7700, objects 1000-5999, minus Line B10)	1,112,706.23
3. External Financial Audit - Single Audit (Function 7190, resources 0000-1999, goals 0000 and 9000, objects 5000-5999)	0.00
4. Staff Relations and Negotiations (Function 7120, resources 0000-1999, goals 0000 and 9000, objects 1000-5999)	0.00
5. Plant Maintenance and Operations (portion relating to general administrative offices only) (Functions 8100-8400, objects 1000-5999 except 5100, times Part I, Line C)	251,962.43
6. Facilities Rents and Leases (portion relating to general administrative offices only) (Function 8700, resources 0000-1999, objects 1000-5999 except 5100, times Part I, Line C)	0.00
7. Adjustment for Employment Separation Costs	
a. Plus: Normal Separation Costs (Part II, Line A)	0.00
b. Less: Abnormal or Mass Separation Costs (Part II, Line B)	0.00
8. Total Indirect Costs (Lines A1 through A7a, minus Line A7b)	5,369,270.00
9. Carry-Forward Adjustment (Part IV, Line F)	(277,938.23)
10. Total Adjusted Indirect Costs (Line A8 plus Line A9)	5,091,331.77

B. Base Costs

1. Instruction (Functions 1000-1999, objects 1000-5999 except 5100)	55,820,150.96
2. Instruction-Related Services (Functions 2000-2999, objects 1000-5999 except 5100)	4,943,840.81
3. Pupil Services (Functions 3000-3999, objects 1000-5999 except 4700 and 5100)	6,568,390.97
4. Ancillary Services (Functions 4000-4999, objects 1000-5999 except 5100)	0.00
5. Community Services (Functions 5000-5999, objects 1000-5999 except 5100)	0.00
6. Enterprise (Function 6000, objects 1000-5999 except 4700 and 5100)	0.00
7. Board and Superintendent (Functions 7100-7180, objects 1000-5999, minus Part III, Line A4)	1,071,313.40
8. External Financial Audit - Single Audit and Other (Functions 7190-7191, objects 5000-5999, minus Part III, Line A3)	0.00
9. Other General Administration (portion charged to restricted resources or specific goals only) (Functions 7200-7600, resources 2000-9999, objects 1000-5999; Functions 7200-7600, resources 0000-1999, all goals except 0000 and 9000, objects 1000-5999)	3,347,319.67
10. Centralized Data Processing (portion charged to restricted resources or specific goals only) (Function 7700, resources 2000-9999, objects 1000-5999; Function 7700, resources 0000-1999, all goals except 0000 and 9000, objects 1000-5999)	200,000.00
11. Plant Maintenance and Operations (all except portion relating to general administrative offices) (Functions 8100-8400, objects 1000-5999 except 5100, minus Part III, Line A5)	6,413,710.23
12. Facilities Rents and Leases (all except portion relating to general administrative offices) (Function 8700, objects 1000-5999 except 5100, minus Part III, Line A6)	0.00
13. Adjustment for Employment Separation Costs	
a. Less: Normal Separation Costs (Part II, Line A)	0.00
b. Plus: Abnormal or Mass Separation Costs (Part II, Line B)	0.00
14. Student Activity (Fund 08, functions 4000-5999, objects 1000-5999 except 5100)	0.00
15. Adult Education (Fund 11, functions 1000-6999, 8100-8400, and 8700, objects 1000-5999 except 5100)	0.00
16. Child Development (Fund 12, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	1,922,130.77
17. Cafeteria (Funds 13 & 61, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	1,437,351.33
18. Foundation (Funds 19 & 57, functions 1000-6999, 8100-8400 & 8700, objects 1000-5999 except 4700 & 5100)	0.00
19. Total Base Costs (Lines B1 through B12 and Lines B13b through B18, minus Line B13a)	81,724,208.14

C. Straight Indirect Cost Percentage Before Carry-Forward Adjustment

(For information only - not for use when claiming/recovering indirect costs)
(Line A8 divided by Line B19) 6.57%

D. Preliminary Proposed Indirect Cost Rate

(For final approved fixed-with-carry-forward rate for use in 2023-24 see www.cde.ca.gov/fg/ac/lc/)
(Line A10 divided by Line B19) 6.23%

Part IV - Carry-forward Adjustment

The carry-forward adjustment is an after-the-fact adjustment for the difference between indirect costs recoverable using the indirect cost rate approved for use in a given year, and the actual indirect costs incurred in that year. The carry-forward adjustment eliminates the need for LEAs to file amended federal reports when their actual indirect costs vary from the estimated indirect costs on which the approved rate was based.

Where the ratio of indirect costs incurred in the current year is less than the estimated ratio of indirect costs on which the approved rate for use in the current year was based, the carry-forward adjustment is limited by using either the approved rate times current year base costs, or the highest rate actually used to recover costs from any program times current year base costs, if the highest rate used was less than the approved rate. Rates used to recover costs from programs are displayed in Exhibit A.

A. Indirect costs incurred in the current year (Part III, Line A8)	<u>5,369,270.00</u>
B. Carry-forward adjustment from prior year(s)	
1. Carry-forward adjustment from the second prior year	<u>(858,169.63)</u>
2. Carry-forward adjustment amount deferred from prior year(s), if any	<u>0.00</u>
C. Carry-forward adjustment for under- or over-recovery in the current year	
1. Under-recovery: Part III, Line A8, plus carry-forward adjustment from prior years, minus (approved indirect cost rate (5.86%) times Part III, Line B19); zero if negative	<u>0.00</u>
2. Over-recovery: Part III, Line A8, plus carry-forward adjustment from prior years, minus the lesser of (approved indirect cost rate (5.86%) times Part III, Line B19) or (the highest rate used to recover costs from any program (5.86%) times Part III, Line B19); zero if positive	<u>(277,938.23)</u>
D. Preliminary carry-forward adjustment (Line C1 or C2)	<u>(277,938.23)</u>
E. Optional allocation of negative carry-forward adjustment over more than one year	
Where a negative carry-forward adjustment causes the proposed approved rate to fall below zero or would reduce the rate at which the LEA could recover indirect costs to such an extent that it would cause the LEA significant fiscal harm, the LEA may request that the carry-forward adjustment be allocated over more than one year. Where allocation of a negative carry-forward adjustment over more than one year does not resolve a negative rate, the CDE will work with the LEA on a case-by-case basis to establish an approved rate.	
Option 1. Preliminary proposed approved rate (Part III, Line D) if entire negative carry-forward adjustment is applied to the current year calculation:	<u>6.23%</u>
Option 2. Preliminary proposed approved rate (Part III, Line D) if one-half of negative carry-forward adjustment (\$-138,969.12) is applied to the current year calculation and the remainder (\$-138,969.11) is deferred to one or more future years:	<u>6.40%</u>
Option 3. Preliminary proposed approved rate (Part III, Line D) if one-third of negative carry-forward adjustment (\$-92,646.08) is applied to the current year calculation and the remainder (\$-185,292.15) is deferred to one or more future years:	<u>6.46%</u>
LEA request for Option 1, Option 2, or Option 3	<u>1</u>
F. Carry-forward adjustment used in Part III, Line A9 (Line D minus amount deferred if Option 2 or Option 3 is selected)	<u>(277,938.23)</u>

Approved indirect cost rate: 5.86%
Highest rate used in any program: 5.86%

Fund	Resource	Eligible Expenditures (Objects 1000-5999 except 4700 & 5100)	Indirect Costs Charged (Objects 7310 and 7350)	Rate Used
01	2600	1,372,178.00	80,409.00	5.86%
01	3010	2,469,847.30	144,524.00	5.85%
01	4035	450,692.00	26,411.00	5.86%
01	4127	365,951.00	21,444.00	5.86%
01	4203	486,177.00	28,490.00	5.86%
12	6105	1,336,946.00	78,345.00	5.86%
13	5310	1,405,756.33	79,496.00	5.66%

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. LCFF/Revenue Limit Sources	8010-8099	49,256,954.00	0.85%	49,675,496.00	3.29%	51,311,045.00
2. Federal Revenues	8100-8299	140,000.00	0.00%	140,000.00	0.00%	140,000.00
3. Other State Revenues	8300-8599	720,116.00	7.77%	776,102.00	-1.69%	762,992.00
4. Other Local Revenues	8600-8799	60,000.00	0.00%	60,000.00	0.00%	60,000.00
5. Other Financing Sources						
a. Transfers In	8900-8929	0.00	0.00%	0.00	0.00%	0.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	(8,426,007.43)	3.00%	(8,678,788.00)	3.00%	(8,939,151.00)
6. Total (Sum lines A1 thru A5c)		41,751,062.57	0.53%	41,972,810.00	3.25%	43,334,886.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries						
a. Base Salaries				19,798,756.12		20,194,731.24
b. Step & Column Adjustment				395,975.12		403,894.62
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	19,798,756.12	2.00%	20,194,731.24	2.00%	20,598,625.86
2. Classified Salaries						
a. Base Salaries				6,645,755.25		6,778,670.36
b. Step & Column Adjustment				132,915.11		135,573.41
c. Cost-of-Living Adjustment						
d. Other Adjustments						
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	6,645,755.25	2.00%	6,778,670.36	2.00%	6,914,243.77
3. Employee Benefits	3000-3999	8,946,630.34	8.52%	9,708,479.00	2.57%	9,958,273.00
4. Books and Supplies	4000-4999	574,730.03	90.13%	1,092,708.00	0.90%	1,102,542.00
5. Services and Other Operating Expenditures	5000-5999	4,820,481.44	3.69%	4,998,357.00	2.90%	5,143,310.00
6. Capital Outlay	6000-6999	0.00	0.00%	0.00	0.00%	0.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	712,378.00	-62.05%	270,378.00	0.00%	270,378.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	(459,119.00)	-13.82%	(395,651.00)	2.90%	(407,125.00)
9. Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments (Explain in Section F below)						
11. Total (Sum lines B1 thru B10)		41,039,612.18	3.92%	42,647,672.60	2.19%	43,580,247.63
C. NET INCREASE (DECREASE) IN FUND BALANCE (Line A6 minus line B11)						
		711,450.39		(674,862.60)		(245,361.63)
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 011, line F1e)		3,798,370.81		4,509,821.20		3,834,958.60
2. Ending Fund Balance (Sum lines C and D1)		4,509,821.20		3,834,958.60		3,589,596.97
3. Components of Ending Fund Balance (Form 011)						
a. Nonspendable	9710-9719	50,000.00		50,000.00		50,000.00
b. Restricted	9740					
c. Committed						
1. Stabilization Arrangements	9750	0.00		0.00		0.00
2. Other Commitments	9760	0.00		0.00		0.00
d. Assigned	9780	1,752,551.00		1,873,540.60		1,593,592.97
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	2,707,269.00		1,911,418.00		1,946,004.00
2. Unassigned/Unappropriated	9790	1.20		0.00		0.00
f. Total Components of Ending Fund Balance (Line D3f must agree with line D2)		4,509,821.20		3,834,958.60		3,589,596.97

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
E. AVAILABLE RESERVES						
1. General Fund						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	2,707,269.00		1,911,418.00		1,946,004.00
c. Unassigned/Unappropriated	9790	1.20		0.00		0.00
(Enter other reserve projections in Columns C and E for subsequent years 1 and 2; current year - Column A - is extracted)						
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	0.00		0.00		0.00
c. Unassigned/Unappropriated	9790	0.00		0.00		0.00
3. Total Available Reserves (Sum lines E1a thru E2c)		2,707,270.20		1,911,418.00		1,946,004.00
F. ASSUMPTIONS						
Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide.						

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. LCFF/Revenue Limit Sources	8010-8099	265,030.00	0.00%	265,030.00	0.00%	265,030.00
2. Federal Revenues	8100-8299	19,625,942.30	-82.28%	3,478,524.00	0.00%	3,478,524.00
3. Other State Revenues	8300-8599	6,955,827.73	-20.56%	5,525,571.00	-0.09%	5,520,343.00
4. Other Local Revenues	8600-8799	3,391,895.00	0.00%	3,391,895.00	0.00%	3,391,895.00
5. Other Financing Sources						
a. Transfers In	8900-8929	0.00	0.00%	0.00	0.00%	0.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	8,426,007.43	3.00%	8,678,788.00	3.00%	8,939,151.00
6. Total (Sum lines A1 thru A5c)		38,664,702.46	-44.81%	21,339,808.00	1.20%	21,594,943.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries						
a. Base Salaries				12,905,097.62		3,856,201.00
b. Step & Column Adjustment				258,101.95		77,124.02
c. Cost-of-Living Adjustment						
d. Other Adjustments				(9,306,998.57)		
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	12,905,097.62	-70.12%	3,856,201.00	2.00%	3,933,325.02
2. Classified Salaries						
a. Base Salaries				5,433,159.76		3,586,885.00
b. Step & Column Adjustment				108,663.20		71,737.70
c. Cost-of-Living Adjustment						
d. Other Adjustments				(1,954,937.96)		
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	5,433,159.76	-33.98%	3,586,885.00	2.00%	3,658,622.70
3. Employee Benefits	3000-3999	8,361,409.01	-13.06%	7,269,068.00	1.76%	7,396,931.00
4. Books and Supplies	4000-4999	3,599,519.09	-57.43%	1,532,469.00	-5.63%	1,446,261.00
5. Services and Other Operating Expenditures	5000-5999	12,648,457.38	-65.37%	4,380,361.00	0.39%	4,397,392.00
6. Capital Outlay	6000-6999	5,700,146.00	-96.33%	209,228.00	2.90%	215,296.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	253,630.00	-100.00%	0.00	0.00%	0.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	301,278.00	-23.00%	231,986.00	2.90%	238,714.00
9. Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments (Explain in Section F below)				0.00		0.00
11. Total (Sum lines B1 thru B10)		49,202,696.86	-57.18%	21,066,198.00	1.05%	21,286,541.72
C. NET INCREASE (DECREASE) IN FUND BALANCE						
(Line A6 minus line B11)						
		(10,537,994.40)		273,610.00		308,401.28
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 011, line F1e)		10,874,382.60		336,388.20		609,998.20
2. Ending Fund Balance (Sum lines C and D1)		336,388.20		609,998.20		918,399.48
3. Components of Ending Fund Balance (Form 011)						
a. Nonspendable	9710-9719	0.00		0.00		
b. Restricted	9740	336,388.59		609,998.20		918,399.48
c. Committed						
1. Stabilization Arrangements	9750					
2. Other Commitments	9760					
d. Assigned	9780					
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789					
2. Unassigned/Unappropriated	9790	(0.39)		0.00		0.00
f. Total Components of Ending Fund Balance (Line D3f must agree with line D2)		336,388.20		609,998.20		918,399.48

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
E. AVAILABLE RESERVES						
1. General Fund						
a. Stabilization Arrangements	9750					
b. Reserve for Economic Uncertainties	9789					
c. Unassigned/Unappropriated Amount	9790					
(Enter current year reserve projections in Column A, and other reserve projections in Columns C and E for subsequent years 1 and 2)						
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750					
b. Reserve for Economic Uncertainties	9789					
c. Unassigned/Unappropriated	9790					
3. Total Available Reserves (Sum lines E1a thru E2c)						

F. ASSUMPTIONS

Please provide below or on a separate attachment, the assumptions used to determine the projections for the first and second subsequent fiscal years. Further, please include an explanation for any significant expenditure adjustments projected in lines B1d, B2d, and B10. For additional information, please refer to the Budget Assumptions section of the SACS Financial Reporting Software User Guide.

The adjustments include the 21-22 carryover budgets and one-time State and Federal Stimulus Funds.

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
(Enter projections for subsequent years 1 and 2 in Columns C and E; current year - Column A - is extracted)						
A. REVENUES AND OTHER FINANCING SOURCES						
1. LCFF/Revenue Limit Sources	8010-8099	49,521,984.00	0.85%	49,940,526.00	3.27%	51,576,075.00
2. Federal Revenues	8100-8299	19,765,942.30	-81.69%	3,618,524.00	0.00%	3,618,524.00
3. Other State Revenues	8300-8599	7,675,943.73	-17.90%	6,301,673.00	-0.29%	6,283,335.00
4. Other Local Revenues	8600-8799	3,451,895.00	0.00%	3,451,895.00	0.00%	3,451,895.00
5. Other Financing Sources						
a. Transfers In	8900-8929	0.00	0.00%	0.00	0.00%	0.00
b. Other Sources	8930-8979	0.00	0.00%	0.00	0.00%	0.00
c. Contributions	8980-8999	0.00	0.00%	0.00	0.00%	0.00
6. Total (Sum lines A1 thru A5c)		80,415,765.03	-21.27%	63,312,618.00	2.55%	64,929,829.00
B. EXPENDITURES AND OTHER FINANCING USES						
1. Certificated Salaries						
a. Base Salaries				32,703,853.74		24,050,932.24
b. Step & Column Adjustment				654,077.07		481,018.64
c. Cost-of-Living Adjustment				0.00		0.00
d. Other Adjustments				(9,306,998.57)		0.00
e. Total Certificated Salaries (Sum lines B1a thru B1d)	1000-1999	32,703,853.74	-26.46%	24,050,932.24	2.00%	24,531,950.88
2. Classified Salaries						
a. Base Salaries				12,078,915.01		10,365,555.36
b. Step & Column Adjustment				241,578.31		207,311.11
c. Cost-of-Living Adjustment				0.00		0.00
d. Other Adjustments				(1,954,937.96)		0.00
e. Total Classified Salaries (Sum lines B2a thru B2d)	2000-2999	12,078,915.01	-14.18%	10,365,555.36	2.00%	10,572,866.47
3. Employee Benefits	3000-3999	17,308,039.35	-1.91%	16,977,547.00	2.22%	17,355,204.00
4. Books and Supplies	4000-4999	4,174,249.12	-37.11%	2,625,177.00	-2.91%	2,548,803.00
5. Services and Other Operating Expenditures	5000-5999	17,468,938.82	-46.31%	9,378,718.00	1.73%	9,540,702.00
6. Capital Outlay	6000-6999	5,700,146.00	-96.33%	209,228.00	2.90%	215,296.00
7. Other Outgo (excluding Transfers of Indirect Costs)	7100-7299, 7400-7499	966,008.00	-72.01%	270,378.00	0.00%	270,378.00
8. Other Outgo - Transfers of Indirect Costs	7300-7399	(157,841.00)	3.69%	(163,665.00)	2.90%	(168,411.00)
9. Other Financing Uses						
a. Transfers Out	7600-7629	0.00	0.00%	0.00	0.00%	0.00
b. Other Uses	7630-7699	0.00	0.00%	0.00	0.00%	0.00
10. Other Adjustments				0.00		0.00
11. Total (Sum lines B1 thru B10)		90,242,309.04	-29.40%	63,713,870.60	1.81%	64,866,789.35
C. NET INCREASE (DECREASE) IN FUND BALANCE						
(Line A6 minus line B11)						
		(9,826,544.01)		(401,252.60)		63,039.65
D. FUND BALANCE						
1. Net Beginning Fund Balance (Form 011, line F1e)		14,672,753.41		4,846,209.40		4,444,956.80
2. Ending Fund Balance (Sum lines C and D1)		4,846,209.40		4,444,956.80		4,507,996.45
3. Components of Ending Fund Balance (Form 011)						
a. Nonspendable	9710-9719	50,000.00		50,000.00		50,000.00
b. Restricted	9740	336,388.59		609,998.20		918,399.48
c. Committed						
1. Stabilization Arrangements	9750	0.00		0.00		0.00
2. Other Commitments	9760	0.00		0.00		0.00
d. Assigned	9780	1,752,551.00		1,873,540.60		1,593,592.97
e. Unassigned/Unappropriated						
1. Reserve for Economic Uncertainties	9789	2,707,269.00		1,911,418.00		1,946,004.00
2. Unassigned/Unappropriated	9790	0.81		0.00		0.00
f. Total Components of Ending Fund Balance (Line D3f must agree with line D2)		4,846,209.40		4,444,956.80		4,507,996.45

Description	Object Codes	Projected Year Totals (Form 011) (A)	% Change (Cols. C-A/A) (B)	2022-23 Projection (C)	% Change (Cols. E-C/C) (D)	2023-24 Projection (E)
E. AVAILABLE RESERVES (Unrestricted except as noted)						
1. General Fund						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	2,707,269.00		1,911,418.00		1,946,004.00
c. Unassigned/Unappropriated	9790	1.20		0.00		0.00
d. Negative Restricted Ending Balances (Negative resources 2000-9999)	979Z	(0.39)		0.00		0.00
2. Special Reserve Fund - Noncapital Outlay (Fund 17)						
a. Stabilization Arrangements	9750	0.00		0.00		0.00
b. Reserve for Economic Uncertainties	9789	0.00		0.00		0.00
c. Unassigned/Unappropriated	9790	0.00		0.00		0.00
3. Total Available Reserves - by Amount (Sum lines E1 thru E2c)		2,707,269.81		1,911,418.00		1,946,004.00
4. Total Available Reserves - by Percent (Line E3 divided by Line F3c)		3.00%		3.00%		3.00%
F. RECOMMENDED RESERVES						
1. Special Education Pass-through Exclusions						
For districts that serve as the administrative unit (AU) of a special education local plan area (SELPA):						
a. Do you choose to exclude from the reserve calculation the pass-through funds distributed to SELPA members?	No					
b. If you are the SELPA AU and are excluding special education pass-through funds: 1. Enter the name(s) of the SELPA(s):						
2. Special education pass-through funds (Column A: Fund 10, resources 3300-3499, 6500-6540 and 6546, objects 7211-7213 and 7221-7223; enter projections for subsequent years 1 and 2 in Columns C and E)						
		0.00		0.00		0.00
2. District ADA Used to determine the reserve standard percentage level on line F3d (Col. A: Form AI, Estimated P-2 ADA column, Lines A4 and C4; enter projections)						
		3,671.58		4,021.47		3,941.04
3. Calculating the Reserves						
a. Expenditures and Other Financing Uses (Line B11)		90,242,309.04		63,713,870.60		64,866,789.35
b. Plus: Special Education Pass-through Funds (Line F1b2, if Line F1a is No)		0.00		0.00		0.00
c. Total Expenditures and Other Financing Uses (Line F3a plus line F3b)		90,242,309.04		63,713,870.60		64,866,789.35
d. Reserve Standard Percentage Level (Refer to Form 01CSI, Criterion 10 for calculation details)		3%		3%		3%
e. Reserve Standard - By Percent (Line F3c times F3d)		2,707,269.27		1,911,416.12		1,946,003.68
f. Reserve Standard - By Amount (Refer to Form 01CSI, Criterion 10 for calculation details)		0.00		0.00		0.00
g. Reserve Standard (Greater of Line F3e or F3f)		2,707,269.27		1,911,416.12		1,946,003.68
h. Available Reserves (Line E3) Meet Reserve Standard (Line F3g)		YES		YES		YES

Second Interim
2021-22 Projected Year Totals
SUMMARY OF INTERFUND ACTIVITIES
FOR ALL FUNDS

Description	Direct Costs - Interfund		Indirect Costs - Interfund		Interfund Transfers In 8900-8929	Interfund Transfers Out 7600-7629	Due From Other Funds 9310	Due To Other Funds 9610
	Transfers In 5750	Transfers Out 5750	Transfers In 7350	Transfers Out 7350				
011 GENERAL FUND								
Expenditure Detail	0.00	0.00	0.00	(157,841.00)				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
081 STUDENT ACTIVITY SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
091 CHARTER SCHOOLS SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
101 SPECIAL EDUCATION PASS-THROUGH FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation								
111 ADULT EDUCATION FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
121 CHILD DEVELOPMENT FUND								
Expenditure Detail	0.00	0.00	78,345.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
131 CAFETERIA SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	79,496.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
141 DEFERRED MAINTENANCE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
151 PUPIL TRANSPORTATION EQUIPMENT FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
171 SPECIAL RESERVE FUND FOR OTHER THAN CAPITAL OUTLAY								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
181 SCHOOL BUS EMISSIONS REDUCTION FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
191 FOUNDATION SPECIAL REVENUE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail						0.00		
Fund Reconciliation								
201 SPECIAL RESERVE FUND FOR POSTEMPLOYMENT BENEFITS								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
211 BUILDING FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
251 CAPITAL FACILITIES FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
301 STATE SCHOOL BUILDING LEASE/PURCHASE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
351 COUNTY SCHOOL FACILITIES FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
401 SPECIAL RESERVE FUND FOR CAPITAL OUTLAY PROJECTS								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
491 CAP PROJ FUND FOR BLENDED COMPONENT UNITS								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
511 BOND INTEREST AND REDEMPTION FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
521 DEBT SVC FUND FOR BLENDED COMPONENT UNITS								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
531 TAX OVERRIDE FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
561 DEBT SERVICE FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
571 FOUNDATION PERMANENT FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail						0.00		
Fund Reconciliation								

Second Interim
2021-22 Projected Year Totals
SUMMARY OF INTERFUND ACTIVITIES
FOR ALL FUNDS

Description	Direct Costs - Interfund		Indirect Costs - Interfund		Interfund Transfers In 8900-8929	Interfund Transfers Out 7600-7629	Due From Other Funds 9310	Due To Other Funds 9610
	Transfers In 5750	Transfers Out 5750	Transfers In 7350	Transfers Out 7350				
611 CAFETERIA ENTERPRISE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
621 CHARTER SCHOOLS ENTERPRISE FUND								
Expenditure Detail	0.00	0.00	0.00	0.00				
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
631 OTHER ENTERPRISE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
661 WAREHOUSE REVOLVING FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
671 SELF-INSURANCE FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00	0.00		
Fund Reconciliation								
711 RETIREE BENEFIT FUND								
Expenditure Detail								
Other Sources/Uses Detail					0.00			
Fund Reconciliation								
731 FOUNDATION PRIVATE-PURPOSE TRUST FUND								
Expenditure Detail	0.00	0.00						
Other Sources/Uses Detail					0.00			
Fund Reconciliation								
761 WARRANT/PASS-THROUGH FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation								
951 STUDENT BODY FUND								
Expenditure Detail								
Other Sources/Uses Detail								
Fund Reconciliation								
TOTALS	0.00	0.00	157,841.00	(157,841.00)	0.00	0.00		

Provide methodology and assumptions used to estimate ADA, enrollment, revenues, expenditures, reserves and fund balance, and multiyear commitments (including cost-of-living adjustments).

Deviations from the standards must be explained and may affect the interim certification.

CRITERIA AND STANDARDS

1. CRITERION: Average Daily Attendance

STANDARD: Funded average daily attendance (ADA) for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections.

District's ADA Standard Percentage Range: -2.0% to +2.0%

1A. Calculating the District's ADA Variances

DATA ENTRY: First Interim data that exist will be extracted into the first column, otherwise, enter data for all fiscal years. Second Interim Projected Year Totals data that exist for the current year will be extracted; otherwise, enter data for all fiscal years. Enter district regular ADA and charter school ADA corresponding to financial data reported in the General Fund, only, for all fiscal years.

Estimated Funded ADA

Fiscal Year	First Interim Projected Year Totals (Form 01CSI, Item 1A)	Second Interim Projected Year Totals (Form AI, Lines A4 and C4)	Percent Change	Status
Current Year (2021-22) District Regular Charter School Total ADA	4,196.42	4,196.42		
	0.00	0.00		
	4,196.42	4,196.42	0.0%	Met
1st Subsequent Year (2022-23) District Regular Charter School Total ADA	3,980.41	4,036.65		
	3,980.41	4,036.65	1.4%	Met
	3,900.65	4,036.20		
2nd Subsequent Year (2023-24) District Regular Charter School Total ADA	3,900.65	4,036.20		
	3,900.65	4,036.20	3.5%	Not Met

1B. Comparison of District ADA to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. **STANDARD NOT MET** - The projected change since first interim projections for funded ADA exceeds two percent in any of the current year or two subsequent fiscal years. Provide reasons why the change(s) exceed the standard, a description of the methods and assumptions used in projecting funded ADA, and what changes will be made to improve the accuracy of projections in this area.

Explanation:
(required if NOT met)

The 23-24 ADA is based on the higher of the current year ADA or the prior year ADA (22-23). The Governor's 22-23 proposal includes a 3 year ADA average calculation.

2. CRITERION: Enrollment

STANDARD: Projected enrollment for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections.

District's Enrollment Standard Percentage Range: -2.0% to +2.0%

2A. Calculating the District's Enrollment Variances

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column for all fiscal years. Enter data in the second column for all fiscal years. Enter district regular enrollment and charter school enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years.

Fiscal Year	Enrollment		Percent Change	Status
	First Interim (Form 01CSI, Item 2A)	Second Interim CBEDS/Projected		
Current Year (2021-22)				
District Regular	4,266	4,264		
Charter School				
Total Enrollment	4,266	4,264	0.0%	Met
1st Subsequent Year (2022-23)				
District Regular	4,181	4,179		
Charter School				
Total Enrollment	4,181	4,179	0.0%	Met
2nd Subsequent Year (2023-24)				
District Regular	4,097	4,095		
Charter School				
Total Enrollment	4,097	4,095	0.0%	Met

2B. Comparison of District Enrollment to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. **STANDARD MET** - Enrollment projections have not changed since first interim projections by more than two percent for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

3. CRITERION: ADA to Enrollment

STANDARD: Projected second period (P-2) average daily attendance (ADA) to enrollment ratio for any of the current fiscal year or two subsequent fiscal years has not increased from the historical average ratio from the three prior fiscal years by more than one half of one percent (0.5%).

3A. Calculating the District's ADA to Enrollment Standard

DATA ENTRY: Unaudited Actuals data that exist will be extracted into the P-2 ADA column for the First Prior Year; otherwise, enter First Prior Year data. P-2 ADA for the second and third prior years are preloaded. First Interim data that exist will be extracted into the Enrollment column; otherwise, enter Enrollment data for all fiscal years. Data should reflect district regular and charter school ADA/enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years.

Fiscal Year	P-2 ADA Unaudited Actuals (Form A, Lines A4 and C4)	Enrollment CBEDS Actual (Form 01CSI, Item 3A)	Historical Ratio of ADA to Enrollment
Third Prior Year (2018-19)			
District Regular	4,351	4,578	
Charter School			
Total ADA/Enrollment	4,351	4,578	95.0%
Second Prior Year (2019-20)			
District Regular	4,203	4,475	
Charter School			
Total ADA/Enrollment	4,203	4,475	93.9%
First Prior Year (2020-21)			
District Regular	4,203	4,418	
Charter School	0		
Total ADA/Enrollment	4,203	4,418	95.1%
		Historical Average Ratio:	94.7%
		District's ADA to Enrollment Standard (historical average ratio plus 0.5%):	95.2%

3B. Calculating the District's Projected Ratio of ADA to Enrollment

DATA ENTRY: Estimated P-2 ADA will be extracted into the first column for the Current Year; enter data in the first column for the subsequent fiscal years. Data should reflect district regular and charter school ADA/enrollment corresponding to financial data reported in the General Fund, only, for all fiscal years. All other data are extracted.

Fiscal Year	Estimated P-2 ADA (Form AI, Lines A4 and C4)	Enrollment CBEDS/Projected (Criterion 2, Item 2A)	Ratio of ADA to Enrollment	Status
Current Year (2021-22)				
District Regular	3,672	4,264		
Charter School	0			
Total ADA/Enrollment	3,672	4,264	86.1%	Met
1st Subsequent Year (2022-23)				
District Regular	4,021	4,179		
Charter School				
Total ADA/Enrollment	4,021	4,179	96.2%	Not Met
2nd Subsequent Year (2023-24)				
District Regular	3,941	4,095		
Charter School				
Total ADA/Enrollment	3,941	4,095	96.2%	Not Met

3C. Comparison of District ADA to Enrollment Ratio to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. **STANDARD NOT MET** - Projected P-2 ADA to enrollment ratio exceeds the standard in any of the current year or two subsequent fiscal years. Provide reasons why the projected ratio exceeds the district's historical average ratio by more than 0.5%.

Explanation:
(required if NOT met)

Due to the COVID pandemic, ADA has significantly declined in 21-22. There are so many uncertainties at this time. The district continues to work hard to ensure that every student is attending class/school.

4. CRITERION: LCFF Revenue

STANDARD: Projected LCFF revenue for any of the current fiscal year or two subsequent fiscal years has not changed by more than two percent since first interim projections.

District's LCFF Revenue Standard Percentage Range: -2.0% to +2.0%

4A. Calculating the District's Projected Change in LCFF Revenue

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. In the Second Interim column, Current Year data are extracted; enter data for the two subsequent years.

Fiscal Year	LCFF Revenue (Fund 01, Objects 8011, 8012, 8020-8089)		Percent Change	Status
	First Interim (Form 01CSI, Item 4A)	Second Interim Projected Year Totals		
	Current Year (2021-22)	49,256,954.00			49,256,954.00	0.0%	Met
1st Subsequent Year (2022-23)	47,672,582.00	49,675,496.00	4.2%	Not Met
2nd Subsequent Year (2023-24)	49,001,320.00	51,311,045.00	4.7%	Not Met

4B. Comparison of District LCFF Revenue to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. **STANDARD NOT MET** - Projected LCFF revenue has changed since first interim projections by more than two percent in any of the current year or two subsequent fiscal years. Provide reasons why the change(s) exceed the standard and a description of the methods and assumptions used in projecting LCFF revenue.

Explanation:
(required if NOT met)

For 22-23, the LCFF Revenue calculation is based on a 3-year ADA average. For 23-24, the LCFF revenue calculation is based on the current year ADA or the prior year ADA, whichever is higher.

5. CRITERION: Salaries and Benefits

STANDARD: Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures for any of the current fiscal year or two subsequent fiscal years has not changed from the historical average ratio from the three prior fiscal years by more than the greater of three percent or the district's required reserves percentage.

5A. Calculating the District's Historical Average Ratio of Unrestricted Salaries and Benefits to Total Unrestricted General Fund Expenditures

DATA ENTRY: Unaudited Actuals data that exist for the First Prior Year will be extracted; otherwise, enter data for the First Prior Year. Unaudited Actuals data for the second and third prior years are preloaded.

Fiscal Year	Unaudited Actuals - Unrestricted (Resources 0000-1999)		Ratio of Unrestricted Salaries and Benefits to Total Unrestricted Expenditures
	Salaries and Benefits (Form 01, Objects 1000-3999)	Total Expenditures (Form 01, Objects 1000-7499)	
Third Prior Year (2018-19)	38,959,895.01	45,908,048.78	84.9%
Second Prior Year (2019-20)	37,212,130.62	41,249,279.41	90.2%
First Prior Year (2020-21)	33,682,496.10	37,659,157.24	89.4%
Historical Average Ratio:			88.2%

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
District's Reserve Standard Percentage (Criterion 10B, Line 4)	3.0%	3.0%	3.0%
District's Salaries and Benefits Standard (historical average ratio, plus/minus the greater of 3% or the district's reserve standard percentage):	85.2% to 91.2%	85.2% to 91.2%	85.2% to 91.2%

5B. Calculating the District's Projected Ratio of Unrestricted Salaries and Benefits to Total Unrestricted General Fund Expenditures

DATA ENTRY: If Form MYPI exists, Projected Year Totals data for the two subsequent years will be extracted; if not, enter Projected Year Totals data. Projected Year Totals data for Current Year are extracted.

Fiscal Year	Projected Year Totals - Unrestricted (Resources 0000-1999)		Ratio of Unrestricted Salaries and Benefits to Total Unrestricted Expenditures	Status
	Salaries and Benefits (Form 01, Objects 1000-3999) (Form MYPI, Lines B1-B3)	Total Expenditures (Form 01, Objects 1000-7499) (Form MYPI, Lines B1-B8, B10)		
Current Year (2021-22)	35,391,141.71	41,039,612.18	86.2%	Met
1st Subsequent Year (2022-23)	36,681,880.60	42,647,672.60	86.0%	Met
2nd Subsequent Year (2023-24)	37,471,142.63	43,580,247.63	86.0%	Met

5C. Comparison of District Salaries and Benefits Ratio to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD MET - Ratio of total unrestricted salaries and benefits to total unrestricted expenditures has met the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

6. CRITERION: Other Revenues and Expenditures

STANDARD: Projected operating revenues (including federal, other state and other local) or expenditures (including books and supplies, and services and other operating), for any of the current fiscal year or two subsequent fiscal years, have not changed by more than five percent since first interim projections.

Changes that exceed five percent in any major object category must be explained.

District's Other Revenues and Expenditures Standard Percentage Range:	-5.0% to +5.0%
District's Other Revenues and Expenditures Explanation Percentage Range:	-5.0% to +5.0%

6A. Calculating the District's Change by Major Object Category and Comparison to the Explanation Percentage Range

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. Second Interim data for the Current Year are extracted. If Second Interim Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years into the second column.

Explanations must be entered for each category if the percent change for any year exceeds the district's explanation percentage range.

Object Range / Fiscal Year	First Interim Projected Year Totals (Form 01CSI, Item 6A)	Second Interim Projected Year Totals (Fund 01) (Form MYPI)	Percent Change	Change Is Outside Explanation Range
Federal Revenue (Fund 01, Objects 8100-8299) (Form MYPI, Line A2)				
Current Year (2021-22)	19,365,989.08	19,765,942.30	2.1%	No
1st Subsequent Year (2022-23)	5,381,683.00	3,618,524.00	-32.8%	Yes
2nd Subsequent Year (2023-24)	5,381,683.00	3,618,524.00	-32.8%	Yes

Explanation:
(required if Yes) State and federal stimulus funds are one-time and accounted for in fiscal year 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

Other State Revenue (Fund 01, Objects 8300-8599) (Form MYPI, Line A3)				
Current Year (2021-22)	7,690,994.73	7,675,943.73	-0.2%	No
1st Subsequent Year (2022-23)	4,316,434.00	6,301,673.00	46.0%	Yes
2nd Subsequent Year (2023-24)	4,298,248.00	6,283,335.00	46.2%	Yes

Explanation:
(required if Yes) State and federal stimulus funds are one-time and accounted for in FY 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

Other Local Revenue (Fund 01, Objects 8600-8799) (Form MYPI, Line A4)				
Current Year (2021-22)	3,431,895.00	3,451,895.00	0.6%	No
1st Subsequent Year (2022-23)	3,431,895.00	3,451,895.00	0.6%	No
2nd Subsequent Year (2023-24)	3,431,895.00	3,451,895.00	0.6%	No

Explanation:
(required if Yes)

Books and Supplies (Fund 01, Objects 4000-4999) (Form MYPI, Line B4)				
Current Year (2021-22)	4,275,654.52	4,174,249.12	-2.4%	No
1st Subsequent Year (2022-23)	2,454,729.00	2,625,177.00	6.9%	Yes
2nd Subsequent Year (2023-24)	2,463,472.00	2,548,803.00	3.5%	No

Explanation:
(required if Yes) State and federal stimulus funds are one-time and accounted for in FY 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

Services and Other Operating Expenditures (Fund 01, Objects 5000-5999) (Form MYPI, Line B5)				
Current Year (2021-22)	16,469,238.82	17,468,938.82	6.1%	Yes
1st Subsequent Year (2022-23)	8,395,345.00	9,378,718.00	11.7%	Yes
2nd Subsequent Year (2023-24)	8,293,475.00	9,540,702.00	15.0%	Yes

Explanation:
(required if Yes) State and federal stimulus funds are one-time and accounted for in FY 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

6B. Calculating the District's Change in Total Operating Revenues and Expenditures

DATA ENTRY: All data are extracted or calculated.

Object Range / Fiscal Year	First Interim Projected Year Totals	Second Interim Projected Year Totals	Percent Change	Status
Total Federal, Other State, and Other Local Revenue (Section 6A)				
Current Year (2021-22)	30,488,878.81	30,893,781.03	1.3%	Met
1st Subsequent Year (2022-23)	13,130,012.00	13,372,092.00	1.8%	Met
2nd Subsequent Year (2023-24)	13,111,826.00	13,353,754.00	1.8%	Met
Total Books and Supplies, and Services and Other Operating Expenditures (Section 6A)				
Current Year (2021-22)	20,744,893.34	21,643,187.94	4.3%	Met
1st Subsequent Year (2022-23)	10,850,074.00	12,003,895.00	10.6%	Not Met
2nd Subsequent Year (2023-24)	10,756,947.00	12,089,505.00	12.4%	Not Met

6C. Comparison of District Total Operating Revenues and Expenditures to the Standard Percentage Range

DATA ENTRY: Explanations are linked from Section 6A if the status in Section 6B is Not Met; no entry is allowed below.

- 1a. STANDARD MET - Projected total operating revenues have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
Federal Revenue
(linked from 6A
if NOT met)

Explanation:
Other State Revenue
(linked from 6A
if NOT met)

Explanation:
Other Local Revenue
(linked from 6A
if NOT met)

- 1b. STANDARD NOT MET - One or more total operating expenditures have changed since first interim projections by more than the standard in one or more of the current year or two subsequent fiscal years. Reasons for the projected change, descriptions of the methods and assumptions used in the projections, and what changes, if any, will be made to bring the projected operating revenues within the standard must be entered in Section 6A above and will also display in the explanation box below.

Explanation:
Books and Supplies
(linked from 6A
if NOT met)

State and federal stimulus funds are one-time and accounted for in FY 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

Explanation:
Services and Other Exps
(linked from 6A
if NOT met)

State and federal stimulus funds are one-time and accounted for in FY 21-22 only. Additionally, the 20-21 carryover budgets are reversed in the 2 subsequent fiscal years.

7. CRITERION: Facilities Maintenance

STANDARD: Identify changes that have occurred since first interim projections in the projected contributions for facilities maintenance funding as required pursuant to Education Code Section 17070.75, or in how the district is providing adequately to preserve the functionality of its facilities for their normal life in accordance with Education Code sections 52060(d)(1) and 17002(d)(1).

Determining the District's Compliance with the Contribution Requirement for EC Section 17070.75 - Ongoing and Major Maintenance/Restricted Maintenance Account (OMMA/RMA)

NOTE: EC Section 17070.75 requires the district to deposit into the account a minimum amount equal to or greater than three percent of the total general fund expenditures and other financing uses for that fiscal year. Per SB 98 and SB 820 of 2020, resources 3210, 3215, 3220, 5316, 7027, 7420, and 7690 are excluded from the total general fund expenditures calculation.

DATA ENTRY: Enter the Required Minimum Contribution if First Interim data does not exist. First Interim data that exist will be extracted; otherwise, enter First Interim data into lines 1, if applicable, and 2. All other data are extracted.

	Required Minimum Contribution	Second Interim Contribution Projected Year Totals (Fund 01, Resource 8150, Objects 8900-8999)	Status
1. OMMA/RMA Contribution	1,988,143.00	2,065,297.67	Met
2. First Interim Contribution (information only) (Form 01CSI, First Interim, Criterion 7, Line 1)		2,065,297.67	

If status is not met, enter an X in the box that best describes why the minimum required contribution was not made:

- Not applicable (district does not participate in the Leroy F. Greene School Facilities Act of 1998)
- Exempt (due to district's small size [EC Section 17070.75 (b)(2)(E)])
- Other (explanation must be provided)

Explanation:
(required if NOT met
and Other is marked)

8. CRITERION: Deficit Spending

STANDARD: Unrestricted deficit spending (total unrestricted expenditures and other financing uses is greater than total unrestricted revenues and other financing sources) as a percentage of total unrestricted expenditures and other financing uses, has not exceeded one-third of the district's available reserves¹ as a percentage of total expenditures and other financing uses² in any of the current fiscal year or two subsequent fiscal years.

¹Available reserves are the unrestricted amounts in the Stabilization Arrangements, Reserve for Economic Uncertainties, and Unassigned/Unappropriated accounts in the General Fund and the Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the General Fund.

²A school district that is the Administrative Unit of a Special Education Local Plan Area (SELPA) may exclude from its expenditures the distribution of funds to its participating members.

8A. Calculating the District's Deficit Spending Standard Percentage Levels

DATA ENTRY: All data are extracted or calculated.

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
District's Available Reserve Percentages (Criterion 10C, Line 9)	3.0%	3.0%	3.0%
District's Deficit Spending Standard Percentage Levels (one-third of available reserve percentage):	1.0%	1.0%	1.0%

8B. Calculating the District's Deficit Spending Percentages

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years into the first and second columns.

Fiscal Year	Projected Year Totals			Status
	Net Change in Unrestricted Fund Balance (Form 011, Section E) (Form MYPI, Line C)	Total Unrestricted Expenditures and Other Financing Uses (Form 011, Objects 1000-7999) (Form MYPI, Line B11)	Deficit Spending Level (If Net Change in Unrestricted Fund Balance is negative, else N/A)	
Current Year (2021-22)	711,450.39	41,039,612.18	N/A	Met
1st Subsequent Year (2022-23)	(674,862.60)	42,647,672.60	1.6%	Not Met
2nd Subsequent Year (2023-24)	(245,361.63)	43,580,247.63	0.6%	Met

8C. Comparison of District Deficit Spending to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. **STANDARD NOT MET** - Unrestricted deficit spending has exceeded the standard percentage level in any of the current year or two subsequent fiscal years. Provide reasons for the deficit spending, a description of the methods and assumptions used in balancing the unrestricted budget, and what changes will be made to ensure that the budget deficits are eliminated or are balanced within the standard.

Explanation:
(required if NOT met)

The deficit spending is due to the decline in ADA and Enrollment.

9. CRITERION: Fund and Cash Balances

A. FUND BALANCE STANDARD: Projected general fund balance will be positive at the end of the current fiscal year and two subsequent fiscal years.

9A-1. Determining if the District's General Fund Ending Balance is Positive

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, data for the two subsequent years will be extracted; if not, enter data for the two subsequent years.

Fiscal Year	Ending Fund Balance General Fund Projected Year Totals		Status
	(Form 011, Line F2) (Form MYPI, Line D2)		
Current Year (2021-22)	4,846,209.40		Met
1st Subsequent Year (2022-23)	4,444,956.80		Met
2nd Subsequent Year (2023-24)	4,507,996.45		Met

9A-2. Comparison of the District's Ending Fund Balance to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected general fund ending balance is positive for the current fiscal year and two subsequent fiscal years.

Explanation:
(required if NOT met)

B. CASH BALANCE STANDARD: Projected general fund cash balance will be positive at the end of the current fiscal year.

9B-1. Determining if the District's Ending Cash Balance is Positive

DATA ENTRY: If Form CASH exists, data will be extracted; if not, data must be entered below.

Fiscal Year	Ending Cash Balance General Fund		Status
	(Form CASH, Line F, June Column)		
Current Year (2021-22)	8,525,929.00		Met

9B-2. Comparison of the District's Ending Cash Balance to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

1a. STANDARD MET - Projected general fund cash balance will be positive at the end of the current fiscal year.

Explanation:
(required if NOT met)

10. CRITERION: Reserves

STANDARD: Available reserves¹ for any of the current fiscal year or two subsequent fiscal years are not less than the following percentages or amounts² as applied to total expenditures and other financing uses³:

DATA ENTRY: Current Year data are extracted. If Form MYPI exists, 1st and 2nd Subsequent Year data will be extracted. If not, enter district regular ADA and charter school ADA corresponding to financial data reported in the General Fund, only, for the two subsequent years.

Percentage Level	District ADA		
5% or \$71,000 (greater of)	0	to	300
4% or \$71,000 (greater of)	301	to	1,000
3%	1,001	to	30,000
2%	30,001	to	400,000
1%	400,001	and	over

¹ Available reserves are the unrestricted amounts in the Stabilization Arrangements, Reserve for Economic Uncertainties, and Unassigned/Unappropriated accounts in the General Fund and Special Reserve Fund for Other Than Capital Outlay Projects. Available reserves will be reduced by any negative ending balances in restricted resources in the General Fund.

² Dollar amounts to be adjusted annually by the prior year statutory cost-of-living adjustment, as referenced in Education Code Section 42238.02, rounded to the nearest thousand.

³ A school district that is the Administrative Unit (AU) of a Special Education Local Plan Area (SELPA) may exclude from its expenditures the distribution of funds to its participating members.

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
District Estimated P-2 ADA (Current Year, Form AI, Lines A4 and C4, Subsequent Years, Form MYPI, Line F2, if available.)	3,672	4,021	3,941
District's Reserve Standard Percentage Level:	3%	3%	3%

10A. Calculating the District's Special Education Pass-through Exclusions (only for districts that serve as the AU of a SELPA)

DATA ENTRY: For SELPA AUs, if Form MYPI exists, all data will be extracted including the Yes/No button selection. If not, click the appropriate Yes or No button for item 1 and, if Yes, enter data for item 2a and for the two subsequent years in item 2b; Current Year data are extracted.

For districts that serve as the AU of a SELPA (Form MYPI, Lines F1a, F1b1, and F1b2):

- Do you choose to exclude from the reserve calculation the pass-through funds distributed to SELPA members?
- If you are the SELPA AU and are excluding special education pass-through funds:

No

a. Enter the name(s) of the SELPA(s): _____

b. Special Education Pass-through Funds
(Fund 10, resources 3300-3499, 6500-6540 and 6546, objects 7211-7213 and 7221-7223)

	Current Year Projected Year Totals (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
	0.00	0.00	0.00

10B. Calculating the District's Reserve Standard

DATA ENTRY: If Form MYPI exists, all data will be extracted or calculated. If not, enter data for line 1 for the two subsequent years; Current Year data are extracted.

	Current Year Projected Year Totals (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Expenditures and Other Financing Uses (Form 011, objects 1000-7999) (Form MYPI, Line B11)	90,242,309.04	63,713,870.60	64,866,789.35
2. Plus: Special Education Pass-through (Criterion 10A, Line 2b, if Criterion 10A, Line 1 is No)	0.00	0.00	0.00
3. Total Expenditures and Other Financing Uses (Line B1 plus Line B2)	90,242,309.04	63,713,870.60	64,866,789.35
4. Reserve Standard Percentage Level	3%	3%	3%
5. Reserve Standard - by Percent (Line B3 times Line B4)	2,707,269.27	1,911,416.12	1,946,003.68
6. Reserve Standard - by Amount (\$71,000 for districts with less than 1,001 ADA, else 0)	0.00	0.00	0.00
7. District's Reserve Standard (Greater of Line B5 or Line B6)	2,707,269.27	1,911,416.12	1,946,003.68

10C. Calculating the District's Available Reserve Amount

DATA ENTRY: All data are extracted from fund data and Form MYPI. If Form MYPI does not exist, enter data for the two subsequent years.

Reserve Amounts (Unrestricted resources 0000-1999 except Line 4)	Current Year	1st Subsequent Year	2nd Subsequent Year
	Projected Year Totals (2021-22)	(2022-23)	(2023-24)
1. General Fund - Stabilization Arrangements (Fund 01, Object 9750) (Form MYPI, Line E1a)	0.00	0.00	0.00
2. General Fund - Reserve for Economic Uncertainties (Fund 01, Object 9789) (Form MYPI, Line E1b)	2,707,269.00	1,911,418.00	1,946,004.00
3. General Fund - Unassigned/Unappropriated Amount (Fund 01, Object 9790) (Form MYPI, Line E1c)	1.20	0.00	0.00
4. General Fund - Negative Ending Balances in Restricted Resources (Fund 01, Object 979Z, if negative, for each of resources 2000-9999) (Form MYPI, Line E1d)	(0.39)	0.00	0.00
5. Special Reserve Fund - Stabilization Arrangements (Fund 17, Object 9750) (Form MYPI, Line E2a)	0.00	0.00	0.00
6. Special Reserve Fund - Reserve for Economic Uncertainties (Fund 17, Object 9789) (Form MYPI, Line E2b)	0.00	0.00	0.00
7. Special Reserve Fund - Unassigned/Unappropriated Amount (Fund 17, Object 9790) (Form MYPI, Line E2c)	0.00	0.00	0.00
8. District's Available Reserve Amount (Lines C1 thru C7)	2,707,269.81	1,911,418.00	1,946,004.00
9. District's Available Reserve Percentage (Information only) (Line 8 divided by Section 10B, Line 3)	3.00%	3.00%	3.00%
District's Reserve Standard (Section 10B, Line 7):	2,707,269.27	1,911,416.12	1,946,003.68
Status:	Met	Met	Met

10D. Comparison of District Reserve Amount to the Standard

DATA ENTRY: Enter an explanation if the standard is not met.

- 1a. STANDARD MET - Available reserves have met the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

SUPPLEMENTAL INFORMATION

DATA ENTRY: Click the appropriate Yes or No button for items S1 through S4. Enter an explanation for each Yes answer.

S1. Contingent Liabilities

1a. Does your district have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) that have occurred since first interim projections that may impact the budget?

1b. If Yes, identify the liabilities and how they may impact the budget:

S2. Use of One-time Revenues for Ongoing Expenditures

1a. Does your district have ongoing general fund expenditures funded with one-time revenues that have changed since first interim projections by more than five percent?

1b. If Yes, identify the expenditures and explain how the one-time resources will be replaced to continue funding the ongoing expenditures in the following fiscal years:

S3. Temporary Interfund Borrowings

1a. Does your district have projected temporary borrowings between funds?
(Refer to Education Code Section 42603)

1b. If Yes, identify the interfund borrowings:

S4. Contingent Revenues

1a. Does your district have projected revenues for the current fiscal year or either of the two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel taxes, forest reserves)?

1b. If Yes, identify any of these revenues that are dedicated for ongoing expenses and explain how the revenues will be replaced or expenditures reduced:

S5. Contributions

Identify projected contributions from unrestricted resources in the general fund to restricted resources in the general fund for the current fiscal year and two subsequent fiscal years. Provide an explanation if contributions have changed by more than \$20,000 and more than five percent since first interim projections.

Identify projected transfers to or from the general fund to cover operating deficits in either the general fund or any other fund for the current fiscal year and two subsequent fiscal years. Provide an explanation if transfers have changed by more than \$20,000 and more than five percent since first interim projections.

Identify capital project cost overruns that have occurred since first interim projections that may impact the general fund budget.

District's Contributions and Transfers Standard: -5.0% to +5.0%
or -\$20,000 to +\$20,000

S5A. Identification of the District's Projected Contributions, Transfers, and Capital Projects that may Impact the General Fund

DATA ENTRY: First Interim data that exist will be extracted; otherwise, enter data into the first column. For Contributions, the Second Interim's Current Year data will be extracted. Enter Second Interim Contributions for the 1st and 2nd Subsequent Years. For Transfers In and Transfers Out, the Second Interim's Current Year data will be extracted. If Form MYPI exists, the data will be extracted into the Second Interim column for the 1st and 2nd Subsequent Years. If Form MYPI does not exist, enter data for 1st and 2nd Subsequent Years. Click on the appropriate button for Item 1d; all other data will be calculated.

Description / Fiscal Year	First Interim (Form 01CSI, Item S5A)	Second Interim Projected Year Totals	Percent Change	Amount of Change	Status
1a. Contributions, Unrestricted General Fund (Fund 01, Resources 0000-1999, Object 8980)					
Current Year (2021-22)	(8,416,609.15)	(8,426,007.43)	0.1%	9,398.28	Met
1st Subsequent Year (2022-23)	(8,669,107.00)	(8,678,788.00)	0.1%	9,681.00	Met
2nd Subsequent Year (2023-24)	(8,929,181.00)	(8,939,151.00)	0.1%	9,970.00	Met
1b. Transfers In, General Fund *					
Current Year (2021-22)	0.00	0.00	0.0%	0.00	Met
1st Subsequent Year (2022-23)	0.00	0.00	0.0%	0.00	Met
2nd Subsequent Year (2023-24)	0.00	0.00	0.0%	0.00	Met
1c. Transfers Out, General Fund *					
Current Year (2021-22)	0.00	0.00	0.0%	0.00	Met
1st Subsequent Year (2022-23)	0.00	0.00	0.0%	0.00	Met
2nd Subsequent Year (2023-24)	0.00	0.00	0.0%	0.00	Met

1d. Capital Project Cost Overruns

Have capital project cost overruns occurred since first interim projections that may impact the general fund operational budget?

No

* Include transfers used to cover operating deficits in either the general fund or any other fund.

S5B. Status of the District's Projected Contributions, Transfers, and Capital Projects

DATA ENTRY: Enter an explanation if Not Met for items 1a-1c or if Yes for Item 1d.

1a. MET - Projected contributions have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

1b. MET - Projected transfers in have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

1c. MET - Projected transfers out have not changed since first interim projections by more than the standard for the current year and two subsequent fiscal years.

Explanation:
(required if NOT met)

1d. NO - There have been no capital project cost overruns occurring since first interim projections that may impact the general fund operational budget.

Project Information:
(required if YES)

S6. Long-term Commitments

Identify all existing and new multiyear commitments¹ and their annual required payment for the current fiscal year and two subsequent fiscal years.

Explain how any increase in annual payments will be funded. Also, explain how any decrease to funding sources used to pay long-term commitments will be replaced.

¹ Include multiyear commitments, multiyear debt agreements, and new programs or contracts that result in long-term obligations.

S6A. Identification of the District's Long-term Commitments

DATA ENTRY: If First Interim data exist (Form 01CSI, Item S6A), long-term commitment data will be extracted and it will only be necessary to click the appropriate button for Item 1b. Extracted data may be overwritten to update long-term commitment data in Item 2, as applicable. If no First Interim data exist, click the appropriate buttons for items 1a and 1b, and enter all other data, as applicable.

1. a. Does your district have long-term (multiyear) commitments?
(If No, skip items 1b and 2 and sections S6B and S6C) Yes
- b. If Yes to Item 1a, have new long-term (multiyear) commitments been incurred since first interim projections? No
2. If Yes to Item 1a, list (or update) all new and existing multiyear commitments and required annual debt service amounts. Do not include long-term commitments for postemployment benefits other than pensions (OPEB); OPEB is disclosed in Item S7A.

Type of Commitment	# of Years Remaining	SACS Fund and Object Codes Used For:		Principal Balance as of July 1, 2021
		Funding Sources (Revenues)	Debt Service (Expenditures)	
Leases				
Certificates of Participation	28	Fund 49	Fund 52	31,519,715
General Obligation Bonds	33	Fund 21	Fund 51	147,108,310
Supp Early Retirement Program				
State School Building Loans				
Compensated Absences		Fund 01, Fund 12, Fund 13	Fund 01, Fund 12, Fund 13	864,561

Other Long-term Commitments (do not include OPEB):

Type of Commitment	# of Years Remaining	Funding Sources (Revenues)	Debt Service (Expenditures)	Principal Balance as of July 1, 2021
QZAB	1	Fund 01 (RDA Funds)	Fund 01 (RDA Funds)	253,630
Pension Liability		Fund 01	Fund 01	63,801,611
ADA Overstatement Repayment	6	Fund 01	Fund 01	2,064,325
TOTAL:				245,612,152

Type of Commitment (continued)	Prior Year (2020-21) Annual Payment (P & I)	Current Year (2021-22) Annual Payment (P & I)	1st Subsequent Year (2022-23) Annual Payment (P & I)	2nd Subsequent Year (2023-24) Annual Payment (P & I)
Leases				
Certificates of Participation	3,364,425	3,427,082	3,486,154	3,562,525
General Obligation Bonds	6,691,744	7,030,869	7,293,869	7,637,950
Supp Early Retirement Program				
State School Building Loans				
Compensated Absences				

Other Long-term Commitments (continued):

Type of Commitment	Prior Year (2020-21) Annual Payment (P & I)	Current Year (2021-22) Annual Payment (P & I)	1st Subsequent Year (2022-23) Annual Payment (P & I)	2nd Subsequent Year (2023-24) Annual Payment (P & I)
QZAB	253,630	253,630		
Pension Liability				
ADA Overstatement Repayment	712,378	712,378	270,390	270,390
Total Annual Payments:	11,022,177	11,423,959	11,050,413	11,470,865
Has total annual payment increased over prior year (2020-21)?		Yes	Yes	Yes

S6B. Comparison of the District's Annual Payments to Prior Year Annual Payment

DATA ENTRY: Enter an explanation if Yes.

- 1a. Yes - Annual payments for long-term commitments have increased in one or more of the current or two subsequent fiscal years. Explain how the increase in annual payments will be funded.

Explanation:
(Required if Yes
to increase in total
annual payments)

The increase in payments will be funded by ad valorem property taxes. COPS will be funded by CFDs.

S6C. Identification of Decreases to Funding Sources Used to Pay Long-term Commitments

DATA ENTRY: Click the appropriate Yes or No button in Item 1; if Yes, an explanation is required in Item 2.

1. Will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?

No

2. No - Funding sources will not decrease or expire prior to the end of the commitment period, and one-time funds are not being used for long-term commitment.

Explanation:
(Required if Yes)

S7. Unfunded Liabilities

Identify any changes in estimates for unfunded liabilities since first interim projections, and indicate whether the changes are the result of a new actuarial valuation.

S7A. Identification of the District's Estimated Unfunded Liability for Postemployment Benefits Other Than Pensions (OPEB)

DATA ENTRY: Click the appropriate button(s) for items 1a-1c, as applicable. First Interim data that exist (Form 01CSI, Item S7A) will be extracted; otherwise, enter First Interim and Second Interim data in items 2-4.

- 1. a. Does your district provide postemployment benefits other than pensions (OPEB)? (If No, skip items 1b-4)
- b. If Yes to Item 1a, have there been changes since first interim in OPEB liabilities?
- c. If Yes to Item 1a, have there been changes since first interim in OPEB contributions?

2. OPEB Liabilities

	First Interim (Form 01CSI, Item S7A)	Second Interim
a. Total OPEB liability	18,191,841.00	18,191,841.00
b. OPEB plan(s) fiduciary net position (if applicable)	0.00	0.00
c. Total/Net OPEB liability (Line 2a minus Line 2b)	18,191,841.00	18,191,841.00

d. Is total OPEB liability based on the district's estimate or an actuarial valuation?

Actuarial	Actuarial
Jun 30, 2021	Jun 30, 2021

e. If based on an actuarial valuation, indicate the measurement date of the OPEB valuation.

3. OPEB Contributions

a. OPEB actuarially determined contribution (ADC) if available, per actuarial valuation or Alternative Measurement Method

	First Interim (Form 01CSI, Item S7A)	Second Interim
Current Year (2021-22)	588,469.00	588,469.00
1st Subsequent Year (2022-23)	685,722.00	685,722.00
2nd Subsequent Year (2023-24)	812,290.00	812,290.00

b. OPEB amount contributed (for this purpose, include premiums paid to a self-insurance fund) (Funds 01-70, objects 3701-3752)

Current Year (2021-22)	300,000.00	300,000.00
1st Subsequent Year (2022-23)	685,722.00	685,722.00
2nd Subsequent Year (2023-24)	812,290.00	812,290.00

c. Cost of OPEB benefits (equivalent of "pay-as-you-go" amount)

Current Year (2021-22)	300,000.00	300,000.00
1st Subsequent Year (2022-23)	300,000.00	300,000.00
2nd Subsequent Year (2023-24)	300,000.00	300,000.00

d. Number of retirees receiving OPEB benefits

Current Year (2021-22)	35	35
1st Subsequent Year (2022-23)	35	35
2nd Subsequent Year (2023-24)	35	35

4. Comments:

S7B. Identification of the District's Unfunded Liability for Self-Insurance Programs

DATA ENTRY: Click the appropriate button(s) for items 1a-1c, as applicable. First Interim data that exist (Form 01CSI, Item S7B) will be extracted; otherwise, enter First Interim and Second Interim data in items 2-4.

1. a. Does your district operate any self-insurance programs such as workers' compensation, employee health and welfare, or property and liability? (Do not include OPEB; which is covered in Section S7A) (If No, skip Items 1b-4)

No

b. If Yes to item 1a, have there been changes since first interim in self-insurance liabilities?

n/a

c. If Yes to item 1a, have there been changes since first interim in self-insurance contributions?

n/a

2. Self-Insurance Liabilities

a. Accrued liability for self-insurance programs
b. Unfunded liability for self-insurance programs

First Interim (Form 01CSI, Item S7B)	Second Interim

3. Self-Insurance Contributions

a. Required contribution (funding) for self-insurance programs
Current Year (2021-22)
1st Subsequent Year (2022-23)
2nd Subsequent Year (2023-24)

First Interim (Form 01CSI, Item S7B)	Second Interim

b. Amount contributed (funded) for self-insurance programs
Current Year (2021-22)
1st Subsequent Year (2022-23)
2nd Subsequent Year (2023-24)

4. Comments:

--

S8. Status of Labor Agreements

Analyze the status of all employee labor agreements. Identify new labor agreements that have been ratified since first interim projections, as well as new commitments provided as part of previously ratified multiyear agreements; and include all contracts, including all administrator contracts (and including all compensation). For new agreements, indicate the date of the required board meeting. Compare the increase in new commitments to the projected increase in ongoing revenues and explain how these commitments will be funded in future fiscal years.

If salary and benefit negotiations are not finalized, upon settlement with certificated or classified staff:

The school district must determine the cost of the settlement, including salaries, benefits, and any other agreements that change costs, and provide the county office of education (COE) with an analysis of the cost of the settlement and its impact on the operating budget.

The county superintendent shall review the analysis relative to the criteria and standards and may provide written comments to the president of the district governing board and superintendent.

S8A. Cost Analysis of District's Labor Agreements - Certificated (Non-management) Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Certificated Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Certificated Labor Agreements as of the Previous Reporting Period
Were all certificated labor negotiations settled as of first interim projections?
If Yes, complete number of FTEs, then skip to section S8B.
If No, continue with section S8A.

Certificated (Non-management) Salary and Benefit Negotiations	Prior Year (2nd Interim) (2020-21)	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
Number of certificated (non-management) full-time-equivalent (FTE) positions	235.0	231.0	231.0	231.0

1a. Have any salary and benefit negotiations been settled since first interim projections?
If Yes, and the corresponding public disclosure documents have been filed with the COE, complete questions 2 and 3.
If Yes, and the corresponding public disclosure documents have not been filed with the COE, complete questions 2-5.
If No, complete questions 6 and 7.

1b. Are any salary and benefit negotiations still unsettled?
If Yes, complete questions 6 and 7.

Negotiations Settled Since First Interim Projections

2a. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

2b. Per Government Code Section 3547.5(b), was the collective bargaining agreement certified by the district superintendent and chief business official?
If Yes, date of Superintendent and CBO certification:

3. Per Government Code Section 3547.5(c), was a budget revision adopted to meet the costs of the collective bargaining agreement?
If Yes, date of budget revision board adoption:

4. Period covered by the agreement: Begin Date: End Date:

5. Salary settlement:

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?			
One Year Agreement			
Total cost of salary settlement			
% change in salary schedule from prior year			
or			
Multiyear Agreement			
Total cost of salary settlement			
% change in salary schedule from prior year (may enter text, such as "Reopener")			

Identify the source of funding that will be used to support multiyear salary commitments:

Negotiations Not Settled

6. Cost of a one percent increase in salary and statutory benefits	251,030		
	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
7. Amount included for any tentative salary schedule increases	0	0	0

Certificated (Non-management) Health and Welfare (H&W) Benefits

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are costs of H&W benefit changes included in the interim and MYPs?	Yes	Yes	Yes
2. Total cost of H&W benefits	1,966,500	1,966,500	1,966,500
3. Percent of H&W cost paid by employer	Capped at \$9500	Capped at \$9500	Capped at \$9500
4. Percent projected change in H&W cost over prior year	0.0%	0.0%	0.0%

Certificated (Non-management) Prior Year Settlements Negotiated Since First Interim Projections

Are any new costs negotiated since first interim projections for prior year settlements included in the interim?

No		
----	--	--

If Yes, amount of new costs included in the interim and MYPs
If Yes, explain the nature of the new costs:

Certificated (Non-management) Step and Column Adjustments

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are step & column adjustments included in the interim and MYPs?	Yes	Yes	Yes
2. Cost of step & column adjustments	502,060	512,101	522,343
3. Percent change in step & column over prior year	2.0%	2.0%	2.0%

Certificated (Non-management) Attrition (layoffs and retirements)

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are savings from attrition included in the interim and MYPs?	Yes	Yes	Yes
2. Are additional H&W benefits for those laid-off or retired employees included in the interim and MYPs?	Yes	Yes	Yes

Certificated (Non-management) - Other

List other significant contract changes that have occurred since first interim projections and the cost impact of each change (i.e., class size, hours of employment, leave of absence, bonuses, etc.):

S8B. Cost Analysis of District's Labor Agreements - Classified (Non-management) Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Classified Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Classified Labor Agreements as of the Previous Reporting Period

Were all classified labor negotiations settled as of first interim projections?

If Yes, complete number of FTEs, then skip to section S8C.
If No, continue with section S8B.

No

Classified (Non-management) Salary and Benefit Negotiations

	Prior Year (2nd Interim) (2020-21)	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
Number of classified (non-management) FTE positions	207.0	204.0	204.0	204.0

1a. Have any salary and benefit negotiations been settled since first interim projections?

No

If Yes, and the corresponding public disclosure documents have been filed with the COE, complete questions 2 and 3.
If Yes, and the corresponding public disclosure documents have not been filed with the COE, complete questions 2-5.
If No, complete questions 6 and 7.

1b. Are any salary and benefit negotiations still unsettled?

Yes

If Yes, complete questions 6 and 7.

Negotiations Settled Since First Interim Projections

2a. Per Government Code Section 3547.5(a), date of public disclosure board meeting:

2b. Per Government Code Section 3547.5(b), was the collective bargaining agreement certified by the district superintendent and chief business official?

If Yes, date of Superintendent and CBO certification:

3. Per Government Code Section 3547.5(c), was a budget revision adopted to meet the costs of the collective bargaining agreement?

n/a

If Yes, date of budget revision board adoption:

4. Period covered by the agreement:

Begin Date: End Date:

5. Salary settlement:

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
--	---------------------------	----------------------------------	----------------------------------

Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?

--	--	--

One Year Agreement

Total cost of salary settlement

--	--	--

% change in salary schedule from prior year
or

--	--

Multiyear Agreement

Total cost of salary settlement

--	--	--

% change in salary schedule from prior year
(may enter text, such as "Reopener")

--	--	--

Identify the source of funding that will be used to support multiyear salary commitments:

Negotiations Not Settled

6. Cost of a one percent increase in salary and statutory benefits

143,976

7. Amount included for any tentative salary schedule increases

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
	0	0	0

Classified (Non-management) Health and Welfare (H&W) Benefits

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are costs of H&W benefit changes included in the interim and MYPs?	Yes	Yes	Yes
2. Total cost of H&W benefits	1,852,500	1,852,500	1,852,500
3. Percent of H&W cost paid by employer	Capped at \$9500	Capped at \$9500	Capped at \$9500
4. Percent projected change in H&W cost over prior year	0.0%	0.0%	0.0%

Classified (Non-management) Prior Year Settlements Negotiated Since First Interim

Are any new costs negotiated since first interim for prior year settlements included in the interim?

No		
----	--	--

If Yes, amount of new costs included in the interim and MYPs
If Yes, explain the nature of the new costs:

Classified (Non-management) Step and Column Adjustments

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are step & column adjustments included in the interim and MYPs?	Yes	Yes	Yes
2. Cost of step & column adjustments	287,952	293,711	299,585
3. Percent change in step & column over prior year	2.0%	2.0%	2.0%

Classified (Non-management) Attrition (layoffs and retirements)

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are savings from attrition included in the interim and MYPs?	Yes	Yes	Yes
2. Are additional H&W benefits for those laid-off or retired employees included in the interim and MYPs?	Yes	Yes	Yes

Classified (Non-management) - Other

List other significant contract changes that have occurred since first interim and the cost impact of each (i.e., hours of employment, leave of absence, bonuses, etc.):

S8C. Cost Analysis of District's Labor Agreements - Management/Supervisor/Confidential Employees

DATA ENTRY: Click the appropriate Yes or No button for "Status of Management/Supervisor/Confidential Labor Agreements as of the Previous Reporting Period." There are no extractions in this section.

Status of Management/Supervisor/Confidential Labor Agreements as of the Previous Reporting Period

Were all managerial/confidential labor negotiations settled as of first interim projections?
If Yes or n/a, complete number of FTEs, then skip to S9.
If No, continue with section S8C.

Management/Supervisor/Confidential Salary and Benefit Negotiations

	Prior Year (2nd Interim) (2020-21)	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
Number of management, supervisor, and confidential FTE positions	31.0	28.0	28.0	28.0

- 1a. Have any salary and benefit negotiations been settled since first interim projections?
If Yes, complete question 2.
If No, complete questions 3 and 4.
- 1b. Are any salary and benefit negotiations still unsettled?
If Yes, complete questions 3 and 4.

Negotiations Settled Since First Interim Projections

2. Salary settlement:

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
Is the cost of salary settlement included in the interim and multiyear projections (MYPs)?			
Total cost of salary settlement			
Change in salary schedule from prior year (may enter text, such as "Reopener")			

Negotiations Not Settled

3. Cost of a one percent increase in salary and statutory benefits

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
4. Amount included for any tentative salary schedule increases	0	0	0

Management/Supervisor/Confidential Health and Welfare (H&W) Benefits

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are costs of H&W benefit changes included in the interim and MYPs?	Yes	Yes	Yes
2. Total cost of H&W benefits	266,000	266,000	266,000
3. Percent of H&W cost paid by employer	Capped at \$9500	Capped at \$9500	Capped at \$9500
4. Percent projected change in H&W cost over prior year	0.0%	0.0%	0.0%

Management/Supervisor/Confidential Step and Column Adjustments

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are step & column adjustments included in the interim and MYPs?	Yes	Yes	Yes
2. Cost of step & column adjustments	78,938	80,517	82,127
3. Percent change in step and column over prior year	2.0%	2.0%	2.0%

Management/Supervisor/Confidential Other Benefits (mileage, bonuses, etc.)

	Current Year (2021-22)	1st Subsequent Year (2022-23)	2nd Subsequent Year (2023-24)
1. Are costs of other benefits included in the interim and MYPs?	No	No	No
2. Total cost of other benefits			
3. Percent change in cost of other benefits over prior year			

S9. Status of Other Funds

Analyze the status of other funds that may have negative fund balances at the end of the current fiscal year. If any other fund has a projected negative fund balance, prepare an interim report and multiyear projection for that fund. Explain plans for how and when the negative fund balance will be addressed.

S9A. Identification of Other Funds with Negative Ending Fund Balances

DATA ENTRY: Click the appropriate button in Item 1. If Yes, enter data in Item 2 and provide the reports referenced in Item 1.

1. Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year?

No

If Yes, prepare and submit to the reviewing agency a report of revenues, expenditures, and changes in fund balance (e.g., an interim fund report) and a multiyear projection report for each fund.

2. If Yes, identify each fund, by name and number, that is projected to have a negative ending fund balance for the current fiscal year. Provide reasons for the negative balance(s) and explain the plan for how and when the problem(s) will be corrected.

ADDITIONAL FISCAL INDICATORS

The following fiscal indicators are designed to provide additional data for reviewing agencies. A "Yes" answer to any single indicator does not necessarily suggest a cause for concern, but may alert the reviewing agency to the need for additional review.

DATA ENTRY: Click the appropriate Yes or No button for items A2 through A9; item A1 is automatically completed based on data from Criterion 9.

- A1. Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund? (Data from Criterion 9B-1, Cash Balance, are used to determine Yes or No)

- A2. Is the system of personnel position control independent from the payroll system?

- A3. Is enrollment decreasing in both the prior and current fiscal years?

- A4. Are new charter schools operating in district boundaries that impact the district's enrollment, either in the prior or current fiscal year?

- A5. Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?

- A6. Does the district provide uncapped (100% employer paid) health benefits for current or retired employees?

- A7. Is the district's financial system independent of the county office system?

- A8. Does the district have any reports that indicate fiscal distress pursuant to Education Code Section 42127.6(a)? (If Yes, provide copies to the county office of education.)

- A9. Have there been personnel changes in the superintendent or chief business official positions within the last 12 months?

When providing comments for additional fiscal indicators, please include the item number applicable to each comment.

Comments:
(optional)

End of School District Second Interim Criteria and Standards Review

SAN YSIDRO ELEMENTARY

2021-22 CASHFLOW

UPDATE DATE	ACTUALS TO MONTH OF:	BUSINESS UNIT	BUSINESS ADVISOR	District's authorizing signature													
2/11/2022	JANUARY	03300	N. Schuff														
				JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	
CHART				BEGINNING BALANCE:	\$ 5,433,114	\$ 6,794,177	\$ 8,890,655	\$ 11,160,577	\$ 8,258,439	\$ 7,071,460	\$ 10,241,330	\$ 16,260,754	\$ 14,054,016	\$ 12,209,590	\$ 14,771,023	\$ 13,838,712	July - June 30th
LCFF SOURCES																	
8011		LCFF		\$ 1,286,122	\$ 1,286,122	\$ 2,315,019	\$ 2,315,019	\$ 2,315,019	\$ 2,315,019	\$ 2,315,019	\$ 2,229,307	\$ 2,229,307	\$ 2,229,307	\$ 2,229,307	\$ 1,705,512	\$ 24,770,080	
8021-8046		Property Taxes		\$ 81,639	\$ 250,153	\$ 166,771	\$ 217,228	\$ 1,185,031	\$ 7,247,515	\$ 3,885,524	\$ 721,458	\$ 630,443	\$ 5,181,177	\$ 2,714,901	\$ (83,138)	\$ 22,198,702	
8012		EPA		\$ -	\$ -	\$ 210,604	\$ -	\$ -	\$ 210,603	\$ -	\$ -	\$ 210,533	\$ -	\$ -	\$ 210,392	\$ 842,132	
8047		RDA Residual Balance & CRD		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 484,134	\$ -	\$ -	\$ -	\$ -	\$ 723,020	\$ 1,207,154	
8096		Charter In Lieu Taxes		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8097		Special Education - Prop Tax Transfer		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 66,258	\$ -	\$ -	\$ 198,773	\$ 265,030	
Multiple		Other Revenue Sources		\$ -	\$ -	\$ -	\$ 327,082	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (327,082)	\$ -	
8000-8099		TOTAL LCFF SOURCES		\$ 1,367,761	\$ 1,538,275	\$ 2,692,394	\$ 2,859,329	\$ 3,500,050	\$ 9,773,137	\$ 6,684,676	\$ 2,950,765	\$ 3,136,541	\$ 7,410,484	\$ 4,844,208	\$ 2,427,477	\$ 49,283,098	
FEDERAL REVENUE																	
8110		Impact Aid		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8181&8182		Special Education		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8285	9010 roll-up	Federal Pass Through		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8290	3010&3025	Title I - Fed Cash Mgmt System		\$ -	\$ -	\$ -	\$ 913,960	\$ -	\$ -	\$ -	\$ -	\$ 653,593	\$ -	\$ -	\$ 653,593	\$ 2,221,145	
8290	4035	Title II - Fed Cash Mgmt System		\$ -	\$ -	\$ -	\$ 147,690	\$ -	\$ -	\$ -	\$ -	\$ 119,276	\$ -	\$ -	\$ 119,276	\$ 386,241	
8290	4201&4203	Title III - Fed Cash Mgmt System		\$ -	\$ -	\$ -	\$ 218,682	\$ -	\$ -	\$ -	\$ -	\$ 131,091	\$ -	\$ -	\$ 131,091	\$ 480,863	
Multiple		Other Federal		\$ -	\$ -	\$ -	\$ 288,180	\$ 109,597	\$ -	\$ 221,936	\$ 705	\$ 28,863	\$ 4,563	\$ 245,766	\$ 318,050	\$ 1,217,661	
Multiple		Other Federal (One-Time Funding)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8290	3212	One-Time Funding ESSER II		\$ -	\$ -	\$ -	\$ 1,217,092	\$ -	\$ -	\$ 2,045,019	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,262,111	
8290	3213&3214	One-Time Funding ESSER III		\$ -	\$ -	\$ -	\$ 777,709	\$ -	\$ -	\$ 383,566	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,161,275	
8290	3216-3219	One-Time Funding ELO Grant		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8100-8299		TOTAL FEDERAL REVENUE		\$ -	\$ -	\$ -	\$ 3,563,313	\$ 109,597	\$ -	\$ 2,650,521	\$ 705	\$ 932,822	\$ 4,563	\$ 245,766	\$ 1,222,009	\$ 8,729,297	
OTHER STATE REVENUE																	
8311-8319	6500&6510	PA Sp. Ed. (SDUSD, Poway & Infant)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8311-8319		PA Recomputations CY & PY		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8550		Mandate Block		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 120,602	\$ 120,602	
8560		Lottery		\$ -	\$ -	\$ -	\$ (25,592)	\$ -	\$ -	\$ 317,982	\$ -	\$ -	\$ 209,646	\$ -	\$ 209,646	\$ 711,682	
8590	7690	STRS On-Behalf - Revenue		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	
8590	2600	PA Expanded Learning Opportunities Program (TK/K-6)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 290,518	\$ 290,518	\$ 290,518	\$ 290,518	\$ 290,518	\$ 290,518	\$ 1,452,588	
Multiple		Other State		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 858,439	\$ 122,820	\$ -	\$ 248,964	\$ -	\$ 113,826	\$ 1,344,049		
Multiple		Other State (One-Time Funding)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8590	7422	One-Time Funding IPI Grant		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 603,738	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 603,738	
8590	7425&7426	One-Time Funding ELO Grant		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 190,675	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 190,675	
8300-8599		TOTAL OTHER STATE REVENUE		\$ -	\$ -	\$ -	\$ (25,592)	\$ -	\$ -	\$ 1,970,834	\$ 413,337	\$ 290,518	\$ 749,127	\$ 290,518	\$ 3,734,592	\$ 7,423,333	
OTHER LOCAL REVENUE																	
8792	SPED	PA Special Education - Pass Through		\$ 127,115	\$ 143,329	\$ 243,400	\$ 232,407	\$ 243,400	\$ 243,400	\$ 243,400	\$ 199,424	\$ 199,424	\$ 199,424	\$ 199,424	\$ 199,424	\$ 2,473,570	
Multiple		Other Local		\$ -	\$ 5,926	\$ -	\$ 103,645	\$ 383,989	\$ 14,736	\$ 14,255	\$ 105,265	\$ 30,828	\$ 146,851	\$ 41,280	\$ 203,314	\$ 1,050,089	
8600-8799		TOTAL OTHER LOCAL REVENUE		\$ 127,115	\$ 149,255	\$ 243,400	\$ 336,052	\$ 627,389	\$ 258,136	\$ 257,655	\$ 304,689	\$ 230,252	\$ 346,274	\$ 240,704	\$ 402,738	\$ 3,523,659	
OTHER FINANCING SOURCES																	
8900-8998		Transfers In & Other Sources		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8900-8998		TOTAL OTHER FINANCING SOURCES		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
8000-8998		TOTAL REVENUE		\$ 1,494,876	\$ 1,685,530	\$ 2,935,794	\$ 6,733,101	\$ 4,237,037	\$ 10,031,273	\$ 11,563,686	\$ 3,669,496	\$ 4,590,132	\$ 8,510,449	\$ 5,721,196	\$ 7,786,815	\$ 68,959,387	
SALARIES & BENEFITS																	
1000-1999		Certificated		\$ 1,912,798	\$ 1,981,158	\$ 2,011,644	\$ 2,380,886	\$ 2,243,195	\$ 2,188,576	\$ 2,198,300	\$ 2,652,595	\$ 2,683,104	\$ 2,688,293	\$ 2,720,127	\$ 2,778,964	\$ 28,439,640	
2000-2999		Classified		\$ 944,538	\$ 939,395	\$ 906,665	\$ 950,281	\$ 940,755	\$ 915,167	\$ 903,852	\$ 978,041	\$ 985,474	\$ 996,137	\$ 1,001,332	\$ 1,136,031	\$ 11,597,667	
3000-3999		Benefits		\$ 1,021,156	\$ 1,038,623	\$ 1,046,244	\$ 1,163,296	\$ 1,097,046	\$ 1,087,298	\$ 1,099,090	\$ 999,124	\$ 958,411	\$ 968,871	\$ 960,948	\$ 1,543,079	\$ 12,983,186	
3101-3112	7690	STRS On-Behalf - Expense		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	
1000-3999		Salaries & Benefits (One-Time Funding)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
1000-3999		TOTAL SALARIES & BENEFITS		\$ 3,878,492	\$ 3,959,175	\$ 3,964,552	\$ 4,494,463	\$ 4,280,997	\$ 4,191,041	\$ 4,201,242	\$ 4,629,760	\$ 4,626,989	\$ 4,653,301	\$ 4,682,407	\$ 8,458,074	\$ 56,020,493	
OTHER EXPENDITURES																	
4000-4999		Supplies		\$ 32,566	\$ 199,054	\$ 232,228	\$ 306,887	\$ 128,196	\$ 130,030	\$ 161,543	\$ 174,680	\$ 146,606	\$ 165,000	\$ 244,154	\$ 1,123,698	\$ 3,044,642	
5000-5999		Utilities		\$ -	\$ 40,565	\$ 133,962	\$ 271,333	\$ 45,638	\$ 134,852	\$ 173,434	\$ 33,216	\$ 86,467	\$ 82,523	\$ 110,968	\$ 80,129	\$ 1,193,087	
9999		Other Services (Excl. Utilities)		\$ 1,308,713	\$ 329,006	\$ 437,208	\$ 731,956	\$ 325,396	\$ 655,435	\$ 485,871	\$ 898,934	\$ 1,162,047	\$ 1,017,598	\$ 1,333,708	\$ 2,164,570	\$ 10,850,441	

SAN YSIDRO ELEMENTARY

2021-22 CASHFLOW

UPDATE DATE		ACTUALS TO MONTH OF:		BUSINESS UNIT	BUSINESS ADVISOR		District's authorizing signature									
2/11/2022		JANUARY		03300	N. Schuff											
		JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL July - June 30th		
CHART		BEGINNING BALANCE:														
		\$ 5,433,114	\$ 6,794,177	\$ 8,890,655	\$ 11,160,577	\$ 8,258,439	\$ 7,071,460	\$ 10,241,330	\$ 16,260,754	\$ 14,054,016	\$ 12,209,590	\$ 14,771,023	\$ 13,838,712			
6000-6999	Capital	\$ -	\$ 36,013	\$ 234,478	\$ 259,363	\$ 47,606	\$ 21,884	\$ 319,606	\$ 74,391	\$ 247,542	\$ 30,066	\$ 246,432	\$ 1,313,883	\$ 2,831,263		
7200-7299	Pass Through Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
7000-7998	Transfers Out, Other Uses & Outgo	\$ -	\$ -	\$ -	\$ 282,358	\$ (24,820)	\$ (2,332)	\$ -	\$ 65,253	\$ 164,907	\$ 528	\$ 35,839	\$ (40,755)	\$ 480,978		
4000-7999	Other Expenditures (One-Time Funding)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
4000-7998	TOTAL OTHER EXPENDITURES	\$ 1,341,279	\$ 604,638	\$ 1,037,876	\$ 1,851,896	\$ 622,017	\$ 939,870	\$ 1,140,454	\$ 1,246,474	\$ 1,807,568	\$ 1,295,715	\$ 1,971,100	\$ 4,641,525	\$ 18,400,411		
1000-7998	TOTAL EXPENDITURES	\$ 5,219,771	\$ 4,563,813	\$ 5,002,428	\$ 6,346,358	\$ 4,803,013	\$ 5,130,911	\$ 5,341,696	\$ 5,876,234	\$ 6,434,558	\$ 5,949,016	\$ 6,653,507	\$ 13,099,599	\$ 74,420,903		

SAN YSIDRO ELEMENTARY

2021-22 CASHFLOW

UPDATE DATE	ACTUALS TO MONTH OF:	BUSINESS UNIT	BUSINESS ADVISOR		District's authorizing signature											
2/11/2022	JANUARY	03300	N. Schuff													
		JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL		
CHART I		BEGINNING BALANCE:	\$ 5,433,114	\$ 6,794,177	\$ 8,890,655	\$ 11,160,577	\$ 8,258,439	\$ 7,071,460	\$ 10,241,330	\$ 16,260,754	\$ 14,054,016	\$ 12,209,590	\$ 14,771,023	\$ 13,838,712	July - June 30th	
ASSETS																
9111-9199	Other Cash Equivalents	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(115,537)	
9200-9299	Receivables	\$ (2,059,724)	\$ (4,621,821)	\$ -	\$ 8,457,536	\$ -	\$ -	\$ 629,336	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(4,089,469)	
9300-9319	Temporary Loans / Due From	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(1,099,484)	
9320-9499	Other Assets	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
92XX	Deferrals (Excl. Adj. & PY Recom.)	\$ 2,059,724	\$ 4,628,538	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
9111-9499	TOTAL ASSETS (excluding cash 9110)	\$ -	\$ 6,717	\$ -	\$ 8,457,536	\$ -	\$ -	\$ 629,336	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(5,304,489)	
CURRENT LIABILITIES																
9500-9599	Payables	\$ (265,993)	\$ (110,095)	\$ (42,781)	\$ 90,724	\$ (94,139)	\$ 172,148	\$ (207,671)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,591,636	
9650-9659	Unearned Revenue	\$ -	\$ -	\$ -	\$ (1,568,512)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
95XX	Deferrals (Excl. Adj. & PY Recom.)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
9500-9659	TOTAL CURRENT LIABILITIES	\$ (265,993)	\$ (110,095)	\$ (42,781)	\$ (1,477,787)	\$ (94,139)	\$ 172,148	\$ (207,671)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,591,636	
OTHER ACTIVITY																
9793	Audit Adjustments	\$ (2,163,117)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
9795	Other Restatements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
7999	Expense Suspense	\$ (136,201)	\$ (299,820)	\$ (198,974)	\$ 462,388	\$ (44,316)	\$ (21,288)	\$ (50,916)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(289,126)	
8999	Revenue Suspense	\$ 2,876,654	\$ 5,511,272	\$ 2,160,368	\$ (10,548,293)	\$ 2,128,744	\$ 1,224,561	\$ (624,412)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,728,893	
9910	Payroll Suspense	\$ 111,498	\$ 117,034	\$ 86,154	\$ 37,006	\$ 113,662	\$ 77,021	\$ 51,866	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	594,242	
Multiple	Treasury Reconciling Items	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
9111-9499	TOTAL OTHER ACTIVITY	\$ 2,851,951	\$ 5,328,486	\$ 2,047,549	\$ (10,048,899)	\$ 2,198,090	\$ 1,280,285	\$ (623,462)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,034,010	
ENDING BALANCE SUBTOTAL																
Prior to Borrowing		\$ 2,753,692	\$ 5,350,866	\$ 2,706,864	\$ 2,575,976	\$ 6,619,173	\$ 13,429,958	\$ 16,267,989	\$ 14,060,480	\$ 12,216,055	\$ 14,777,487	\$ 13,845,176	\$ 8,532,393	\$	(2,247,731)	
BORROWING ACTIVITY																
9640	TRAN / TTF Principal Amounts	\$ 2,500,000	\$ -	\$ 2,500,000	\$ -	\$ -	\$ -	\$ 3,180,817	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	8,180,817	
8660	TRAN / TTF Premium	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
5800	TRAN / TTF Issuance Cost & Interest	\$ -	\$ (195)	\$ (1,440)	\$ (2,504)	\$ (2,713)	\$ (2,118)	\$ (770)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(9,739)	
9135&9640	TRAN / TTF Repayment	\$ -	\$ (250,153)	\$ (166,771)	\$ (217,228)	\$ (1,185,031)	\$ (3,180,817)	\$ (3,180,817)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(8,180,817)	
9600-9619	Temporary Loans / Due To	\$ -	\$ -	\$ -	\$ -	\$ (1,537,210)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	3,275	
9629-9649	Other Liabilities (Excluding TRANs)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	
TOTAL BORROWING ACTIVITY		\$ 2,500,000	\$ (250,348)	\$ 2,331,789	\$ (219,731)	\$ (2,724,954)	\$ (3,182,934)	\$ (770)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(6,464)	
TOTAL BEGINNING BALANCES (Excluding 9110)																
Prior Year Transactions																
ENDING CASH BALANCE		\$ 6,794,177	\$ 8,890,655	\$ 11,160,577	\$ 8,258,439	\$ 7,071,460	\$ 10,241,330	\$ 16,260,754	\$ 14,054,016	\$ 12,209,590	\$ 14,771,023	\$ 13,838,712	\$ 8,525,929	\$	8,525,929	

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
David Farkas, Assistant Superintendent Informational
Educational Leadership, Pupil Services Action
& Safety

AGENDA ITEM: AUTHORIZE AMENDMENT TO THE COVID PREVENTION PLAN (CPP)
REGARDING SCHOOL MASKS

BACKGROUND INFORMATION:

This amendment to the existing COVID Prevention Plan (CPP) specifies the discontinuation of required outdoor masks for students and staff beginning March 14, 2022 unless required by the state or county public health department.

RECOMMENDATION:

Authorize the discontinuation of required outdoor school masks for students and staff beginning March 14, 2022 unless required by the state or county public health department. SYSD will shift to optional masking outdoors for students and staff beginning March 14, 2022, unless required by the state or county public health department. The district will reevaluate the indoor mask requirement in April 2022.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



COVID-19 Prevention Program (CPP)

Overview

On November 19, 2020, the California Department of Industrial Relations (DIR) Occupational Safety and Health Standards Board unanimously adopted [emergency temporary regulations](#) regarding measures that all employers, including schools and community colleges, must undertake in order to prevent the spread of COVID-19 in the workplace. On November 30, 2020, the Office of Administrative Law approved the temporary workplace safety standards, to take effect immediately.

Local educational agencies must take immediate action to ensure their policies and protocols conform with the new regulations, which supplements general and industry-specific guidance that the Division of Occupational Safety and Health (Cal/OSHA) has provided since the beginning of the COVID-19 pandemic. The standards provide limited exceptions for businesses where all employees work remotely or only one employee is employed who does not have contact with others. In addition, the District shall abide by all CalOSHA requirements as set forth in AB685.

Employers must prepare, implement, and maintain a written COVID-19 Prevention Program (CPP), in a form readily understandable for employees. To conform to new regulations as well as guidance from Cal/OSHA, San Ysidro School District has prepared the following CPP which is directly related to the SYSD COVID-19 Prevention Plan for Schools revised on August 8, 2020.

On July 12, 2021, the California Department of Public Health (CDPH) released its [2021-22 K-12 School Guidance on the heels of CDC's Guidance for COVID-19 Prevention in K-12 Schools](#). Building on CDC's outline of the various mitigation strategies schools should implement to stop the spread of COVID-19, CDPH's guidance addresses masking, physical distancing and quarantine directives for both vaccinated and unvaccinated students and staff who may have been exposed to COVID-19.

This CPP is designed to control exposures to the SARS-CoV-2 virus that may occur in our workplace.

Updated, January 21, 2021

REVISED, July 15, 2021

Amended, September 9, 2021

Amended, March 10, 2022

Authority and Responsibility

David Farkas, Ed.D. Assistant Superintendent of Educational Leadership, Pupil Services and Safety has overall authority and responsibility for implementing the provisions of this CPP in our workplace. In addition, all managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the program in a language they understand.

All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment.

Identification and Evaluation of COVID-19 Hazards

We will implement the following in our workplace:

Conduct workplace-specific evaluations using the **Appendix A: Identification of COVID-19 Hazards** form.

Evaluate employees' potential workplace exposures to all persons at, or who may enter, our workplace.

Review applicable orders and general and industry-specific guidance from the State of California, Cal/OSHA, and the local health department related to COVID-19 hazards and prevention.

Evaluate existing COVID-19 prevention controls in our workplace and the need for different or additional controls.

Conduct periodic inspections using the **Appendix B: COVID-19 Inspections form** as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

Students with COVID-19 symptoms will be provided support for continued instruction off campus until cleared to return.

Employee participation

Employees and their authorized employees' representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards by:

All district stakeholders including families will receive updates on testing locations and health guidance from the County Health Department periodically as needed. A summary of the guidance described in the California Department of Public Health (CDPH) [July 17, reopening framework](#) on cohort, school and district closures is provided. District and school leaders

should always consult with the Public Health Services, Epidemiology Branch before deciding to close a class, school, or district to in-person instruction.

Health Screenings for Students and Staff

The District shall ensure that all students, employees, and visitors are educated on current safety guidelines which may include checking daily for symptoms associated with COVID-19 infection prior to entering school and district grounds.

Correction of COVID-19 Hazards

Unsafe or unhealthy work conditions, practices or procedures will be documented on the **Appendix B: COVID-19 Inspections** form, and corrected in a timely manner based on the severity of the hazards, as follows:

School administrators will serve as liaisons and will work directly with the district's safety officer and HR Department.

Liaisons are responsible for responding to COVID-19 concerns. Staff can contact liaisons, Human Resources, and/or the district's safety officer, Dr. David Farkas. The liaisons are trained to coordinate with the district's safety officer regarding documentation and tracking of possible exposure, in order to notify local health officials, staff and families in a prompt and responsible manner.

All staff have received training for PPE, Staff will be trained on the proper use, removal and washing of face coverings, procedures upon entering school sites and district office, sanitation practices, screening practices.

As the district prepares to return to in person learning on SYSD campuses, staff, parents and students will continue to receive information, and updates regarding the following safety actions:

- a. Enhanced sanitation practices
- b. Physical distancing guidelines and their importance
- c. [Proper use, removal, and washing of face coverings](#)
- d. Screening practices
- e. How COVID-19 is spread
- f. COVID-19 specific [symptom](#) identification
- g. Preventing the spread of COVID-19 if you are sick, including the importance of not coming to work if staff members have symptoms, or if they or someone they live with has been diagnosed with COVID-19.
- h. For workers, COVID-19 specific [symptom](#) identification and when to seek medical attention
- i. The employer's plan and procedures to follow when children or adults become sick at school.
- j. The employer's plan and procedures to protect workers from COVID-19 illness (COVID-19 Prevention Plan for Schools & CPP)

The severity of the hazard will be assessed by supervisors in collaboration with the assistant superintendent. Correction time frames will be assigned by the assistant superintendent in collaboration with district support departments and labor groups based on individuals identified as being responsible for corrections along with follow up measures and timeframes to correct.

Control of COVID-19 Hazards

Physical Distancing

Recent evidence indicates that in-person instruction can occur safely without minimum physical distancing requirements when other mitigation strategies (e.g., masking) are implemented. This is consistent with CDC K-12 School Guidance.

Face Coverings

When schools are providing in-person instruction, the District shall follow current local guidance regarding face coverings. The District will also follow current local CDPH guidelines for staff and students wearing face coverings.

As amended on March 10, 2022, the existing CPP will no longer require individuals to wear face coverings while outdoors. The discontinuation of required outdoor school masks will shift to optional for students and staff beginning March 14, 2022 unless required by the state or county public health department.

The district will reevaluate the indoor mask requirement in April 2022. The statewide indoor mask mandate for schools will be lifted after March 11, 2022. School districts will then have the responsibility to work with their communities and implement appropriate policies to update their masking policies based on local conditions or health orders.

~~As amended on September 9, 2021, the existing CPP adds that all individuals present within district schools and facilities will wear face coverings over the mouth and nose regardless of vaccination status. This includes all indoor areas at all times, with the exception of when actively eating or drinking, if consumption cannot be outdoors. In addition, face coverings will be worn outside by everyone when the individual is closer than six feet of another individual, except when the individual is actively eating or drinking. The requirement includes wearing face coverings at recess during activities and all line up areas when individuals are not at least six feet of distance between others. The outdoor face covering measures will remain in place when regional COVID-19 case rates are high, as determined by the district. In the event the California Department of Public Health provides revised guidance in the future regarding outdoor masks, the district will comply with their guidelines.¶~~

Prior to March 11, the state required schools to mask indoors, with exemptions per CDPH face mask guidance. Adults in K-12 school settings were required to mask when sharing indoor spaces with students.

Persons exempted from wearing a face covering due to a medical condition, must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.

Schools must develop and implement local protocols to provide a face covering to students who inadvertently fail to bring a face covering to school to prevent unnecessary exclusions.

Consistent with guidance from the 2020-21 school year, schools must develop and implement local protocols to enforce the mask requirements. Additionally, schools should offer alternative educational opportunities for students who are excluded from campus because they will not wear a face covering. Note: Public schools should be aware of the requirements in AB 130 to offer independent study programs for the 2021-22 school year.

In limited situations where a face covering cannot be used for pedagogical or developmental reasons, (e.g., communicating or assisting young children or those with special needs) a face shield with a drape (per CDPH guidelines) can be used instead of a face covering while in the classroom as long as the wearer maintains physical distance at six feet from others.

Engineering controls

Ventilation recommendations:

For indoor spaces, ventilation should be optimized, which can be done by following CDPH Guidance on Ventilation of Indoor Environments and Ventilation and Filtration to Reduce Long-Range Airborne Transmission of COVID-19 and Other Respiratory Infections: Considerations for Reopened Schools.

The district will be increasing all HVAC units that have economizers to 100% fresh air intake in order to increase outside air and proper ventilation in classrooms, offices and common areas.

The HVAC units that do not have economizers attached to the unit due to the age of the unit, this includes portable classrooms, will have air purification/scrubber units (Merv-11 filters) and GPS units installed in order to clean the air in the portable classrooms.

Existing plexi-glass throughout the schools and district offices will remain optional.

Food service recommendations

- a. Maximize physical distance as much as possible while eating (especially indoors). Using additional spaces outside of the cafeteria for mealtime seating such as classrooms or the gymnasium can help facilitate distancing. Arrange for eating outdoors as much as feasible. Face coverings will always be worn over the mouth and nose in the food line.
- b. Clean frequently touched surfaces. Surfaces that come in contact with food should be washed, rinsed, and sanitized before and after meals.
- c. Given very low risk of transmission from surfaces and shared objects, there is no need to

limit food service approaches to single use items and packaged meals.

Visitor recommendations

- a. Schools should review their rules for visitors and family engagement activities.
- b. Schools should limit nonessential visitors, volunteers, and activities involving external groups or organizations with people who are not fully vaccinated, particularly in areas where there is moderate-to-high COVID-19 community transmission.
- c. Schools should not limit access for direct service providers, but can ensure compliance with school visitor policies.
- d. Schools should continue to emphasize the importance of staying home when sick. Anyone, including visitors, who have symptoms of infectious illness, such as flu or COVID-19, should stay home and seek testing and care.

Healthy Hygiene Practices

Cleaning and disinfecting

In general, cleaning once a day is usually enough to sufficiently remove potential virus that may be on surfaces. Disinfecting (using disinfectants on the U.S. Environmental Protection Agency COVID-19 list) removes any remaining germs on surfaces, which further reduces any risk of spreading infection.

For more information on cleaning a facility regularly, when to clean more frequently or disinfect, cleaning a facility when someone is sick, safe storage of cleaning and disinfecting products, and considerations for protecting workers who clean facilities, see *Cleaning and Disinfecting Your Facility*.

If a facility has had a sick person with COVID-19 within the last 24 hours, clean AND disinfect the spaces occupied by that person during that time.

Should we have a COVID-19 case in our workplace, we will implement the following procedures: After a report of a positive case in a school district area, the area will be closed until trained maintenance staff will sanitize the area with Clorox 180 within 24 hours.

Shared tools, equipment and personal protective equipment (PPE)

PPE must not be shared, e.g., gloves, goggles and face shields.

Items that employees come in regular physical contact with, such as phones, headsets, desks, keyboards, writing materials, instruments and tools must also not be shared, to the extent feasible. Where there must be sharing, the items will be disinfected between uses by utilizing disinfecting products.

Sharing of vehicles will be minimized to the extent feasible, and high-touch points (for example, steering wheel, door handles, seat belt buckles, armrests, shifter, etc.) will be disinfected between users. Employees using transportation during work hours are required to

follow all safety requirements and do not ride together to locations. District vehicles are disinfected after use.

Hand sanitizing

Hand hygiene recommendations

Teach and reinforce washing hands, avoiding contact with one's eyes, nose, and mouth, and covering coughs and sneezes among students and staff.

Promote hand washing throughout the day, especially before and after eating, after using the toilet, and after handling garbage, or removing gloves.

Ensure adequate supplies to support healthy hygiene behaviors, including soap, tissues, no-touch trash cans, face coverings, and hand sanitizers with at least 60 percent ethyl alcohol for staff and children who can safely use hand sanitizer.

In order to implement effective hand sanitizing procedures:

Most classrooms have sinks for hand washing use however, hand washing stations will be available if needed near relocatable classrooms that do not have sinks. Soap supply will be checked and maintained daily.

Information will be shared regarding these procedures.

Developing routines will enable students and staff to regularly wash their hands.

Hand sanitizer will also be an available option to ensure hand hygiene.

Personal protective equipment (PPE) used to control employees' exposure to COVID-19

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by CCR Title 8, section 3380 <https://www.dir.ca.gov/title8/3380.html>, and provide such PPE as needed. The district shall provide face coverings for all staff.

When it comes to respiratory protection, we evaluate the need in accordance with CCR Title 8 section 5144 <https://www.dir.ca.gov/title8/5144.html>, when the physical distancing requirements are not feasible or maintained. **[reference section 3205(c)(E) for details on required respirator and eye protection use.]**

We provide and ensure use of eye protection and respiratory protection in accordance with section 5144 <https://www.dir.ca.gov/title8/5144.html>, when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

Investigating and Responding to COVID-19 Cases

The District will work with the County Department of Public Health to ensure that all current guidance on quarantining including class and school closure requirements are followed. All staff and students being quarantined are given resources on how to properly quarantine and provided access to medical professionals if illness manifests itself.

Case reporting, contact tracing and investigation

Per AB 86 (2021) and California Code Title 17, section 2500, schools are required to report COVID-19 cases to the local public health department.

Schools or LEAs should have a COVID-19 liaison to assist the local health department with contact tracing and investigation.

This will be accomplished by using the **Appendix C: Investigating COVID-19 Cases** form.

Employees who had potential COVID-19 exposure in our workplace will be:

Staff reports any symptoms or contact with a positive case to their supervisor.

Contact tracing then begins at the district level led by the district's safety officer and employee.

Continuation of paid status is required if an employee contracts COVID-19 at work or is directed to quarantine due to exposure at work. Updates regarding prevention measures are shared through email and constant contact.

School district stakeholders will also be informed of cost free testing and vaccination locations.

At any time students exhibiting symptoms of COVID-19 will be quarantined until they are picked up by a family member.

System for Communicating

Our goal is to ensure that we have effective two-way communication with our employees, in a form they can readily understand, and that it includes the following information:

Employees report COVID-19 symptoms and possible hazards to their supervisor.

Employees can report symptoms and hazards without fear of reprisal.

Our procedures or policies for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.

The district communicates positive cases directly to the County Health Department for immediate contact tracing support.

After the identification of a positive case, contacts of potential exposure are notified as well as a district-wide notification is sent to all SYSD stakeholders.

Testing

Per County Public Health Department guidelines, COVID-19 testing will be offered as required and all individuals on the school campus in the event of a confirmed COVID-19 case will be notified. Currently, symptomatic individuals are recommended to be tested.

In the event we are required to provide testing because of a workplace exposure or outbreak, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.

School district employees will also be informed of testing locations.

All district stakeholders including families will receive updates on testing locations, notification of positive cases on SYSD sites, and health guidance from the County Health Department.

Training and Instruction

We will provide effective training and instruction to staff and families that include:

Our COVID-19 policies and procedures to protect employees from COVID-19 hazards.

Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, local laws, Board Policies (BP), Collective Bargaining Agreements (CBA) and active Memorandums of Understanding (MOU).

The fact that:

COVID-19 is an infectious disease that can be spread through the air.

COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.

An infectious person may have no symptoms.

Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.

The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.

The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.

Proper use of face coverings and the fact that face coverings are not respiratory protective equipment - face coverings are intended to primarily protect other individuals from the wearer of the face covering.

COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.

Appendix D: COVID-19 Training Roster will be used to document this training.

Exclusion of COVID-19 Cases and Close Contacts

Quarantine recommendations for vaccinated close contacts

For those who are vaccinated, follow the CDPH Fully Vaccinated People Guidance regarding quarantine.

Quarantine recommendations for unvaccinated students

For exposures when both parties were wearing a mask, as required in K-12 indoor settings. These are adapted from the CDC K-12 guidance and CDC definition of a close contact.

When both parties were wearing a mask in the indoor classroom setting, unvaccinated individuals who are close contacts (more than 15 minutes over a 24-hour period within 0-6 feet indoors) may undergo a modified 10-day quarantine as follows. They may continue to attend school for in-person instruction if they:

- i. Are asymptomatic;
- ii. Continue to appropriately mask, as required;
- iii. Undergo at least twice weekly testing during the 10-day quarantine; and
- iv. Continue to quarantine for all extracurricular activities at school, including sports, and activities within the community setting.

Quarantine recommendations for: unvaccinated close contacts who were not wearing masks or for whom the infected individual was not wearing a mask during the indoor exposure; or unvaccinated students as described above.

a. For these contacts, those who remain asymptomatic, meaning they have NOT had any symptoms, may discontinue self-quarantine under the following conditions:

- i. Quarantine can end after Day 10 from the date of last exposure without testing; OR
- ii. Quarantine can end after Day 7 if a diagnostic specimen is collected after Day 5 from the date of last exposure and tests negative.

b. To discontinue quarantine before 14 days following last known exposure, asymptomatic close contacts must:

- i. Continue daily self-monitoring for symptoms through Day 14 from last known exposure;
AND

ii. Follow all recommended non-pharmaceutical interventions (e.g., wearing a mask when around others, hand washing, avoiding crowds) through Day 14 from last known exposure.

c. If any symptoms develop during this 14-day period, the exposed person must immediately isolate, get tested and contact their healthcare provider with any questions regarding their care.

Isolation recommendations

For both vaccinated and unvaccinated persons, follow the CDPH Isolation Guidance for those diagnosed with COVID-19.

Where we have a COVID-19 case in our workplace, we will limit transmission by:
Ensuring that COVID-19 cases are excluded from the workplace until our return-to-work requirements are met.

Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits whenever we've demonstrated that the COVID-19 exposure is work related. This will be accomplished by:

Providing employees at the time of exclusion with information on available benefits. Staff with COVID-19 symptoms will be assisted by the Human Resources Department for best options to continue working remotely and/or using the appropriate leave. Staff will communicate with the District's Safety Officer to determine return dates to work on site and will communicate with their direct supervisor.

Reporting, Recordkeeping, and Access

It is our policy to:

Report information about COVID-19 cases at our workplace to the local health department whenever required by law, and provide any related information requested by the local health department.

Report immediately to Cal/OSHA any COVID-19-related serious illnesses or death, as defined under CCR Title 8 section 330(h), of an employee occurring in our place of employment or in connection with any employment.

Maintain records of the steps taken to implement our written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).

Make our written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.

Use the **Appendix C: Investigating COVID-19 Cases** form to keep a record of and track all COVID-19 cases. The information will be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

Upon notification that an employee or student has been infected with COVID-19, SYSD will notify the County Public Health Department.

Reporting information is sent directly to the CPHD by the district's safety officer. All positive cases will be kept on record with the district's safety officer and reported to the CPHD and employee representatives from both CSEA and SYEA.

Return-to-Work Criteria

Recommendations for staying home when sick and getting tested:

- a. Follow the strategy for Staying Home when Sick and Getting Tested from the CDC.
- b. Getting tested for COVID-19 when symptoms are consistent with COVID-19 will help with rapid contact tracing and prevent possible spread at schools.
- c. Advise staff members and students with symptoms of COVID-19 infection not to return for in-person instruction until they have met CDPH criteria to return to school for those with symptoms:
 - i. At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and
 - ii. Other symptoms have improved; and
 - iii. They have a negative test for SARS-CoV-2, OR a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition (e.g., allergies or asthma) OR a healthcare provider has confirmed an alternative named diagnosis (e.g., Streptococcal pharyngitis, Coxsackie virus), OR at least 10 days have passed since symptom onset.

Screening testing recommendations:

- a. CDPH has a robust State- and Federally-funded school testing program and subject matter experts available to support school decision making, including free testing resources to support screening testing programs (software, test kits, shipping, testing, etc.).
 - i. Resources for schools interested in testing include: California's Testing Task Force K-12 Schools Testing Program and K-12 school-based COVID-19 testing strategies; The Safe Schools for All state technical assistance (TA) portal; and the CDC K-12 School Guidance screening testing considerations (in Section 1.4 and Appendix 2) that are specific to the school setting.

Consultation

The district has consulted the SYSD COVID-19 Prevention Plan, plan for testing of staff and students and the COVID-19 School Guidance Checklist with both labor union SYEA and CSEA leadership teams. Through this process, Memorandums of Understanding (MOU) will be constructed which support the implementation of the COVID-19 School Safety Plan. Parent and community organizations have also been consulted regarding the plan as evidenced on the COVID-19 Guidance Checklist.

David Farkas, Assistant Superintendent
Educational Leadership, Pupil Services & Safety
San Ysidro School District

Date: 9/9/21

Appendices

Appendix A: Identification of COVID-19 Hazards

All persons, regardless of symptoms or negative COVID-19 test results, will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not. For example: meetings, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Evaluation of potential workplace exposure will be to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. We will consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

Person conducting the evaluation: **[enter name(s)]**

Date: **[enter date]**

Name(s) of employee and authorized employee representative that participated: **[enter name(s)]**

Interaction, area, activity, work task, process, equipment and material that potentially exposes employees to COVID-19 hazards	Places and times	Potential for COVID-19 exposures and employees affected, including members of the public and employees of other employers	Existing and/or additional COVID-19 prevention controls, including barriers, partitions and ventilation

Appendix B: COVID-19 Inspections

[This form is only intended to get you started. Review the information available at www.dir.ca.gov/dosh/coronavirus/ for additional guidance on what to regularly inspect for, including issues that may be more pertinent to your particular type of workplace. You will need to modify the form accordingly.]

Date: [enter date]

Name of person conducting the inspection: [enter names]

Work location evaluated: [enter information]

Exposure Controls	Status	Person Assigned to Correct	Date Corrected
Engineering			
Barriers/partitions			
Ventilation (amount of fresh air and filtration maximized)			
Additional room air filtration			
[add any additional controls your workplace is using]			
[add any additional controls your workplace is using]			
Administrative			
Physical distancing			
Surface cleaning and disinfection (frequently enough and adequate supplies)			

Hand washing facilities (adequate numbers and supplies)			
Disinfecting and hand sanitizing solutions being used according to manufacturer instructions			
[add any additional controls your workplace is using]			
[add any additional controls your workplace is using]			
PPE (not shared, available and being worn)			
Face coverings (cleaned sufficiently often)			
Gloves			
Face shields/goggles			
Respiratory protection			
[add any additional controls your workplace is using]			

Appendix C: Investigating COVID-19 Cases

All personal identifying information of COVID-19 cases or symptoms will be kept confidential. All COVID-19 testing or related medical services provided by us will be provided in a manner that ensures the confidentiality of employees, with the exception of unredacted information on COVID-19 cases that will be provided immediately upon request to the local health department, CDPH, Cal/OSHA, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law.

All employees' medical records will also be kept confidential and not disclosed or reported without the employee's express written consent to any person within or outside the workplace, with the following exceptions: (1) Unredacted medical records provided to the local health department, CDPH, Cal/OSHA, NIOSH, or as otherwise required by law immediately upon request; and (2) Records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

Date: **[enter date]**

Name of person conducting the investigation: **[enter name(s)]**

Employee (or non-employee*) name:		Occupation (if non-employee, why they were in the workplace):	
Location where employee worked (or non-employee was present in the workplace):		Date investigation was initiated:	
Was COVID-19 test offered?		Name(s) of staff involved in the investigation:	
Date and time the COVID-19 case was last present in the workplace:		Date of the positive or negative test and/or diagnosis:	
Date the case first had one or more COVID-19 symptoms:		Information received regarding COVID-19 test results and onset of symptoms (attach documentation):	

<p>Results of the evaluation of the COVID-19 case and all locations at the workplace that may have been visited by the COVID-19 case during the high-risk exposure period, and who may have been exposed (attach additional information):</p>	
--	--

<p>Notice given (within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case) of the potential COVID-19 exposure to:</p>		
<p>All employees who may have had COVID-19 exposure and their authorized representatives.</p>	<p>Date:</p>	
	<p>Names of employees that were notified:</p>	
<p>Independent contractors and other employers present at the workplace during the high-risk exposure period.</p>	<p>Date:</p>	
	<p>Names of individuals that were notified:</p>	

<p>What were the workplace conditions that could have contributed to the risk of COVID-19 exposure?</p>		<p>What could be done to reduce exposure to COVID-19?</p>	
<p>Was local health department notified?</p>		<p>Date:</p>	

*Should an employer be made aware of a non-employee infection source COVID-19 status.

Appendix D: COVID-19 Training Roster

Date: **[enter date]**

Person that conducted the training: **[enter name(s)]**

Employee Name	Signature

This section of CPP will stay in effect until there are no new COVID-19 cases detected in our workplace for a 14-day period.

COVID-19 testing

- We will provide COVID-19 testing to all employees in our exposed workplace except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period. COVID-19 testing will be provided at no cost to employees during employees' working hours.
- COVID-19 testing consists of the following:
 - All employees in our exposed workplace will be immediately tested and then tested again one week later. Negative COVID-19 test results of employees with COVID-19 exposure will not impact the duration of any quarantine period required by, or orders issued by, the local health department.
 - After the first two COVID-19 tests, we will continue to provide COVID-19 testing of employees who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until there are no new COVID-19 cases detected in our workplace for a 14-day period.
 - We will provide additional testing when deemed necessary by Cal/OSHA.

Exclusion of COVID-19 cases

We will ensure COVID-19 cases and employees who had COVID-19 exposure are excluded from the workplace in accordance with our CPP **Exclusion of COVID-19 Cases** and **Return to Work Criteria** requirements, and local health officer orders if applicable.

Investigation of workplace COVID-19 illness

We will immediately investigate and determine possible workplace-related factors that contributed to the COVID-19 outbreak in accordance with our CPP **Investigating and Responding to COVID-19 Cases**.

COVID-19 investigation, review and hazard correction

In addition to our CPP **Identification and Evaluation of COVID-19 Hazards** and **Correction of COVID-19 Hazards**, we will immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19.

The investigation and review will be documented and include:

- Investigation of new or unabated COVID-19 hazards including:
 - Our leave policies and practices and whether employees are discouraged from remaining home when sick.
 - Our COVID-19 testing policies.
 - Insufficient outdoor air.
 - Insufficient air filtration.
 - Lack of physical distancing.
- Updating the review:
 - Every thirty days that the outbreak continues.

- In response to new information or to new or previously unrecognized COVID-19 hazards.
- When otherwise necessary.
- Implementing changes to reduce the transmission of COVID-19 based on the investigation and review. We will consider:
 - Moving indoor tasks outdoors or having them performed remotely.
 - Increasing outdoor air supply when work is done indoors.
 - Improving air filtration.
 - Increasing physical distancing as much as possible.
 - Respiratory protection.
 - describe other applicable controls].

Notifications to the local health department

- Immediately, but no longer than 48 hours after learning of three or more COVID-19 cases in our workplace, we will contact the local health department for guidance on preventing the further spread of COVID-19 within the workplace.
- We will provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case, and any other information requested by the local health department. We will continue to give notice to the local health department of any subsequent COVID-19 cases at our workplace.

Additional Consideration #2

Major COVID-19 Outbreaks

[This section will need to be added to your CPP should your workplace experience 20 or more COVID-19 cases within a 30-day period. Reference section 3205.2 for details.]

This section of CPP will stay in effect until there are no new COVID-19 cases detected in our workplace for a 14-day period.

COVID-19 testing

We will provide twice a week COVID-19 testing, or more frequently if recommended by the local health department, to all employees present at our exposed workplace during the relevant 30-day period(s) and who remain at the workplace. COVID-19 testing will be provided at no cost to employees during employees' working hours.

Exclusion of COVID-19 cases

We will ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance with our CPP **Exclusion of COVID-19 Cases** and **Return to Work Criteria**, and any relevant local health department orders.

Investigation of workplace COVID-19 illnesses

We will comply with the requirements of our CPP **Investigating and Responding to COVID-19 Cases**.

COVID-19 hazard correction

In addition to the requirements of our CPP **Correction of COVID-19 Hazards**, we will take the following actions:

- In buildings or structures with mechanical ventilation, we will filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, we will use filters with the highest compatible filtering efficiency. We will also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems would reduce the risk of transmission and implement their use to the degree feasible.
- We will determine the need for a respiratory protection program or changes to an existing respiratory protection program under CCR Title 8 section 5144 to address COVID-19 hazards.
- We will evaluate whether to halt some or all operations at our workplace until COVID-19 hazards have been corrected
- Implement any other control measures deemed necessary by Cal/OSHA.

Notifications to the local health department

We will comply with the requirements of our **Multiple COVID-19 Infections and COVID-19 Outbreaks-Notifications to the Local Health Department**.

Additional Consideration #3

COVID-19 Prevention in Employer-Provided Housing

[This section will need to be added to your CPP if you have workers in employer-provided housing. Reference section 3205.3 for details. Employer-provided housing is any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations. Employer-provided housing includes a “labor camp” as that term is used in title 8 of the California Code of Regulations or other regulations or codes. The employer-provided housing may be maintained in one or more buildings or one or more sites, including hotels and motels, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping. Employer-provided housing is housing that is arranged for or provided by an employer, other person, or entity to workers, and in some cases to workers and persons in their households, in connection with the worker’s employment, whether or not rent or fees are paid or collected.

- **This section does not apply to housing provided for the purpose of emergency response, including firefighting, rescue, and evacuation, and support activities**

directly aiding response such as utilities, communications, and medical operations, if:

- **The employer is a government entity; or**
- **The housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.**
- **The requirements below for Physical distancing and controls, Face coverings, Cleaning and disinfecting, Screening, and Isolation of COVID-19 cases and persons with COVID-19 exposure do not apply to occupants, such as family members, who maintained a household together prior to residing in employer-provided housing, but only when no other persons outside the household are present.]**

Assignment of housing units

We will ensure that shared housing unit assignments are prioritized in the following order:

- Residents who usually maintain a household together outside of work, such as family members, will be housed in the same housing unit without other persons.
- Residents who work in the same crew or work together at the same worksite will be housed in the same housing unit without other persons.
- Employees who do not usually maintain a common household, work crew, or worksite will be housed in the same housing unit only when no other housing alternatives are possible.

Physical distancing and controls

We will ensure:

- The premises are of sufficient size and layout to permit at least six feet of physical distancing between residents in housing units, common areas, and other areas of the premises.
- Beds are spaced at least six feet apart in all directions and positioned to maximize the distance between sleepers' heads. For beds positioned next to each other, i.e., side by side, the beds will be arranged so that the head of one bed is next to the foot of the next bed. For beds positioned across from each other, i.e., end to end, the beds will be arranged so that the foot of one bed is closest to the foot of the next bed. Bunk beds will not be used.
- Maximization of the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system in housing units.

Face coverings

We will provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance.

Cleaning and disinfection

We will ensure that:

- Housing units, kitchens, bathrooms, and common areas are effectively cleaned and disinfected at least once a day to prevent the spread of COVID-19. Cleaning and disinfecting shall be done in a manner that protects the privacy of residents.
- Unwashed dishes, drinking glasses, cups, eating utensils, and similar items are not shared.

Screening

We will encourage residents to report COVID-19 symptoms to **[enter name of individual, position, or office]**.

COVID-19 testing

We will establish, implement, and maintain effective policies and procedures for COVID-19 testing of occupants who had a COVID-19 exposure, who have COVID-19 symptoms, or as recommended by the local health department.

Isolation of COVID-19 cases and persons with COVID-19 exposure

We will:

- Effectively isolate COVID-19 exposed residents from all other occupants. Effective isolation will include providing COVID-19 exposed residents with a private bathroom, sleeping area, and cooking and eating facility.
- Effectively isolate COVID-19 cases from all occupants who are not COVID-19 cases. Effective isolation will include housing COVID-19 cases only with other COVID-19 cases, and providing COVID-19 case occupants with a sleeping area, bathroom, and cooking and eating facility that is not shared by non-COVID-19-case occupants.
- Keep confidential any personal identifying information regarding COVID-19 cases and persons with COVID-19 symptoms, in accordance with our CPP **Investigating and Responding to COVID-19 Cases**.
- End isolation in accordance with our CPP **Exclusion of COVID-19 Cases and Return to Work Criteria**, and any applicable local or state health officer orders.

Additional Consideration #4

COVID-19 Prevention in Employer-Provided Transportation to and from Work

[This section will need to be added to your CPP if there is employer-provided motor vehicle transportation to and from work, which is any transportation of an employee,

during the course and scope of employment, provided, arranged for, or secured by an employer including ride-share vans or shuttle vehicles, car-pools, and private charter buses, regardless of the travel distance or duration involved. Reference section 3205.4 for details.

This section does not apply:

- If the driver and all passengers are from the same household outside of work, such as family members.
- To employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications and medical operations.]

Assignment of transportation

We will prioritize shared transportation assignments in the following order:

- Employees residing in the same housing unit will be transported in the same vehicle.
- Employees working in the same crew or worksite will be transported in the same vehicle.
- Employees who do not share the same household, work crew or worksite will be transported in the same vehicle only when no other transportation alternatives are possible.

Physical distancing and face coverings

We will ensure that the:

- Physical distancing and face covering requirements of our CPP **Physical Distancing** and **Face Coverings** are followed for employees waiting for transportation.
- Vehicle operator and any passengers are separated by at least three feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity. Vehicle operator and any passengers are provided and wear a face covering in the vehicle as required by our CPP **Face Coverings**.

Screening

We will develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID-19 symptoms prior to boarding shared transportation.

Cleaning and disinfecting

We will ensure that:

- All high-contact surfaces (door handles, seatbelt buckles, armrests, etc.) used by passengers are cleaned and disinfected before each trip.

- All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles and shifter, are cleaned and disinfected between different drivers.
- We provide sanitizing materials, training on how to use them properly, and ensure they are kept in adequate supply.

Ventilation

We will ensure that vehicle windows are kept open, and the ventilation system set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:

- The vehicle has functioning air conditioning in use and the outside temperature is greater than 90 degrees Fahrenheit.
- The vehicle has functioning heating in use and the outside temperature is less than 60 degrees Fahrenheit.
- Protection is needed from weather conditions, such as rain or snow.
- The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.

Hand hygiene

We will provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle. Hand sanitizers with methyl alcohol are prohibited.

REFERENCES

- [COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year](#)
- [Centers for Disease Control and Prevention Guidance for COVID-19 Prevention in K-12 Schools \(July 9, 2021\)](#)
- [Centers for Disease Control and Prevention Vaccination Verification](#)
- [CDPH K-12 School Reopening Framework and Guidance Q&A](#)
- [CDPH Guidance for the Use of Face Coverings](#)
- [CDPH Guidance for Child Care Providers and Programs](#)
- [CDPH Safe Schools for All Hub](#)
- [Cal/OSHA FAQs](#)
- [Cal/OSHA Factsheet on Regulations](#)
- [Cal/OSHA Aerosol Transmissible Diseases Standard](#)
- [Cal/OSHA Emergency Regulations to Protect Workers from COVID-19 in Effect Press Release](#) (December 1, 2020)
- [Coalition Letter Raising Concerns Regarding Emergency Regulations](#) (November 18, 2020)

- [SYSD Pandemic Threat Annex](#)
- [Testing in San Diego County](#)
- [Social Distancing and Sanitization](#)
- [Industry Guidance](#)
- [SYSD COVID-19 Prevention Plan for Schools](#)
- [ORDER OF THE HEALTH OFFICER \(Isolation of All Persons with or Likely to have COVID-19\)](#)
- [ORDER OF THE HEALTH OFFICER \(Quarantine of Persons Exposed to COVID-19\)](#)
- <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Safe-Schools-for-All-Plan-Summary.aspx>
- <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Safe-Schools-for-All-Plan-Rationale.aspx>
- <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Vaccine-Prioritization.aspx>

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: AB1200 AND TENTATIVE AGREEMENT WITH THE CLASSIFIED SCHOOL EMPLOYEES ASSOCIATION (CSEA) AND ITS SAN YSIDRO CHAPTER NO. 154

BACKGROUND INFORMATION:

The Tentative Agreement dated February 4, 2022 with CSEA is related to Out-of-Class Compensation as follows.

- Article 8 - Temporary Assignments (Section D) Substituting Out of Class.
CSEA employees shall not be required by the District to perform duties which do not reasonably relate to those fixed and prescribed in their current job description for any period of time which exceeds five (5) working days within a fifteen (15) calendar-day period. (Refer to attached Tentative Agreement)
- Effective upon Board approval – March 11, 2022 and thereafter.

AB1200 will be submitted to the San Diego County Office of Education for review and approval.

RECOMMENDATION:

Approve/Ratify the submittal of AB1200 to the San Diego County Office of Education and approval of the Tentative Agreement with the Classified School Employees Association (CSEA) and its San Ysidro Chapter No. 154 related to Out-of-Class Compensation.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

ONGOING

TBD
(Amount)

General, Child Development & Cafeteria Funds
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

Disclosure of Collective Bargaining Agreement

In Accordance with AB 1200 (Statutes of 1991, Chapter 1213);
GC § 3547.5 (Statutes of 2004, Chapter 52)

San Ysidro School District

Name of Bargaining Unit: Classified School Employee Association Certificated: _____ Classified: X

The proposed agreement covers the period: Beginning: 3/11/2022 Ending: ONGOING

This agreement will be acted upon by the Governing Board at its meeting on: March 10, 2022
Date

A. Proposed Change in Compensation

Compensation	Cost Prior to Proposed Agreement (a) \$	Fiscal Impact of Proposed Agreement					
		Current Year 2021-2022		Year 2 2022-2023		Year 3 2023-2024	
		(b) \$	(c) %	(b) \$	(c) %	(b) \$	(c) %
1. Step & Column - Increase (Decrease) due to movement plus any changes due to settlement	\$10,299,715.11	\$0.00	0.00%	\$205,994.30	2.00%	\$210,114.19	2.00%
2. Salary Schedule - Increase (Decrease)	\$10,299,715.11	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%
3. Other Compensation - Increase (Decrease) in Stipends, Bonuses, etc.	\$10,299,715.11	\$58,734.66	0.57%	\$59,909.35	0.58%	\$61,107.54	0.59%
4. Statutory Benefits - Increase (Decrease) in STRS, PERS, FICA, WC, UI, Medicare, etc.	\$3,222,986.85	\$18,379.25	0.57%	\$83,206.57	2.57%	\$84,870.70	2.55%
5. Health/Welfare Benefits - Increase (Decrease)	\$1,966,500.00	\$0.00	0.00%	\$0.00	0.00%	\$0.00	0.00%
6. Total Compensation - Increase (Decrease) Total Lines 3(a), 4(a), 5(a)	\$15,489,201.96	\$77,113.91	0.50%	\$349,110.23	2.24%	\$356,092.43	2.24%
7. Total Number of Represented Employees	211.00	211.00		211.00		211.00	
8. Total Compensation Cost for Average Employee - Increase (Decrease)	\$73,408.54	\$365.47	0.50%	\$1,654.55	2.24%	\$1,687.64	2.24%

Impact on other Funds:

A. Provide a brief narrative of the proposed change in compensation, including percentage change(s), effective date(s), and comments and explanations as necessary:

The term of this agreement is from March 11, 2022 through ongoing. This is a tentative agreement which will be added to CSEA's Collective Bargaining Agreement.

B. Proposed Negotiated Changes in Non-Compensation Items (class size adjustments, staff development days, teacher prep time, etc.)

No specific changes in Non-Compensation Items.

C. What are the specific impacts on instructional/support programs to accommodate the settlement? Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations.

No specific impacts on instructional/support programs to accommodate the settlement.

D. What contingency language is included in the proposed agreement? Include specific areas identified for reopeners, applicable fiscal years, and specific contingency language.

No contingency language is included in the proposed agreement.

E. Source of Funding for Proposed Agreement

1. The cost of this MOU will be funded by the General Fund, Child Development Fund and Cafeteria Fund.

2. How will the ongoing cost of the proposed agreement be funded in future years?

The cost of this MOU will be funded by the General Fund, Child Development Fund and Cafeteria Fund.

3. If multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligations)

The cost of this MOU will be funded by the General Fund, Child Development Fund and/or Cafeteria Fund

F. Impact of Proposed Agreement on Current Year Unrestricted Reserves

1. State Reserve Standard

a. Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$88,032,011
b. State Standard Minimum Reserve Percentage for this District	3.00%
c. Projected P-2 ADA	3,944.53
d. State Standard Minimum Reserve Amount for this District <i>(Line 1a times Line 1b, or \$50,000, whichever is greater, for a district with less than 1,001 ADA)</i>	\$2,640,960.34

2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

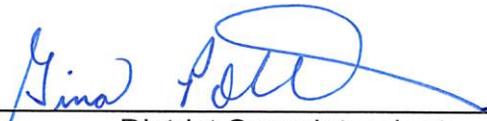
a. General Fund Budgeted Unrestricted Designated for Economic Uncertainties	\$2,640,960.00
b. General Fund Budgeted Unrestricted Unappropriated Amount	\$1.47
c. Special Reserve Fund 17-Budgeted Designated for Economic Uncertainties	\$0.00
d. Special Reserve Fund 17-Budgeted Unappropriated Amount	\$0.00
e. Total District Budgeted Unrestricted Reserves	\$2,640,961.47

3. Do unrestricted reserves meet the state standard minimum reserve amount? **Yes** No

G. Certification

The information provided in this document summarized the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement in accordance with the requirements of AB 1200 and Government Code § 3547.5.

We hereby certify that the costs incurred by the school district under this agreement can be met by the district during the term of the agreement.


 District Superintendent
 (Signature)

02-17-22
 Date


 Chief Business Official
 (Signature)

02-17-22
 Date

Contact Person: Marilyn Adrianzen Telephone No.: (619) 428-4476

H. Impact of Proposed Agreement on Current Year Operating Budget*

Date of governing board approval of budget revisions in Col. 2: March 11, 2021
 in accordance with Education Code § 42142 and Government Code § 3547.5

Provide a copy of board-approved budget revisions and board minutes. In addition, provide two expenditure reports generated by the district's financial system: one showing the budget by major object before the changes and a second showing the budget by major object after the changes.

If the board-approved revisions are different from the proposed budget adjustments in Col. 2, provide a revised report upon approval of the district governing board.

	(Col. 1) Latest Board- Approved Budget Before Settlement as of 12-10-21	(Col. 2) Adjustments as a Result of Settlement	(Col. 3) Other Revisions	(Col. 4) (Cols. 1 + 2 + 3) Total Impact on Budget
REVENUES:				
Revenue Limit Sources (8010-8099)	49,521,984			49,521,984
Remaining Revenues (8100-8799)	30,488,879			30,488,879
TOTAL REVENUES	80,010,863	0	0	80,010,863
EXPENDITURES:				0
1000 Certificated Salaries	31,821,069			31,821,069
2000 Classified Salaries	11,788,208	58,735		11,846,943
3000 Employee Benefits	17,214,432	18,379		17,232,811
4000 Books and Supplies	4,275,655			4,275,655
5000 Services and Operating Expenses	16,469,239			16,469,239
6000 Capital Outlay	5,700,146			5,700,146
7000 Other	763,263			763,263
TOTAL EXPENDITURES	88,032,011	77,114	0	88,109,125
OPERATING SURPLUS (DEFICIT)	(8,021,149)	(77,114)	0	(8,098,263)
OTHER SOURCES AND TRANSFERS IN				0
OTHER USES AND TRANSFERS OUT	0			0
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	(8,021,149)	(77,114)	0	(8,098,263)
BEGINNING BALANCE	14,672,753			14,672,753
CURRENT YEAR-ENDING BALANCE	6,651,605	(77,114)	0	6,574,491
COMPONENTS OF ENDING BALANCE:				
Nonspendable (9711-9719)	50,000			50,000
Restricted (9740)	319,190	(77,114)	0	242,076
Committed (9750/9760)				0
Assigned (9780)	3,641,453			3,641,453
Reserve Economic Uncertainties (9789)	2,640,960			2,640,960
Unassigned/Unappropriated (9790)	1			1

If the total amount of the adjustment in Column 2 does not agree with the amount of the total cost shown on page 1, please explain:

*This supplement is a composite recap of "all" the bargaining agreements shown on the preceding pages.

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT

GENERAL INSTRUCTIONS

- Please submit this form to the county superintendent of schools and make available to the public for review at least ten (10) working days prior to the date the governing board will take action on the proposed bargaining agreement.
- Separate documents must be completed for each collective bargaining agreement, but if more than one agreement is discussed at the same time, you may summarize the financial impact of "all" agreements on page 4 (supplement).
- Include, as applicable, *Cost Prior to Proposed Agreement, Current Year, Year 2 and Year 3* information for the period covered in the proposed agreement. For example, for a 2-year multi-year agreement, complete *Cost Prior to Proposed Agreement, Current Year and Year 2*.
- Any time a contract is reopened with a financial impact on "any area of compensation," a disclosure of the proposed agreement must be made.
- The specific manner in which the public is made aware of the proposed agreement and its availability for public inspection and review is at the discretion of the local district.
- The governing board shall adopt revisions to its budget needed in the current fiscal year to fulfill the terms of the collective bargaining agreement within 45 days of adoption (EC § 42142). Provide a copy of the board-approved budget revisions and board minutes to the county office. In addition, provide two expenditure reports generated by the district's financial system: one showing the budget by major object before the changes and a second showing the budget by major object after the changes.
- All revisions to the budget needed in the current fiscal year to meet the costs of the collective bargaining agreement shall be adopted no later than the statutory deadline for certification of the next interim report by the county superintendent of schools (GC § 3547.5, EC § 42131).

SPECIFIC INSTRUCTIONS FOR COMPLETION

PROPOSED CHANGE IN COMPENSATION

1. Step and Column

- a. Cost Prior to Proposed Agreement: Enter the total annual cost of all salaries for the bargaining unit prior to the proposed agreement. Remove any "one-time" bonuses or payments that were paid in prior year, if applicable.
- b. \$: Enter the annual increase cost of *Step and Column* movement on the *Salary Schedule* for the affected bargaining unit.
- c. %: Divide the annual cost of *Step and Column*, Line 1(b), by the *Cost Prior to Proposed Agreement*, Line 1(a).

2. Salary Schedule

- a. Cost Prior to Proposed Agreement: Enter the amount from Line 1(a) plus Line 1(b).
- b. \$: Enter the annual \$ amount of the proposed change in the *Salary Schedule*.

3. Other Compensation

Description: Indicate specific changes in *Other Compensation* for the current year. For example: 1% off schedule or \$200/employee. For *Year 2* and *Year 3*, explain in "Comments" section, if applicable.

- a. **Cost Prior to Proposed Agreement:** Enter the amount from Line 2(a).
- b. **\$:** Enter the annual amount of the proposed change in *Other Compensation*.
- c. **%:** Divide the amount by the *Cost Prior to the Proposed Agreement*, Line 3(a).

4. Statutory Benefits

- a. **Cost Prior to Proposed Agreement:** Enter the total prior year cost of *Statutory Benefits* of the bargaining unit prior to the proposed agreement. If applicable, exclude any "one-time" benefit costs that would not carry over to current year.
- b. **\$:** Enter the amount of the proposed change in *Statutory Benefits* resulting from changes in *Salary Schedule, Step and Column*, and *Other Compensation* reported on Line 1(b) through Line 3(b).
- c. **%:** Divide Line 4(b) by the amount of dollars shown in *Cost Prior to Proposed Agreement*, Line 4(a).

5. Health/Welfare Benefits

- a. **Cost Prior to Proposed Agreement:** Enter the total annual cost of *Health/Welfare Benefits* of the bargaining unit prior to the proposed agreement. If applicable, exclude any "one-time" costs that would not carry over to current year.
- b. **\$:** Enter the amount of the proposed change in *Health/Welfare Benefits*, resulting from the affected bargaining unit agreement.
- c. **%:** Divide Line 5(b) by the amount of dollars shown in *Cost Prior to Proposed Agreement* Line 5(a).

6. Total Compensation

- a. **Cost Prior to Proposed Agreement:** Total Lines 3(a), 4(a), and 5(a).
- b. **\$:** Total Lines 1(b), 2(b), 3(b), 4(b), and 5(b).
- c. **%:** Divide the total by *Cost Prior to Proposed Agreement*, Line 6(a).

7. Total Number of Represented Employees

Enter the total full-time equivalent (FTE) employees for the affected bargaining unit for each applicable year.

8. Total Compensation Cost for Average Employee

- a. **Cost Prior to Proposed Agreement:** Divide *Cost Prior to Proposed Agreement*, Line 6(a) by Prior Year FTE Employees, Line 7.
- b. **\$:** Divide *Total Compensation*, Line 6(b) by FTE employees, Line 7, for each applicable year.
- c. **%:** Divide *Total Compensation Cost for Average Employee*, Line 8(b) by *Cost Prior to Proposed Agreement*, Line 8(a).

**Tentative Agreement By and Between
California School Employees Association and its San Ysidro Chapter #154
And
San Ysidro School District**

Regarding: Out-of-Class Compensation

February 4, 2022

1. Add to Article 8 on Temporary Assignments:

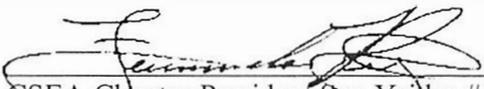
D. Substituting Out of Class: Employees in the Unit shall not be required by the District to perform duties which do not reasonably related to those fixed and prescribed in their current job description for any period of time which exceeds five (5) working days within a fifteen (15) calendar-day period.

A unit member may be required to perform duties inconsistent with those assigned to the position for a period of more than five working days provided that his/her salary is adjusted upward for the entire period, including the initial five-day period he/she is required to work out of classification and in such amounts as will reasonably reflect the duties required to be performed outside his/her normal assigned duties. The District will use best efforts to seek volunteers before assigning these duties. When assigning work out of class, the District agrees to rotate work out of class as equally as is practicable based on required skills for the out of class work and seniority. CSEA members may express interest in working out of class in a particular department, by filling out an interest form. The District will use the form to determine which members are interested in out of class work. The District will select individuals based on a combination of factors, including interest, skill set, qualifications, and seniority.

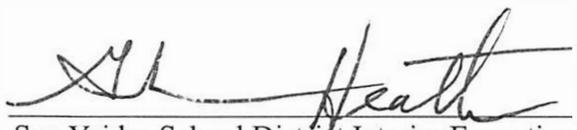
If the out of class work is at a higher classification, the rate of pay shall be in the classification in which the unit member is serving as a substitute at the grade which is the next highest hourly rate above their own regular hourly rate for the entire period: working out of class including the initial five-day period. If the out of class work is at a lower classification, the unit member must work in a classification within the same job family. The rate of pay shall be at the unit members current hourly rate plus a 5% incentive for the entire period including the initial five-day period. No assignments to perform certificated work will be given to classified employees who are unwilling to do them, and no employee will face retaliation for refusing such an opportunity.

CSEA:

District:


CSEA Chapter President San Ysidro #154,
Fernanda Rios

02/07/2022


San Ysidro School District Interim Executive
Director of Human Resources, Glenn Heath

02/07/2022


CSEA Labor Relations Representative,
Alfredo Alvarez

02/07/2022

March 7, 2022

Gina Potter, Ed.D.
Superintendent
San Ysidro School District
4350 Otay Mesa Road
San Ysidro, CA 92173

Dear Dr. Potter:

We have received the San Ysidro School District's Disclosure of Collective Bargaining Agreement, which is required as part of AB 1200 (Statutes of 1991, Chapter 1213) and Government Code 3547.5. The disclosure is for the California School Employees Association (CSEA) and its San Ysidro Chapter #154 bargaining unit, and is scheduled to be acted upon by the governing board at its meeting on March 10, 2022.

Tentative Agreement with CSEA regarding Out-of-Class Compensation dated February 4, 2022

This tentative agreement adds to Article 8 of the collective bargaining agreement, which addresses temporary assignments. The agreement specifies the terms for bargaining unit members to perform duties outside their job description. Members will not be required to perform duties outside of their job class for more than five working days in a fifteen calendar-day period. If a member is assigned out-of-class duties for more than five working days, their salary will be increased based on the classification of the work being performed. The district estimates an ongoing increase in total salaries and benefits due to this agreement of approximately \$77,000 beginning in fiscal year 2021-22.

Government Code Section 3547.5(b) requires the district superintendent and chief business official to certify in writing that the cost of the collective bargaining agreement can be met during the term of the agreement. Furthermore, Education Code Section 42142 requires school districts to incorporate necessary budget revisions within 45 days of board approval of a collective bargaining agreement. Please forward a copy of the budget revisions to our office within this timeframe.

This letter can be found on our website at: <https://www.sdcoe.net/administrative-services/business-services/district-financial-services/business-advisory-services>.

Sincerely,



Brent Watson
Executive Director
District Financial Services

CC: Rodolfo Lopez, Board President, San Ysidro School District
Marilyn Adrianzen, Chief Business Official, San Ysidro School District
Retirement Reporting Unit, San Diego County Office of Education

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Human Resources Informational
Glenn Heath, Executive Director Action

AGENDA ITEM: MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN YSIDRO SCHOOL DISTRICT AND THE SAN YSIDRO EDUCATION ASSOCIATION REGARDING INDEPENDENT STUDY FOR THE 2021-2022 SCHOOL YEAR

BACKGROUND INFORMATION:

The San Ysidro School District and the San Ysidro Education Association enter into this Memorandum of Understanding regarding the issues related to independent study and the COVID-19 pandemic. As a result of the COVID pandemic, the California Legislature adopted Assembly Bill 130 to expand independent study to address a variety of continued student learning opportunities. In accordance with AB 130, the District established three types of independent study programs for the remainder of the 2021-2022 school year. These programs are the following:

1. Virtual Learning Academy: Long Term Independent Study
2. Short Term Independent Study Contract: 1-14 School Days
3. Long Term Independent Study Contract: 15+ School Days

RECOMMENDATION:

Approve/Ratify the Memorandum of Understanding between the San Ysidro School District and the San Ysidro Education Association regarding the issues related to independent study and the COVID-19 pandemic in which the California Legislature adopted Assembly Bill 130 to expand independent study through three types of programs for the 2021-2022 school year.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Goal #1: Student Achievement – 1.5 Staffing

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

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(Amount)

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(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN
THE SAN YSIDRO SCHOOL DISTRICT AND THE SAN YSIDRO EDUCATION ASSOCIATION
REGARDING INDEPENDENT STUDY
For The 2021-2022 School Year**

The San Ysidro School District ("District") and the San Ysidro Education Association ("Association"), jointly known as the Parties ("Parties") enter into this Memorandum of Understanding ("MOU") regarding the issues related to independent study ("IS") and the COVID-19 pandemic.

Whereas, due to the COVID pandemic the California Legislature adopted Assembly Bill 130 to expand independent study to address a variety of continued student learning opportunities.

Whereas, in accordance with AB 130 the District established three (3) types of independent study programs for the 2021-2022 school year:

1. Virtual Learning Academy: Long Term Independent Study
2. Short Term Independent Study Contract: 1-14 School Days
 - a. Submission of Independent Study Contract work due within 30 days after student returns to school
3. Long Term Independent Study Contract: 15+ School Days
 - a. Requires instruction by the teacher of record
 - b. Submission of Independent Study Contract work due within 30 days after student returns to school

The Parties agree to the following:

Virtual Learning Academy: Long Term Independent Study

- A. Virtual Learning Academy teachers provide daily online instruction and each have an assigned class of students for the 2021-22 school year.

Short Term Independent Study Contract: 1-14 School Days

- A. Teachers have two (2) options for providing a Short Term Independent Study Contract for students who are absent 1 - 14 school days
 - a. **Option 1: Google Classroom "Live" Learning Access**
 - i. Student logs into their Google Classroom where they interact with teacher and other classmates via Google Meets during the regular school day
 - b. **Option 2: Teacher Assigns Daily School Assignments w/ Collection of Evidence Attached to Independent Study Contract**
 - i. Either paper or online assignments acceptable

General Provisions:

- A. School administrators shall notify any teachers who need to perform IS duties at least 2 work days prior to the beginning of when such duties would start. School administrators shall also notify the parents/guardians of students who would need IS at least 2 school days prior to the beginning of when IS would begin for those students. Teachers may choose to begin immediately.**
- B. The District shall ensure that all unit members staff have adequate tech support, and ensure that bargaining unit members do not need to perform tech support for students or families.**
- C. With the exception of VLA teachers, the IS time scheduled with specific students shall not be considered as part of any evaluations for classroom teachers being evaluated.**
- D. Unit members will not be held accountable for non participation of any independent study students. Unit members will make every effort to collect the student study work from students within the required timeline.**
- E. Unit members shall not be held responsible for technology problems that hinder access to virtual instruction. Unit members will notify the site administrator as soon as practically possible when technology issues prevent student access.**
- F. No unit members providing IS will be recorded without consent.**
- G. Unit members shall report any known, inappropriate, online student behavior occurring within IS to their site administrator. Unit members shall be held harmless for any such behavior from a student and/or parent(s), any accidental breach or disclosure of private information, and liability associated with use of personal technology equipment while the unit member is engaged in IS duties.**
- H. During their IS sessions, the teacher shall take attendance and collect evidence of student work. Teachers will evaluate and forward evidence of student work to the District IS Coordinator and/or personnel responsible for collecting and documenting such work his/her designee. It shall be up to the individual teacher's discretion as to how they shall conduct their IS sessions including but not limited to such strategies/platforms as: Google Classroom, Google Meet, Zoom, Clever, physical packets, etc. Student work, IS packets, and documents can all be in a digital format per AB 130.**
- I. Teachers shall only be assigned to do IS for students of which they are the teacher of record.**

Long Term Independent Study Contract: 15+ School Days

A. Teachers have two (2) options for providing a Long Term Independent Study Contract for students who are absent 15 days or more

a. Option 1: Google Classroom "Live" Learning Access

i. Student logs into their Google Classroom where they interact with teacher and other classmates via Google Meets during the regular school day

b. Option 2: Teacher Provides Interactive Instruction and Assigns School Assignments w/ Collection of Evidence Attached to "Long Term" Independent Study Contract

- **For Elementary Teachers, Grades TK-3: It shall be up to the individual discretion of each teacher as to what time the teacher instructs (before contract time, before school, during lunch time, after school, or after contract time) a daily 30 minute session for IS. Teachers shall be compensated with a stipend equal to 1 hour daily for each day on which they provide IS, for up to 5 hours of IS per week, at \$60 per hour.**

- **For Elementary Teachers, Grades 4-6: It shall be up to the individual discretion of each teacher as to what time the teacher instructs (before contract time, before school, during lunch time, after school, or after contract time) a weekly 30 minute session for IS. Teachers shall be compensated with a stipend equal to 1 hour daily for each day on which they provide IS, for up to 5 hours of IS per week, at \$60 per hour.**

- **For Middle School Teachers, Grades 7-8: It shall be up to the individual discretion of each teacher as to what time the teacher instructs (before contract time, before school, during lunch time, after school, or after contract time) a weekly 30 minute session for IS. Teachers shall be compensated for 1 hour daily rate for each day on which they provide IS, for up to 5 hours of IS per week, at \$60 per hour rate.**

For either of the two options of IS, teachers shall be compensated according to the above descriptions.

J. Retroactive IS Packets: When a student has been out for an extended period of time, and the district would like to retroactively capture ADA, teachers shall be given 5 work days to prepare a work packet (or digital equivalent) for those students to complete, with the understanding that the work must be submitted within required time frames. This time shall be for the teacher to gauge the student's academic progress in comparison to the rest of the class, create plans, search for appropriate instructional materials to support the student, prepare them either physically or digitally, and the like. Upon return of the student's work, teacher grading, and signing off on work completed, teachers can submit a time card at the non-student contact rate, for up to 1 hour per each child's IS work for any completed packet effective January 1, 2022.

K. Teachers shall complete a timesheet for any IS time completed and submit it just as any time sheet to their supervisor

The district shall communicate this expectation to all employees working on IS procedures and teachers in the district.

This MOU shall be effective only through the 2021-22 school year. The parties can extend this agreement by mutual agreement.

SYEA

G. Sanders
Natasha M

Date

2-11-2022

SYSD

Sh. Heath
Interim, Executive Director, HR

Date

2/11/22

**SA YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Human Resources
Glenn Heath, Executive Director

Informational
 Action

AGENDA ITEM: RESOLUTION NO. 21/22-0028

BACKGROUND INFORMATION:

California Education Code section 44954(b) provides that the Governing Board of the San Ysidro School District may release a substitute and/or temporary certificated employee if the employee is notified before the end of the school year of the District's decision not to reelect the employee for the next succeeding school year.

This resolution identifies temporary certificated employees intended for release pursuant to Education Code section 44954(b). These individual employees will be noticed of the decision to release and non-reelect for the 2022-2023 school year.

RECOMMENDATION:

Adopt Resolution No. 21/22-0028 authorizing the District to notice individual, temporary employees of the district's intent to release at the close of the 2021-2022 school year.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Goal #1: Student Achievement – 1.5 Staffing

Renewal New Amendment Ratify Other

Financial Implications?	Are funds for this item available in the 2021-2022 Budget?	Requisition #
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
N/A	--	
(Amount)	(Name of funding source and/or location)	
Recommended for: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial		Certification Requested <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SAN YSIDRO SCHOOL DISTRICT

**RESOLUTION 21/22-0028
RELEASE OF TEMPORARY CERTIFICATED EMPLOYEES**

WHEREAS, Sections 44909, 44917, 44918, 44919, 44920, 44921, and 44986 of the Education Code permit the Governing Board to classify certain certificated employees as “temporary;” and,

WHEREAS, the Governing Board has, in fact, employed temporary certificated employees pursuant to Sections 44909, 44917, 44918, 44919, 44920, 44921, and/or 44986 of the Education Code; and,

WHEREAS, time served as a temporary certificated employee is not credited toward the attainment of permanent status unless the temporary certificated employee serves more than seventy-five percent (75%) of school days and is subsequently appointed to a vacant probationary position; and,

WHEREAS, there is no relative seniority between temporary certificated employees; and,

WHEREAS, Section 44954 of the Education Code permits the Governing Board to release temporary certificated employees from employment, with limited restrictions; and,

WHEREAS, with respect to probationary and permanent certificated employees, Sections 44949 and 44955 of the Education Code require action by the Governing Board in order to reduce or eliminate services and permit the layoff of certificated employees; and,

WHEREAS, temporary certificated employees are not entitled to the due process rights contained in Sections 44949 and 44955; and,

WHEREAS, the Superintendent of the San Ysidro School District has recommended to the Governing Board that particular kinds of services be reduced or eliminated no later than the end of the 2021-22 school year; and,

WHEREAS, the Governing Board has determined that a reduction or elimination of particular kinds of services is needed no later than the last contracted day of the 2021-2022 school year, and,

WHEREAS, the Superintendent has indicated that the reduction in particular kinds of services is related to the loss or potential loss of revenue limit funding and of certain categorical or specially-funded programs, the possibility of probationary and permanent employees returning from leaves of absence, and other considerations that relate directly to the justifications for employment of temporary certificated employees; and,

WHEREAS, temporary certificated employees must be released from their temporary assignments in order to effectuate this reduction in particular kinds of services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the San Ysidro School District:

1. That all of the foregoing recitals are true and correct.
2. That the employees listed below shall be released from their temporary positions no later than the last contracted day of the 2021-22 school year.

ID# of Employees being released

ID#
148716

3. That the Superintendent or his designated representative will send appropriate notices to all temporary certificated employees listed above notifying them that the Governing Board has determined to release them from employment pursuant to Section 44954 of the Education Code.

ADOPTED by the Governing Board of San Ysidro School District this 10th day of March, 2022.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

SAN YSIDRO SCHOOL DISTRICT GOVERNING BOARD:

President

Clerk

Member

Member

Member

SAN YSIDRO SCHOOL DISTRICT

**RESOLUTION 21/22-0028
RELEASE OF TEMPORARY CERTIFICATED EMPLOYEES**

EXHIBIT "A"

Particular Kinds of Service	Full Time Equivalent
Temporary services as follows:	
Resource Specialist	1
Total FTEs	1

**SA[□] YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Human Resources
Glenn Heath, Executive Director

Informational
 Action

AGENDA ITEM: RESOLUTION NO. 21/22-0029

BACKGROUND INFORMATION:

It has been determined that it will be necessary to reduce and/or eliminate the following particular kinds of services of the District at the close of the 2021-2022 school year for fiscal and budgetary reasons. The District will have to reduce and/or eliminate the number of permanent classified positions performing particular kinds of service.

This resolution identifies the kinds of services to be reduced and/or eliminated no later than the beginning of the 2022-2023 school year for the positions of Coordinator of Community Schools and After Schools Program; Maintenance / Painter; and Administrative Clerk I (2.375 FTEs).

RECOMMENDATION:

Approve Resolution No. 21/22-0029 authorizing the District to reduce and/or eliminate the following particular kinds of services of the District at the close of the 2021-2022 school year for fiscal and budgetary reasons.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Goal #1: Student Achievement – 1.5 Staffing

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

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N/A

(Amount)

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(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

SAN YSIDRO SCHOOL DISTRICT GOVERNING BOARD:

Board President, Rudy Lopez

Board Vice-President, Rosaleah Pallasigue

Board Clerk, Irene Lopez

Board Member, Humberto Gurmilan

Board Member, Antonio Martinez

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: LONG RANGE MASTER FACILITIES IMPLEMENTATION PLAN - REVISED

BACKGROUND INFORMATION:

A comprehensive Long Range Master Facilities Plan (LRMFP) is an essential element of a district's planning process. The LRMFP provides the district with information regarding current and future needs for student housing, quality of the existing facilities, and facilities renovation and expansion requirements to support the district's educational and programmatic goals. Additionally, the LRMFP also assists a district in identifying funding needs for capital improvement and developing financing options and includes accurate projections regarding enrollment, careful determination of school site capacity, consideration of educational specifications, a detailed needs assessment and conclusions and recommendations about the availability and timing of financing and funding.

The Implementation Plan, is a roadmap that will help guide facilities decisions over the next 15 to 20 years. The LRFMP Implementation Plan is assembled around the District's guiding facilities principles of security, technology, evolution, maintenance, parity, and sustainability.

On July 15, 2021, the Governing Board approved the LRFMP Implementation Plan. On January 27, 2022, the Director of MOTF and the Construction Project Manager presented to the Board, the proposed changes to the Bond Implementation Program and Timeline. These proposed changes are now being submitted for approval.

RECOMMENDATION:

Approve the revised District's Long Range Master Facilities Implementation Plan to provide the District with a roadmap that will help guide facilities decisions over the next 15 to 20 years.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

N/A
(Amount)

N/A
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

Implementation Plan Presented on March 10, 2022

Millions	Site	Increment One	Site	Increment Two	Site	Increment Three	Site	Increment Four	
\$28				Modernization					
\$27									
\$26	All	Playgrounds							
\$25	VDM	New Wing	SYMS		BYR	Central Kitchen	VDM	Misc Renovation	
\$24									
\$23									
\$22	BYR	Community Center	BYR		BYR	Admin Annex	DO	Renovation Original Building	
\$21									
\$20									
\$19									
\$18	CDC	La Mirada Remodel	SYMS	New Secure Entry/Office	DO	DO	Addition		
\$17									
\$16	CDC	La Mirada Wing	LM	New Secure Entry/Office	All	All	HVAC/Roofing		
\$15									
\$14									
\$13	SYMS	Modz Planning	All	Furniture	All	All	HVAC/Roofing		
\$12									
\$11	All	Site Development	All	Site Development	All	All	Site Development		
\$10									
\$9	All	Technology	All	Technology	All	All	Technology		
\$8									
\$7									
\$6	All	Security	All	Furniture	All	All	Furniture		
\$5									
\$4	All	Security	All	Furniture	All	All	Furniture		
\$3									
\$2	All	Security	All	Furniture	All	All	Furniture		
\$1									

CURRICULUM & INSTRUCTION

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Special Education Department
Oscar Madera, Director

Informational
 Action

AGENDA ITEM: RENEWAL OF FLOCABULARY LICENSES FROM NEARPOD, INC.

BACKGROUND INFORMATION:

Flocabulary is a leading video and student creativity platform that offers high-quality video-based lessons that brings a combination of hip hop and educational rigor to classrooms. Combined with an offering that allows teachers to engage students in 1:1 classrooms where every student has a device, bringing a unique way for teachers and administrators to ensure students are engaged and learning in every class every day. It can produce new educational content every week that will engage students with relevant and timely curriculum. Flocabulary's unrivaled combination of creative, dynamic, and rigorous materials bring students' interests into the classroom to reinforce core knowledge and skills in an entertaining, culturally relevant way.

The Special Education Department implemented Flocabulary last school year and it is requesting approval to purchase/renew these licenses for 8 Special Education teachers. These licenses will be valid until the 2022-23 school year with the cost of \$138.00 per license.

RECOMMENDATION:

Approve the purchase/renewal of Flocabulary licenses from Nearpod, Inc. for 8 special education teachers at the total cost of \$1,104.00 from the Special Education fund.

LCAP GOAL AND ACTION/SERVICE:

Goal 1: Academic Achievement ~ Action #16: Continue to provide supplemental programs and resources (i.e., educational software, math manipulatives, dual language materials, etc.) to support student achievement in core content areas and to support language acquisition for all students including unduplicated students.

Renewal **New** **Amendment** **Ratify** **Other**

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

\$1,104.00

(Amount)

Special Education Fund

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Educational Services,
Cynthia Gonzalez, Executive
Director

Informational
 Action

AGENDA ITEM: PROFESSIONAL DEVELOPMENTS – MARCH

BACKGROUND INFORMATION:

In order to stay in compliance with State, Federal and local laws, our staff at the different sites and/or departments will participate in diverse professional developments throughout the year. These trainings/conferences and/or workshops will give our staff the opportunity to be better prepared and will reflect in the academic success of our students.

The following is a list of professional developments up for the March 10, 2022, Board meeting:

- California School Boards Association (CSBA) and the Association of California School Administrators' (ACSA) Coast2Coast Federal Advocacy Trip
- CASH 43rd Annual Conference on School Facilities
- How to Spend Your American Rescue Plan Homeless Children and Youth (ARPHCY) Funds
- Instruction for Students with Disabilities Community of Practice
- SDCOE Health Education Framework Quarterly Meetings
- SEL & Student Mental Health Support As Essential Components for Attendance & Enrollment Recovery

Cost implications might include Registration fees, lodging, parking, meals, mileage, and substitute teacher compensation, as needed.

RECOMMENDATION:

Approve/Ratify the attendance and participation of District staff to the different professional developments, as attached.

LCAP GOAL AND ACTION/SERVICE:

Goal 1: Student Achievement – Actions: 2, 17, 18 and 20 & Goal 2: English Language and Academic Language Development – Actions: 3, 5 and 9

Renewal New Amendment Ratify Other

Financial Implications? Are funds for this item available in the 2021-2022 Budget?

Yes No Yes No

Requisition #

APPROXIMATE COST

\$10,212.00

(Amount)

General Fund

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

Professional Development Backup Information – March 10, 2022

PARTICIPANT(S)	EVENT	PLACE	FROM/TO	COST	FUNDING
Cynthia Gonzalez	California School Boards Association (CSBA) and the Association of California School Administrators' (ACSA) Coast2Coast Federal Advocacy Trip	Washington, DC	April 25-27, 2022	\$2,500.00	General Fund
Paulo Azevedo	CASH 3 rd Annual Conference on School Facilities	Online & In-person Sacramento, CA	Spring 3-Day Boot Camp Summer In-Person Meeting Fall In-Person Meeting	\$7,712.00	General Fund
Veronica Medina	How to Spend Your American Rescue Plan Homeless Children and Youth (ARP-HCY) Funds	Online	March 23, 2022	\$0	No Cost
Monica Medina	Instruction for Students with Disabilities Community of Practice	Online	March 1, 2022	\$0	No Cost
Cynthia Gonzalez, Elva De Baca	SDCOE Health Education Framework Quarterly Meetings	Online	April 19, 2022 July 19, 2022 October 18, 2022 January 17, 2023 April 18, 2023	\$0	No Cost
Veronica Medina	SEL & Student Mental Health Support As Essential Components for Attendance & Enrollment Recovery	Online	March 1, 2022	\$0	No Cost

BUSINESS

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: PURCHASING REPORT

BACKGROUND INFORMATION:

In order for the District to conduct the educational programs, expenditures are necessary. The function of a purchase order is to receive pre-approval for expenditures and set aside funds before services are performed and goods are received. When possible, purchase orders are made estimating the amount to be used over the course of the school year. Purchase orders are created and approved in the Business Services Department in addition to requisitions created by sites and other departments.

Report #8 (February 3, 2022 through February 28, 2022): ▪ General Fund: 0000008286-0000008298, 0000008300, 0000008302-0000008345, ▪ Child Development Fund ▪ 0000008299, 0000008301

RECOMMENDATION:

Approve/Ratify the following purchase orders incurred by the District during the period February 3, 2022 through February 28, 2022. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

\$256,999.90

(Amount)

As listed above

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

PURCHASING REPORT (02/03/22 - 02/28/22)

PO Date	PO No.	Supplier	Supplier	PO Ref	Fund	Resource	Object	Site	Total by Account
2/3/2022	000008286	001178	SAN DIEGO COUNTY	CONTRACTED SERVICES	0100	3010003	5200003	061	\$ 3,875.00
2/3/2022	000008287	000136	WAXIE SANITARY SUPPLY	CUSTODIAL SUPPLIES	0100	3213000	4400000	010	\$ 8,061.42
2/4/2022	000008288	000000844	DEMME LEARNING	INSTRUCTIONAL SUPPLIES	0100	3010000	4300001	018	\$ 10,712.64
2/4/2022	000008289	000809	OFFICE DEPOT	OFFICE MATERIAL	0100	0000000	4300002	067	\$ 689.58
2/7/2022	000008290	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	0000000	4300011	071	\$ 107.58
2/7/2022	000008291	000136	WAXIE SANITARY SUPPLY	CUSTODIAL SUPPLIES	0100	3213000	4400000	010	\$ 2,285.91
2/7/2022	000008292	000000829	FOUNDATION BUILDING MATERIALS LLC	MAINTENANCE SUPPLIES	0100	8150000	5600005	070	\$ 4,214.10
2/7/2022	000008293	001425	STATE WATER RESOURCES	ANNUAL PERMIT FEE	0100	8150000	5800006	070	\$ 1,738.00
2/7/2022	000008294	000000812	CROWN LIFT TRUCKS	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 495.00
2/8/2022	000008295	001822	BARNES AND NOBLE	INSTRUCTIONAL MATERIAL	0100	0000000	4300011	064	\$ 1,129.76
2/8/2022	000008296	001012	CDW GOVERNMENT LLC	TECHNOLOGY MATERIAL	0100	3010000	4300001	024	\$ 5,805.57
2/8/2022	000008297	000809	OFFICE DEPOT	OFFICE SUPPLIES	0100	0000000	4300001	024	\$ 207.27
2/8/2022	000008298	000000772	ACADEMIC SUPPLIER	TECHNOLOGY SUPPLIES	0100	0000000	4300001	012	\$ 350.19
2/9/2022	000008300	004678	AMAZON.COM, INC.	INSTRUCTIONAL SUPPLIES	0100	0000000	4300001	024	\$ 279.58
2/9/2022	000008302	001102	ORIENTAL TRADING COMPANY, INC.	INSTRUCTIONAL SUPPLIES	0100	0000000	4300001	016	\$ 742.31
2/9/2022	000008303	004678	AMAZON.COM, INC.	INSTRUCTIONAL SUPPLIES	0100	0980002	4300001	061	\$ 420.72
2/11/2022	000008304	001793	CABE	REGISTRATION FEES	0100	4203000	5200003	061	\$ 1,375.00
2/11/2022	000008305	000208	SCHOOL HEALTH CORPORATION	MEDICAL SUPPLIES	0100	0000000	4300010	020	\$ 338.65
2/11/2022	000008306	000809	OFFICE DEPOT	OFFICE SUPPLIES	0100	0000000	4300000	050	\$ 45.87
2/11/2022	000008307	004678	AMAZON.COM, INC.	INSTRUCTIONAL MATERIAL	0100	3213000	4200000	012	\$ 374.80
2/11/2022	000008308	002771	SMART & FINAL	REFRESHMENTS	0100	0300002	4300015	038	\$ 507.42
2/11/2022	000008309	001725	SPINITAR/PRESENTATION PRODUCTS	OFFICE SUPPLIES	0100	0000000	4300001	012	\$ 905.04
2/14/2022	000008310	004678	AMAZON.COM, INC.	MEDICAL SUPPLIES	0100	3213000	4300000	080	\$ 428.63
2/14/2022	000008311	001980	VELOCITY TRUCK CENTERS	CONTRACTED SERVICES	0100	0982000	5600005	074	\$ 2,104.23
2/14/2022	000008312	003888	STANLEY CONVERGENT SECURITY	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 765.64
2/14/2022	000008313	003311	SAN DIEGO COUNTY SUPERINTENDEN	REGISTRATION FEE	0100	3345000	5200003	054	\$ 45.00
2/14/2022	000008314	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	8150000	4300011	070	\$ 160.10
2/14/2022	000008315	000000390	DANNIS WOLIVER KELLEY	LEGAL FEES	0100	0000000	5800150	054	\$ 862.00
2/14/2022	000008316	004678	AMAZON.COM, INC.	INSTRUCTIONAL SUPPLIES	0100	0000000	4300001	020	\$ 77.56
2/14/2022	000008317	000146	LAKESHORE	INSTRUCTIONAL SUPPLIES	0100	5640000	4300001	054	\$ 109.48
2/14/2022	000008318	000000666	SAN DIEGO ORTHOPEDICS	MEDICAL SUPPLIES	0100	3213000	4300000	080	\$ 214.42
2/15/2022	000008319	000345	STANDARD ELECTRONICS	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 5,000.00
2/15/2022	000008320	000000559	OTAY COMMUNICATIONS LLC	TRANSPORTATION SERVICES	0100	0982000	5600005	074	\$ 846.29
2/15/2022	000008321	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	0000000	4300011	071	\$ 32.30
2/15/2022	000008321	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	0000000	4300000	050	\$ 191.56
2/16/2022	000008322	000000848	SOUND THERAPIES, INC	CONTRACTED SERVICES	0100	6500000	5800010	054	\$ 60,000.00
2/16/2022	000008323	000000772	ACADEMIC SUPPLIER	OFFICE SUPPLIES	0100	0000000	4300001	018	\$ 935.89
2/16/2022	000008324	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	0000000	4300001	018	\$ 265.71
2/16/2022	000008325	002037	PERMA BOUND PUB.	INSTRUCTIONAL SUPPLIES	0100	3213000	4300000	020	\$ 6,512.69
2/16/2022	000008326	004409	MHS INC.	INSTRUCTIONAL MATERIAL	0100	6500000	4300003	054	\$ 533.36
2/16/2022	000008327	004678	AMAZON.COM, INC.	INSTRUCTIONAL MATERIAL	0100	0000000	4300001	016	\$ 242.44
2/16/2022	000008328	000000720	LEARNING WITHOUT TEARS	INSTRUCTIONAL MATERIAL	0100	3010000	4300001	061	\$ 12,574.60
2/16/2022	000008329	000000443	DAILY JOURNAL CORPORATION	CONTRACTED SERVICES	0100	0000000	5800003	061	\$ 119.00
2/17/2022	000008330	000000574	ACCO ENGINEERED SYSTEMS, INC.	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 4,150.00

PURCHASING REPORT (02/03/22 - 02/28/22)

PO Date	PO No.	Supplier	Supplier	PO Ref	Fund	Resource	Object	Site	Total by Account
2/22/2022	000008331	000000574	ACCO ENGINEERED SYSTEMS, INC.	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 5,000.00
2/22/2022	000008332	000000457	AMPLIFIED IT, LLC	CONTRACTED SERVICES	0100	6266000	5800006	061	\$ 48,608.00
2/22/2022	000008333	004742	ALBERTO CARLOS HERRERA	UNIFORMS	0100	0980002	4300001	061	\$ 3,330.55
2/24/2022	000008334	000762	SOUTH BAY FENCE, INC.	CONTRACTED SERVICES	0100	8150000	5600005	070	\$ 2,185.00
2/24/2022	000008335	000000068	P.I.P.S.	PROFESSIONAL SERVICES	0100	0000000	5450000	071	\$ 15,000.00
2/24/2022	000008336	004678	AMAZON.COM, INC.	INSTRUCTIONAL SUPPLIES	0100	0000000	4300000	024	\$ 512.82
2/25/2022	000008337	002037	PERMA BOUND PUB.	INSTRUCTIONAL SUPPLIES	0100	3213000	4200000	024	\$ 5,783.93
2/25/2022	000008338	000000559	OTAY COMMUNICATIONS LLC	TRANSPORTATION SERVICES	0100	0982000	5600005	074	\$ 1,890.39
2/25/2022	000008339	004678	AMAZON.COM, INC.	INSTRUCTIONAL MATERIAL	0100	4127000	4300000	061	\$ 317.55
2/25/2022	000008340	003377	SOUTHWEST SCHOOL & OFFICE	INSTRUCTIONAL SUPPLIES	0100	0000000	4300000	024	\$ 3,031.21
2/25/2022	000008341	004628	FOLLETT SCHOOL SOLUTIONS,INC	LIBRARY SUPPLIES	0100	0000000	4300000	024	\$ 322.17
2/25/2022	000008342	003377	SOUTHWEST SCHOOL & OFFICE	INSTRUCTIONAL SUPPLIES	0100	0000000	4300001	025	\$ 155.92
2/25/2022	000008343	004678	AMAZON.COM, INC.	INSTRUCTIONAL MATERIAL	0100	0000000	4300000	025	\$ 591.54
2/28/2022	000008344	004678	AMAZON.COM, INC.	OFFICE SUPPLIES	0100	0000000	4300011	061	\$ 269.36
2/28/2022	000008345	004045	EDUPOINT EDUCATIONAL SYSTEMS	CONTRACTED SERVICES	0100	0000000	5600005	067	\$ 27,330.20
Total for 0100									\$ 255,160.95
2/9/2022	000008299	004678	AMAZON.COM, INC.	INSTRUCTIONAL SUPPLIES	1200	6105000	4300001	076	\$ 623.95
2/9/2022	000008301	003311	SAN DIEGO COUNTY SUPERINTENDEN	REGISTRATION FEES	1200	5210000	5200003	076	\$ 270.00
2/9/2022	000008301	003311	SAN DIEGO COUNTY SUPERINTENDEN	REGISTRATION FEES	1200	6105000	5200003	076	\$ 945.00
Total for 1200									\$ 1,838.95
Grand Total									\$ 256,999.90

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: EXPENDITURE REPORT

BACKGROUND INFORMATION:

The District is required to pay for goods and services it uses to conduct the educational and support programs. Prior to payment, supporting documents such as contracts with the appropriate approvals and proof of receipt for the goods or services are collected. Invoices to be paid are submitted to the Business Services Department for payment processing. Warrants are printed at San Diego County Office of Education then returned to the Business Services Department for signature.

The following are expenditures incurred by the District during the period of February 1, 2022 through February 28, 2022 with checks #14-861640 through #14-869371 for a total expenditure of \$1,001,338.41 from the following sources:

General Fund - \$900,970.71
Child Developer Fund- \$100,367.70

RECOMMENDATION:

Approve/Ratify the expenditures incurred by the District during the period of February 1, 2022 through February 28, 2022 for a total expenditure of \$1,001,338.41. This includes all agreements along with those with cost implications that fall within the authorized delegation of authority limits of up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Goal No.: Base Services and Safety

2.1 Maintain basic operating services of the district including MOT personnel, transportation, contracted services, and utilities.

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

1,001,338.41

(Amount)

Various (see above)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

Expenditure Report
2/1/22-2/28/22

Warrant ID	Payee	Date	Warrant Amount	Fund	Description
14861640	P.I.P.S.	2/3/2022	67474.00	0100	PROFESSIONAL SERVICES
14861641	MRC SMART TECHNOLOGY SOLUTIONS	2/3/2022	8927.08	0100	MAINTENANCE AGREEMENT
14861642	MAXIM HEALTHCARE SERVICES, INC	2/3/2022	6497.49	0100	PROFESSIONAL SERVICES
14861643	CAPITOL ADVISORS GROUP, LLC	2/3/2022	2000.00	0100	PROFESSIONAL SERVICES
14861644	SASHANAE BUCHANAN	2/3/2022	90.15	0100	REIMBURSEMENT
14861645	ANIXTER INC.	2/3/2022	97.41	0100	MAINTENANCE SUPPLIES
14861646	SDSU RESEARCH FOUNDATION/NCUST	2/3/2022	17500.00	0100	PROFESSIONAL SERVICES
14861647	DIXIELINE LUMBER CO	2/3/2022	81.98	0100	MAINTENANCE SUPPLIES
14861648	WAXIE SANITARY SUPPLY	2/3/2022	6133.77	0100	CUSTODIAL SUPPLIES
14861649	LAKESHORE	2/3/2022	413.51	0100	INSTRUCTIONAL MATERIAL
14861650	PARADIGM HEALTHCARE SERVICES	2/3/2022	3150.00	0100	PROFESSIONAL SERVICES
14861651	MICHELLE PATTERSON	2/3/2022	96.98	0100	REIMBURSEMENT
14861652	OFFICE DEPOT	2/3/2022	640.74	0100	OFFICE SUPPLIES
14861653	DELANEY EDUCATIONAL ENTERPRISE	2/3/2022	2875.20	0100	INSTRUCTIONAL SUPPLIES
14861654	SAN DIEGO COUNTY	2/3/2022	1008.54	0100	PUBLICATION SUPPLIES
14861655	WILLIAM V. MAC GILL & CO.	2/3/2022	162.71	0100	MEDICAL SUPPLIES
14861656	PROFESSIONAL TUTORS OF AMERICA	2/3/2022	160.00	0100	PROFESSIONAL SERVICES
14861657	ULINE	2/3/2022	1368.31	0100	COVID SUPPLIES
14861658	HD SUPPLY FACILITIES	2/3/2022	5792.76	0100	MAINTENANCE SUPPLIES
14861659	SYLVIA LUGO	2/3/2022	50.40	0100	REIMBURSEMENT
14861660	CALIFORNIA FINANCIAL SERVICES	2/3/2022	117964.88	0100	PROFESSIONAL SERVICES
14861661	FLYERS ENERGY	2/3/2022	2367.14	0100	CONTRACTED SERVICES
14862888	AZTEC CONTAINER	2/7/2022	1616.24	0100	CONTRACTED SERVICES
14862889	CRISTINA D'OLEIRE	2/7/2022	11.09	0100	MILEAGE
14862890	DANNIS WOLIVER KELLEY	2/7/2022	16825.50	0100	LEGAL FEES
14862891	EFRAIN IVAN MANRIQUEZ	2/7/2022	97.34	0100	MILEAGE
14862892	AMBER ELLIOTT	2/7/2022	59.47	0100	MILEAGE
14862893	PARKHOUSE TIRE INC	2/7/2022	6344.31	0100	TRANSPORTAION SERVICES
14862894	CSEA	2/7/2022	1393.00	0100	REGISTRATION FEES
14862895	TOM SILVA CONSULTING	2/7/2022	3075.00	0100	PROFESSIONAL SERVICES
14862896	CAL PACIFIC TRUCK CENTER ,LLC	2/7/2022	2195.48	0100	CONTRACTED SERVICES
14862897	LAURA KELLEY	2/7/2022	74.22	0100	REIMBURSEMENT
14862898	PRESIDIO NETWORKED SOLUTIONS GROUP L	2/7/2022	430.00	0100	CONTRACTED SERVICES

Expenditure Report
2/1/22-2/28/22

Warrant ID	Payee	Date	Warrant Amount	Fund	Description
14862899	GLENN HEATH	2/7/2022	22.98	0100	REIMBURSEMENT
14862900	GRAINGER	2/7/2022	3353.91	0100	MAINTENANCE SUPPLIES
14862901	HAWTHORNE MACHINERY	2/7/2022	1182.29	0100	CONTRACTED SERVICES
14862902	SAFEWAY INC. -VONS DIVISION	2/7/2022	14.09	1300	CAFETERIA FOOD
14862903	SAN DIEGO COUNTY VECTOR	2/7/2022	117.18	0100	CONTRACTED SERVICES
14862904	EDUPOINT EDUCATIONAL SYSTEMS	2/7/2022	6524.00	0100	CONTRACTED SERVICES
14862905	BEST BEST & KRIEGER LLP	2/7/2022	13543.00	0100	LEGAL FEES
14862906	BrainPOP LLC	2/7/2022	3250.00	0100	INSTRUCTIONAL MATERIAL
14864137	CORODATA RECORDS MANAGEMENT, INC.	2/10/2022	136.99	0100	CONTRACTED SERVICES
14864138	VECTOR USA	2/10/2022	7611.65	0100	PROFESSIONAL SERVICES
14864139	NINYO & MOORE	2/10/2022	768.50	0100	PROFESSIONAL SERVICES
14864140	KELLY SPICERS STORES	2/10/2022	784.84	0100	PUBLICATION SUPPLIES
14864141	MAXIM HEALTHCARE SERVICES, INC	2/10/2022	6300.00	0100	PROFESSIONAL SERVICES
14864142	NAUMANN HOBBS MATERIAL	2/10/2022	127.45	0100	CONTRACTED SERVICES
14864143	WALSH & ASSOCIATES, APC	2/10/2022	2175.50	0100	LEGAL FEES
14864144	PATHWAY COMMUNICATIONS LTD	2/10/2022	4562.46	0100	TECHNOLOGY SUPPLIES
14864145	SCREENCASTIFY, LLC	2/10/2022	5775.00	0100	TECHNOLOGY LICENSING
14864146	CAL PACIFIC TRUCK CENTER ,LLC	2/10/2022	4784.47	0100	CONTRACTED SERVICES
14864147	SPARTAN TOOL LLC	2/10/2022	555.11	0100	MAINTENANCE SUPPLIES
14864148	PARADIGM HEALTHCARE SERVICES	2/10/2022	500.00	0100	PROFESSIONAL SERVICES
14864149	NEXT DAY PRINTED TEES	2/10/2022	1120.67	0100	OFFICE MATERIALS
14864150	REFRIGERATION SUPPLIES	2/10/2022	374.28	0100	MAINTENANCE SUPPLIES
14864151	CDW GOVERNMENT LLC	2/10/2022	5587.22	0100	TECHNOLOGY SUPPLIES
14864152	KONE INC	2/10/2022	575.34	0100	CONTRACTED SERVICES
14864153	HOME DEPOT	2/10/2022	4720.44	0100	CUSTODIAL SUPPLIES
14864154	SAN DIEGO COUNTY	2/10/2022	3195.00	0100	REGISTRATION FEES
14864155	STATE WATER RESOURCES	2/10/2022	1738.00	0100	ANNUAL PERMIT FEE
14864156	REPUBLIC SERVICES	2/10/2022	15469.96	0100	UTILITIES
14864157	CALIFORNIA DEPT. OF JUSTICE	2/10/2022	196.00	0100	CONTRACTED SERVICES
14864158	ASELTINE SCHOOL	2/10/2022	4806.96	0100	PROFESSIONAL SRVICES
14864159	NAPA AUTO AND TRUCK PARTS	2/10/2022	437.83	0100	TRANSPORTATION SUPPLIES
14864160	FLEETWASH INC	2/10/2022	133.42	0100	CONTRACTED SERVICES
14864161	SMART & FINAL	2/10/2022	41.99	0100	COVID SUPPLIES

Expenditure Report
2/1/22-2/28/22

Warrant ID	Payee	Date	Warrant Amount	Fund	Description
14864162	AT&T	2/10/2022	5924.43	0100	UTILITIES
14864163	VALLEY INDUSTRIAL SPECIALTIES	2/10/2022	59.08	0100	MAINTENANCE SUPPLIES
14864164	WALMART	2/10/2022	142.28	0100	REFRESHMENTS
14864165	BEST BUY	2/10/2022	3037.51	0100	TECHNOLOGY SUPPLIES
14864166	GALLAGHER BENEFIT SERVICES, INC	2/10/2022	458.15	0100	PROFESSIONAL SERVICES
14864167	ABA EDUCATION FOUNDATION	2/10/2022	3525.75	0100	PROFESSIONAL SERVICES
14864168	XEROX CORPORATION	2/10/2022	4474.74	0100	MAINTENACE AGREEMENT
14865266	PIONEER HEALTHCARE SERVICES LLC	2/14/2022	7490.88	0100	PROFESSIONAL SERVICES
14865267	GOLD STAR FOODS	2/14/2022	59284.41	1300	CAFETERIA FOODS
14865268	AARDVARK ANT & PEST CONTROL INC.	2/14/2022	1713.00	0100	CONTRACTED SERVICES
14865269	EMS LINQ INC	2/14/2022	12645.00	1300	CONTRACTED SERVICES
14865270	WESTED	2/14/2022	22000.00	0100	CONTRACTED SERVICES
14865271	THE STEPPING STONE GROUP	2/14/2022	2583.04	0100	PROFESSIONAL SERVICES
14865272	THE INSTITUTE FOR EFFECTIVE	2/14/2022	9705.20	0100	PROFESSIONAL SERVICES
14865273	HOLLANDIA DAIRY INC.	2/14/2022	16318.68	1300	CAFETERIA FOOD
14865274	COUNTY OF SAN DIEGO	2/14/2022	404.00	1300	CONTRACTED SERVICES
14865275	EWING IRRIGATION	2/14/2022	829.33	0100	GROUND SUPPLIES
14865276	LLOYD PEST CONTROL CO.	2/14/2022	232.00	1300	CONTRACTED SERVICES
14865277	CALIFORNIA DEPARTMENT OF	2/14/2022	594.04	1300	CONTRACTED SERVICES
14865278	WALMART	2/14/2022	161.81	1300	CAFETERIA SUPPLIES
14865279	ACE COOLING & FREEZING	2/14/2022	738.11	1300	CONTRACTED SERVICES
14865280	LITTLE CAESARS PIZZA	2/14/2022	101.82	1300	CAFETERIA CATERING
14865281	AMERICAN PRODUCE DISTRIBUTORS	2/14/2022	794.25	1300	CAFETERIA FOOD
14866291	ANA BUSH	2/17/2022	111.00	0100	REIMBURSEMENT
14866292	MAXIM HEALTHCARE SERVICES, INC	2/17/2022	26966.44	0100	PROFESSIONAL SERVICES
14866293	MARGARITA MEZA	2/17/2022	124.00	0100	REIMBURSEMENT
14866294	EDTHEORY LLC	2/17/2022	2496.00	0100	PROFESSIONAL SERVICES
14866295	JEDZIDA HERRON	2/17/2022	174.37	0100	REIMBURSEMENT
14866296	KARLA ARMAS	2/17/2022	130.00	0100	REIMBURSEMENT
14866297	SOUND THERAPIES, INC	2/17/2022	5973.28	0100	CONTRACTED SERVICES
14866298	SAM & ROSE STEIN EDUCATION	2/17/2022	8421.42	0100	PROFESSIONAL SERVICES
14866299	SPRINT	2/17/2022	4092.82	0100	CONTRACTED SERVICES
14866300	P&R PAPER SUPPLY COMPANY, INC.	2/17/2022	5854.19	1300	CAFETERIA PAPER GOODS

Expenditure Report
2/1/22-2/28/222

Warrant ID	Payee	Date	Warrant Amount	Fund	Description
14866301	SHIRTS UNLIMITED LLC.	2/17/2022	2010.30	1300	OFFICE MATERIAL
14866302	SAN DIEGO COUNTY	2/17/2022	44440.00	0100	CONTRACTED SERVICES
14866303	VELOCITY TRUCK CENTERS	2/17/2022	2104.23	0100	CONTRACTED SERVICES
14866304	CALIFORNIA ELECTRIC SUPPLY	2/17/2022	1374.40	0100	MAINTENANCE SUPPLIES
14866305	SAN YSIDRO SCHOOL DISTRICT	2/17/2022	5122.67	0100	
14866306	STANLEY CONVERGENT SECURITY	2/17/2022	765.64	0100	CONTRACTED SERVICES
14866307	MAYURA VONGSAVATH	2/17/2022	87.96	0100	
14866308	SOUTH BAY COMMUNITY SERVICES	2/17/2022	16095.00	0100	PROFESSIONAL SERVICES
14867931	MAXIM HEALTHCARE SERVICES, INC	2/22/2022	19614.68	0100	PROFESSIONAL SERVICES
14867932	PRESIDIO NETWORKED SOLUTIONS GROUP L	2/22/2022	1275.00	0100	CONTRACTED SERVICES
14867933	SAN DIEGO GAS & ELECTRIC	2/22/2022	85194.13	0100	UTILITIES
14867934	SCHOOL SERVICES OF CALIFORNIA	2/22/2022	2355.00	0100	REGISTRATION FEES
14867935	OFFICE DEPOT	2/22/2022	5582.52	0100	INSTRUCTIONAL SUPPLIES
14868668	P.I.P.S.	2/24/2022	71370.25	0100	CONTRACTED SERVICES
14868669	BMR HEALTH SERVICES, INC	2/24/2022	18133.92	0100	PROFESSIONAL SERVICES
14868670	U.S. BANK	2/24/2022	2500.00	0100	CONTRACTED SERVICES
14868671	PANERA BREAD COMPANY	2/24/2022	610.53	0100	REFRESHMENTS
14868672	SAN DIEGO ORTHOPEDICS	2/24/2022	216.41	0100	MEDICAL SUPPLIES
14868673	THE STEPPING STONE GROUP	2/24/2022	6457.60	0100	PROFESSIONAL SERVICES
14868674	THE SPEECH PATHOLOGY GROUP, INC	2/24/2022	8960.00	0100	PROFESSIONAL SERVICES
14868675	DIXIELINE LUMBER CO	2/24/2022	403.22	0100	MAINTENANCE SUPPLIES
14868676	CITY TREASURER	2/24/2022	8062.17	0100	UTILITIES
14868677	CDW GOVERNMENT LLC	2/24/2022	17892.76	0100	TECHNOLGY SUPPLIES
14868678	EWING IRRIGATION	2/24/2022	3290.83	0100	GROUND SUPPLIES
14868679	RANCHO SAN DIEGO NURSERY INC	2/24/2022	178.20	0100	GROUNDS SUPPLIES
14868680	NAPA AUTO AND TRUCK PARTS	2/24/2022	38.08	0100	TRANSPORTATION SUPPLIES
14868681	IMPERIAL SPRINKLER SUPPLY	2/24/2022	705.46	0100	GROUNDS SUPPLIES
14868682	CALIFORNIA ELECTRIC SUPPLY	2/24/2022	756.69	0100	MAINTENANCE SUPPLIES
14868683	WESTAIR GASES & EQUIPMENT INC	2/24/2022	112.79	0100	MAINTENENCE SUPPLIES
14868684	HOTSY EQUIPMENT COMPANY	2/24/2022	405.39	0100	GROUNDS SUPPLIES
14868685	WALMART	2/24/2022	33.35	0100	INSTRUCTIONAL SUPPLIES
14868686	ROCIO ALVARADO	2/24/2022	74.00	0100	REIMBURSEMENT
14868687	OPTIMUM FLOORCARE	2/24/2022	321.91	0100	CONTRACTED SERVICES

Expenditure Report
2/1/22-2/28/222

Warrant ID	Payee	Date	Warrant Amount	Fund	Description
14868688	PRO POWER	2/24/2022	492.02	0100	GROUNDS SUPPLIES
14868689	SOUTH BAY COMMUNITY SERVICES	2/24/2022	16378.10	0100	PROFESSIONAL SERVICES
14869362	P.I.P.S.	2/28/2022	15000.00	0100	PROFESSIONAL SERVICES
14869363	AMPLIFIED IT, LLC	2/28/2022	36944.00	0100	CONTRACTED SERVICES
14869364	AMBER ELLIOTT	2/28/2022	62.13	0100	MILEAGE
14869365	DANIEL CHAVEZ	2/28/2022	45.86	0100	MILEAGE
14869366	WEX BANK	2/28/2022	4456.43	0100	OPERATIONAL SERVICES
14869367	DUNN-EDWARDS CORP.	2/28/2022	654.21	0100	MAINTENANCE SUPPLIES
14869368	A-Z BUS SALES, INC.	2/28/2022	290.46	0100	CONTRACTED SERVICES
14869369	SAN DIEGO COUNTY SUPERINTENDEN	2/28/2022	1215.00	1200	REGISTRATION FEES
14869370	MICHAEL BAKER INTERNATIONAL	2/28/2022	12421.48	0100	PROFESSIONAL SERVICES
14869371	AMAZON.COM, INC.	2/28/2022	1811.37	0100	INSTRUCTIONAL SUPPLIES

\$ 1,001,338.41

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: APPROVE/RATIFY AGREEMENTS WITHIN DELEGATION OF AUTHORITY LIMITS

BACKGROUND INFORMATION:

Pursuant to Education Code Section 17604 and Resolution No. 21/22-0006, the power to contract on behalf of the Governing Board of the San Ysidro School District was delegated to the Superintendent and the Chief Business Official during the 2021-22 fiscal year, in the maximum amounts of \$15,000 for public project contracts and \$30,000 for all other contracts, respectively; provided that no contract made pursuant to such delegation and authorization shall be valid or constitute an enforceable obligation against the District unless and until same shall have been approved or ratified by the Governing Board, said approval or ratification to be evidenced by a motion duly passed and adopted.

The various departments of the district submitted the agreements on the attached list for Governing Board approval and/or ratification.

RECOMMENDATION:

Approve/Ratify the agreements on the attached list with cost implications that fall within the authorized delegation of authority limits of up to \$15,000 for public project contracts and up to \$30,000 for all other contracts from the various funding sources or at no cost to the district.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

See attached

(Amount)

Various Funding Sources

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

AGREEMENTS UNDER \$30,000 FOR APPROVAL / RATIFICATION

March 10, 2022

	Vendor	Description	Estimated Amount	Funding Source	Administrator
1	Aardvark Ant & Pest Control	Amendment No. 2 - add services for OVH and increase the not to exceed limit to \$30,000.00 (2021-22)	\$30,000.00	Routine Restricted Maintenance Fund	Farkas/Azevedo
2	ACCO Engineered Systems	Provide plumbing services on an "as needed" basis. (2021-22)	\$30,000.00	Routine Restricted Maintenance Fund	Adrianzen/Azevedo
3	CDW-G	Provide professional development on Uninterruptable Power Supply - Expanded Basic Operator Training.	\$1,198.42	General Fund	Adrianzen/Lewis
4	CSM Consulting, Inc.	E-Rate Program Consultants (2021-2025)	\$20,000.00	E-Rate Funds	Adrianzen/Lewis
5	Everyday Speech	Purchase subscription to Social Communication curricula	\$399.99	Special Education Fund	González/Madera
6	O'Day Consultants	Provide a property line surveying and staking of the VDM Gnatcatcher Preserve. (2021-22)	\$2,045.00	Routine Restricted Maintenance & RDA Funds	Adrianzen/Azevedo
7	School Innovations & Advocacy, Inc.	Preparation of the School Accountability Report Cards (SARC)	\$8,300.00	General Fund	González
8	Seesaw Learning Inc.	Provide remote learning tool for students at OVH.	\$3,066.00	LCAP ESSER III Funds	González/Meza
9	Tom Silva Consulting	Increase the contract total to \$20,000.00 for professional school facilities planning services on an "as needed" basis. (2021-22)	\$20,000.00	General Fund	Adrianzen/Azevedo

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: AMENDMENT NO. 2 TO THE AARDVARK ANT AND PEST CONTROL AGREEMENT

BACKGROUND INFORMATION:

The District has staff that is certified on the procedures of pesticide chemicals and applications. At times, there is a need for assistance in order to cover all of our District's facilities needs. The District has requested the assistance of Aardvark Ant & Pest Control to provide pest control at the various District facilities as needs arise.

Amendment No. 2 is for additional services for Gopher control at the Ocean View Hills Elementary School site. With the addition of these services, it is necessary to increase the not to exceed limit to \$30,000.00.

RECOMMENDATION:

Approve/Ratify Amendment No. 2 to the Aardvark Ant & Pest Control Agreement for fiscal year 2021-22 to add services for Ocean View Hills School and increase the not to exceed limit to \$30,000.00 from the Routine Restricted Maintenance Account fund.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

NOT TO EXCEED

\$30,000.00

(Amount)

Routine Restricted Maintenance Account Fund

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

EXHIBIT A

AMENDMENT NO. 2

Amendment to the Professional Services Agreement entered on the 11th day of March 2022, by and between the San Ysidro School District, hereinafter called the "District", and

AARDVARK Ant & Pest Control, Inc.
Company/Consultant

1-800-650-6008
Telephone Number

2514 Jamacha Road #502-40, El Cajon, CA 92019-4366
Address

www.aardvarkant.com
Website

hereinafter referred to as "Consultant."

The following services are being requested due to pest control problems at the following locations. Individual Services Agreement dated February 8, 2022 is attached and is on an "as needed" basis. The District can terminate the Individual Service Agreements at any time.

All other Terms & Conditions on the original agreement dated June 24, 2021 for fiscal year 2021-2022 shall remain the same.

Location	Type of Service	One-Time Fee	Maintenance Fee
OVH	Gophers Maintenance	\$425.00 (Includes 1 st month of services)	\$295/month

AARDVARK approved: _____

Date: _____

SYSD approved: _____

Date: _____

Marilyn Adrianzen, CBO

Board approved/ratified: 03-10-21



SERVICE AGREEMENT

Service start date: Feb 8, 2022

ANT & PEST CONTROL INC.

2514 Jamacha Road, #502-40 El Cajon, CA 92019-4366
Phone 1-800-650-6008 • Fax 619-441-2546
www.aardvarkant.com

Amendment No. 2

Billing Name San Pedro School Pest
Address _____

Service Name Ocean View Hills School
Address 491A Del Sol Blvd.

City _____ State _____
Zip Code _____ Phone _____

City San Diego State Ca.
Zip Code 92154 Phone _____
Fax _____

PESTS COVERED AND FREQUENCY:

- Ants Roaches Fleas Mice
- Spiders Bees Rats Gophers
- Other _____

STRUCTURE TYPE:

- Res. Comm. Apt. Units _____
- Condo. Units _____

- Exterior Service Monthly / EOM / Qtr Interior Service Monthly / EOM / Qtr Interior Service upon request

2x Monthly

CHEMICALS USED / ACTIVE INGREDIENTS

- Talstar One/Wisdom TC - Bifenthrin Talstar/Wisdom Granular - Bifenthrin P.I. - Pyrethrins
- Termidor SC - Fipronil Maxforce Ant Killer Bait Gel - Fipronil Maxforce Roach Killer Gel - Fipronil
- Drione - Pyrethrins Wasp Freeze - Phenothrin & D-Trans Allethrin Suspend - Deltamethrine
- Contrac Blox - Bromadiolone Martins Gopher Getter - Strychnine Alkaloid Fumitoxin - Aluminum Phosphide
- Archer - Pyridine Other _____ Phantom - Chlorfenapyr
- Sluggo - Iron Phosphate

One Time Service Charge	\$ _____
Monthly Charge	\$ _____
Every Other Month	\$ _____
Quarterly Service	\$ _____
Discount	\$ _____
Total	\$ _____

Comments Clean out for Gophers \$425.00.
Includes 1st month of service.
Monthly service cost - \$295.00
This bid covers all turf area's

Map Code _____

"State law requires that you be given the following information: CAUTION - PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Companies are registered and regulated by the California Structural Pest Control Board and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the state finds that, based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends on the degree of exposure, so exposure should be minimized."

"If within 24 hours following application you experience symptoms similar to common seasonal illness comparable to the flu or any other symptoms of overexposure which are not typical of influenza, contact your physician or poison control center (1-800-876-4766) and Aardvark Ant & Pest Control Inc., immediately. Contact with rodenticides may reduce the clotting ability of blood and cause bleeding. See telephone numbers below for more information." For further information, contact any of the following:

- Poison Control Center 1-800-876-4766
- Aardvark Ant & Pest Control Inc. 1-800-650-6008
- For Health Questions-San Diego County Health Department 1-619-692-8499
- For application information - San Diego County Agricultural Commissioner 1-858-694-8980
- For regulatory information - Structural Pest Control Board, 2005 Evergreen St., Suite #1500, Sacramento, CA 95815 1-800-737-8188

If a contract for periodic pest control has been executed, the frequency with treatment is to be done. In the case of Branch1 applications, the notice prescribed by subdivision shall be provided at least 48 hours prior to application unless fumigation follows inspection by less than 48 hours.

This service agreement shall be continued for a period of TWELVE (12) MONTHS AND THEREAFTER UNTIL CANCELLED WITH A THIRTY (30) DAY WRITTEN NOTICE. If the property herein passes from my/our control during the period of this agreement upon thirty (30) day written notice thereof, Aardvark Ant & Pest Control Inc. will immediately cancel this agreement except that if such transfer of control occurs within three (3) months from the date of the agreement. I/we agree to pay Aardvark Ant & Pest Control Inc. in full for the first three (3) months service at the rate established herein.

NOTE: While the purpose of this agreement is to prevent damage from pests, Aardvark Ant & Pest Control Inc. shall not be liable for any loss or damage caused by sources of pests occurring after the date of service. All complaints must be submitted in writing to the above branch within 24 hours following any loss or damage.

A service fee of \$25.00 will be charged on all returned checks.

THIS AGREEMENT DOES NOT INCLUDE CARPENTER / PHAROAH ANTS OR WOOD DESTROYING ORGANISMS.

I have read, understand and hereby agree to all QAL 135285
terms and conditions of this agreement. OPR 12925

Aardvark Ant & Pest Control Inc.

14E.3

Page 5 of 64

Accepted _____

William H. "Ship" Dodge

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: AGREEMENT WITH ACCO ENGINEERED SYSTEMS

BACKGROUND INFORMATION:

On occasions it is necessary to call an outside company for repairs at our facilities. These are repairs that go above and beyond the expertise of our staff. ACCO Engineered Systems is an experienced company in several types of repairs. The District would like to enter into an agreement with ACCO to provide plumbing services.

RECOMMENDATION:

Approve the agreement with ACCO Engineered Systems to provide plumbing services during fiscal year 2021-22 on an “as needed” basis and in an amount not to exceed \$30,000.00 from the Routine Restricted Maintenance Account.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

NOT TO EXCEED
\$30,000.00
(Amount)

Routine Restricted Maintenance Account
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

SAN YSIDRO SCHOOL DISTRICT
4350 Otay Mesa Road
San Ysidro, California 92173
619-428-4476

INDEPENDENT CONTRACTOR SERVICES

THIS CONTRACT made and entered into on March 11, 2022 by and between ACCO ENGINEERED SYSTEMS, hereinafter called the **CONTRACTOR** and the **SAN YSIDRO SCHOOL DISTRICT**, hereinafter called the **DISTRICT**.

WITNESSETH; The parties do hereby contract and agree as follows:

1. The term of this contract shall begin on January 1, 2022 with work to be completed on or before June 30, 2022.
2. The District shall pay the Contractor for the specified services (Scope of Work) as reflected below or on Exhibit A for the following services (the "Project"):

Plumbing Service and Repair on an "as needed" basis per the Service Rate Pricing for 2021-22 (Exhibit A).
PROJECT NAME

3. The Contractor shall not commence work under this Contract until the insurance required under paragraph 22 of the **General Terms and Conditions** and satisfactory proof of such insurance has been submitted to the District and said insurance has been approved by the District.
4. Payment Schedule - Payment for the work shall be made in lump sum upon final completion of the Project subject to the provisions of Paragraph 18 of the **General Terms and Conditions** and the District's written approval of the work (which approval shall not be unreasonably withheld). No payment by the District shall be due or until at least thirty (30) days following final approval of completed work by the District.
5. Inspection shall be performed by the Director of Facilities and Support Operations for the District, or his authorized representative.
6. The Contract includes the **General Terms and Conditions** as printed and set forth on the following pages, and the Contractor, by executing this Contract, agrees to comply with all such general terms and conditions.
7. The Contractor shall guarantee all labor and material used in the performance of this Contract for a period of one year from the date of final written approval by the District.
8. Documents Constituting Agreement. The documents indicated below collectively constitute the entire Agreement, and shall be attached and maintained with a copy of this Agreement:
 - _____ Scope of Work Statement
 - _____ Certificates of Insurance Liability
 - _____ Additional Insured Endorsement
 - _____ Worker's Compensation Insurance (as required by law)
 - _____ Waiver of Subrogation
 - _____ School Safety Certification Form
 - _____ IRS Form W-9

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self insurance in accordance with provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

- 9. Entire Agreement/Amendments. This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may not be amended except by a writing signed by the District and Contractor. No waiver, alternation or modification of the provisions of this Agreement shall be effective unless signed by both Parties.
- 10. Severability. If any section, subsection, sentence, clause or phrases of this Agreement, or the application thereof to any of the Parties, is for any reason held invalid or unenforceable, the validity of the remainder of the Agreement shall not be affected thereby and may be enforced by the Parties to this Agreement.
- 11. Exhibits and Recitals. All Exhibits and Recitals contained herein are hereby incorporated into this Agreement by this reference.
- 12. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one agreement.

IN WITNESS WHEREOF, the parties hereunto have subscribed to this Contract, including all Contract Documents described herein:

CONTRACTOR

SAN YSIDRO SCHOOL DISTRICT

Contractor Name

Marilyn Adrianzen, Chief Business Official

Authorized Signature

DATE: _____

TITLE: _____

BOARD APPROVED:

LICENSE NUMBER: _____

ADDRESS: _____

EMAIL: marilyn.adrianzen@sysdschools.org

PHONE: (619) 428-4476 ext. 3003

DATE: _____

FAX: (619) 428-9355

GENERAL TERMS AND CONDITIONS

1. **PROPOSAL ACCEPTANCE.** Proposals are subject to acceptance by the District and signing of a contract and issuance of an appropriate purchase order at any time within sixty (60) days after the receipt of quotes unless otherwise stipulated. The District reserves the right to accept or reject any and all quotes and reserves the right to waive any informality in any quote. No attachment or exhibit to any such proposal provided by Contractor shall supersede these General Terms and Conditions or other contract documents. Any such provisions which conflict with the requirements of the contract documents shall be void and unenforceable.

2. **SITE EXAMINATION.** Contractor must examine the site and certify all measurements, specifications and conditions affecting the work to be performed at the site. By submitting their quote a contractor warrants that they have made such site examination as they deem necessary as to the condition of the site, its accessibility for materials, workmen and utilities and ability to protect existing surface and subsurface improvements. No claim for allowance of time or money will be allowed as to such matters or for any other undiscovered conditions on the site.

3. **EQUIPMENT AND LABOR.** The Contractor shall furnish all tools, equipment, apparatus, facilities, transportation, labor, and material necessary to furnish the services herein described, the services to be performed at such times and places as directed by and subject to the approval of the authorized district representative indicated in the work specifications attached hereto.

4. **SUBCONTRACTORS.** Contractor agrees to bind every subcontractor by terms of the contract as far as such terms are applicable to subcontractor's work. If Contractor shall subcontract any part of this contract, Contractor shall be fully responsible to the District for acts and omissions of his subcontractor and of persons either directly or indirectly employed by him. Nothing contained in the contract documents shall create any contractual relations between any subcontractor and the District.

5. **SAFETY AND SECURITY.** It shall be the responsibility of the Contractor to ascertain from the District the rules and regulations pertaining to safety, security and driving on school grounds, particularly when children are present.

6. **DEFAULT BY CONTRACTOR.** When Contractor, or any subcontractor, or vendor shall fail to deliver any article or service or shall deliver any article or service which does not conform to the work specifications, the District may, upon five (5) business days' prior written notice describing the default, at its option, annul and set aside the contract entered into with said Contractor, subcontractor or vendor either in whole or in part, and make and enter into a new contract in such manner as seems to the Board of Education to be to the best advantage of the District. Any failure for furnishing such articles or services by reason of the failure of the Contractor, subcontractor or vendor, as above stated, shall be a liability against the Contractor and his sureties. The Board of Education reserves the right to cancel any articles or services which the Contractor may be unable to furnish because of economic conditions, governmental regulations or other similar causes beyond the control of the Contractor provided satisfactory proof is furnished to the Board of Education, if requested.

7. **CONTRACT CHANGES.** No changes or alterations to this contract shall be made without specific prior written approval by the District.

8. **WORKERS.** Contractor shall at all times enforce strict discipline and good order among his employees and shall not employ on work any unfi person or anyone not skilled in work assigned to him or her. Any person in the employ of the Contractor whom the District may deem incompetent or unfit shall be dismissed from the job site and shall not again be employed at site without written consent from the District.

9. **SUBSTITUTIONS.** No substitutions, of materials from those specified in the Work Specifications, shall be made without the prior written approval of the District.

10. **CONTRACTOR SUPERVISION.** Contractor shall provide competent supervision of personnel employed on the job site, use of equipment, and quality of workmanship.

11. **CLEAN UP.** Debris shall be removed from the premises. Job site shall be in order at all times when work is not actually being performed and shall be maintained in a reasonably clean condition.

12. **ACCESS TO WORK.** District representatives shall at all times have access to work wherever it is in preparation or progress. Contractor shall provide safe and proper facilities for such access.

13. **PROTECTION OF WORK AND PROPERTY.** The Contractor shall erect and properly maintain at all times, as required by conditions and progress of work, all necessary safeguards, signs, barriers, lights, and watchmen for protection of workmen and the public, and shall post danger signs warning against hazards created by such features in the course of construction. In an emergency affecting life and safety of life or of work or of adjoining property, Contractor, without special instruction or authorization from District, is permitted to act at his discretion to prevent such threatened loss or injury.

14. **OCCUPANCY.** District reserves the right to occupy buildings at any time before formal contract completion and such occupancy shall not constitute final acceptance or approval of any part of the work covered by this contract, nor shall such occupancy extend the date specified for substantial completion of the work.

15. **ASSIGNMENT OF CONTRACT AND PURCHASE ORDER.** The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties, or obligations under this contract without the prior written consent of the District.

16. **FORCE MAJEURE CLAUSE.** The parties to the Contract shall be excused from performance there under during the time and to the extent that they are prevented from obtaining, delivering, or performing by act of God, fire, strike, loss, or shortage of transportation facilities, lock-out, commandeering of materials, products, plants or facilities by the government, when satisfactory evidence thereof is presented to the other party (ies), provided that it is satisfactorily established that the non-performance is not due to the fault or neglect of the party not performing.

17. **HOLD HARMLESS AGREEMENT To the fullest extent permitted by law, Contractor shall defend (with counsel of District's choosing), indemnify and hold the District, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Contractor, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Contractor's Services, this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys fees and other related costs and expenses; provided, however, that Contractor shall not be liable for the sole established negligence, willful misconduct or active negligence of District. Contractor shall reimburse District and its officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the District, its directors, officials officers, employees, agents, or volunteers. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor.**

18. **PAYMENT.** Contractor shall submit to District an itemized invoice which indicates work completed by Contractor. District shall review each invoice and/or receipts submitted to determine that the

work performed, and expenses incurred are in compliance with the provisions of this Agreement. District shall pay Contractor within 30 days and in accordance with this Agreement.

19. **PERMITS AND LICENSES.** The Contractor and all of his employees, agents, and subcontractors shall secure and maintain in force, at Contractor's sole cost and expense, such licenses and permits as are required by law, in connection with the furnishing of materials, supplies, or services herein listed.

20. **CONTRACTOR NOT OFFICER, EMPLOYEE, OR AGENT OF DISTRICT.** While engaged in carrying out other terms and conditions of this Agreement or purchase order, the Contractor is an independent Contractor, and not an officer, employee, agent, partner, or joint venture of the District.

21. **ANTI-DISCRIMINATION.** It is the policy of the San Ysidro School District Board of Education that in connection with all work performed under construction and purchasing contracts, there be no discrimination against any employee engaged in the work because of race, color, sex, ancestry, national origin, or religious creed, and therefore the Contractor agrees to comply with the applicable Federal and California Laws, including, but not limited to the California Fair Employment Practice Act, beginning with Labor Code, Section 1410 and Labor Code, Section 1735. In addition, the Contractor agrees to require such compliance by all subcontractors employed on the work by him.

22. **CONTRACTOR'S AND SUBCONTRACTOR'S INSURANCE.** The Contractor shall not commence work under this Contract until he has obtained the insurance required under this paragraph and satisfactory proof of such insurance has been submitted to District and said insurance has been approved by the District. Except for worker's compensation insurance, the policy shall not be amended or modified, and the coverage amounts shall not be reduced without the District's prior written consent, and, the District shall be named as an additional insured and be furnished thirty (30) days written notice prior to cancellation. The Contractor shall not allow any Subcontractor, employee or agent to commence work on this contract or any subcontract until the insurance required of the Contractor, subcontractor, or agent has been obtained.

A) **WORKER'S COMPENSATION INSURANCE.**

The Contractor shall procure and shall maintain during the life of this contract Worker's Compensation Insurance on all of his employees to be engaged in work on the project under this contract and in case of any such work sublet, the Contractor shall require the subcontractor similarly to provide Worker's Compensation Insurance for all of the latter's employees to be engaged in such work unless such employees are covered by the protection afforded by the Contractor's Worker's Compensation Insurance. A Waiver of Subrogation in favor of the District shall be provided.

B) **COMMERCIAL GENERAL LIABILITY AND COMMERCIAL AUTO INSURANCE.** The Contractor shall procure and shall maintain during the life of his contract, Contractor's Commercial General Liability Insurance in an amount not less than \$1,000,000 per occurrence for injuries, including accidental death to any one person, and subject to the same limit for each person, in an amount not less than \$1,000,000 on account of one accident (per occurrence) and Commercial Auto Insurance in an amount not less than \$1,000,000. Any subcontractor employed in connection with the work shall maintain such insurance unless the Contractor's insurance covers the subcontractor and its employees.

23. **WARRANTY/QUALITY.** The Contractor, manufacturer, or their assigned agents shall guarantee the workmanship, product or service performed against defects or failures of materials for a minimum period of one (1) year from delivery or the final completion date for the work. All workmanship and merchandise must be warranted to be in compliance with applicable California energy, conservation, environmental, and educational standards.

24. **ASSIGNMENT OF CLAIMS.** In submitting a quote on this project, or any subcontractor agreeing to supply goods, services, or materials, and entering a contract pursuant thereto, the Contractor

and/or subcontractor do offer and agree to assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act, Chapter 2 (commencing with Section 116700 of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the contract or the subcontract. This assignment shall be made and become effective at the time the District tenders final payment to the Contractor without further acknowledgment by the parties.

25. **COMPLIANCE WITH LAWS.** Contractor shall give all notices and comply with all laws, ordinances; rules and regulations bearing on conduct or work as indicated or specified. If Contractor observes that any of the work required by this contract is at variance with any such laws, ordinances, rules or regulations, Contractor shall notify the District, in writing, and, at the sole option of the District, any necessary changes to the scope of work shall be made and this Contract shall be appropriately amended in writing, or this Contract shall be terminated effective upon Contractor's receipt of a written termination notice from the District. If Contractor performs any work knowing it to be in violation of such laws, ordinances, rules or regulations and without first notifying the District of such violation, Contractor shall bear all costs arising there from.

26. **TIME IS OF THE ESSENCE.** Time is of the essence in the performance of and compliance with each of the provisions and conditions of this contract.

27. **GOVERNING LAW.** This contract shall be governed by and construed in accordance with the laws of the State of California with venue in San Diego County.

28. **NO ORAL MODIFICATION.** Any waiver, amendment, modification, consent or acquiescence with respect to this contract or any provision of this contract or with respect to any failure to perform in accordance therewith shall be set forth in writing and duly executed by authorized representatives to enter into agreements of each party to be bound thereby.

29. **PROVISIONS REQUIRED BY LAW DEEMED INSERTED.** Each and every provision of law and clause required by law to be inserted in this contract shall be deemed to be inserted herein and this contract shall be read and enforced as though it were included therein.

30. **ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA).** All contract work that is performed for the District by outside contractors or workers must meet all of the regulations that have been set forth in the AHERA rule. This means that all work which could disturb the integrity of any Asbestos Containing Building Material (A.C.B.M.) needs to be approved by the District. This refers to the sawing, grinding, cutting, or drilling of any A.C.B.M. in occupied areas of District building.

31. **TERMINATION OF AGREEMENT.** District may, by written notice to Contractor, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Contractor of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Contractor shall be compensated only for those services which have been adequately rendered to District, and Contractor shall be entitled to no further compensation. Contractor may not terminate this Agreement except for cause.

(i) **Effect of Termination.** If this Agreement is terminated as provided in this Section, District may require Contractor to provide all finished or unfinished documents, data, programming source code, reports or any other items prepared by Contractor in connection with the performance of Services under this Agreement. Contractor shall be required to provide such documents and other information within five (5) days of the request.

(ii) **Additional Services.** In the event this Agreement is terminated in whole or in part as provided herein, District may procure, upon such terms and in such manner as it may determine appropriate, services similar or identical to those terminated.

(iii) Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the addresses provided in the Contract, or at such other address as the respective parties may provide in writing for this purpose: Such notice shall be deemed made when personally delivered, or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

32. **FINGERPRINTING REQUIREMENTS.** It shall be the responsibility of the Contractor to ascertain from the District the rules and regulations pertaining to safety, security and driving on school grounds, particularly when children are present. All employees of Contractor, including those of subcontractor, working on a school site while children are present shall have been cleared by the Department of Justice as not having been convicted of serious or violent felonies as per Education Code 45125.1 and 45125.2. The District shall notify the Contractor in writing if its employees must be fingerprinted prior to commencing work. Contractor shall complete a **School Safety Certification Form.**

33. **DRUG/TOBACCO-FREE FACILITIES.** All District facilities are drug, alcohol and tobacco-free facilities. Any drug, alcohol and/or tobacco use (smoked or smokeless) is prohibited at all times on all areas of District facilities.

34. **TUBERCULOSIS (TB) CLEARANCE.** The District requires for Tuberculosis (TB) Clearances to be in place by anyone coming in contact with pupils. This section may be waived if the District determines that the Contractor and/or its employees will have limited contact with District pupils or if the Contractor and its employees will be supervised at all times by District staff.

35. **SAFETY PROTOCOLS** – The District requests that all service providers/contractors that will be on District facilities to follow COVID-19 Safety Protocols and to provide proof of Covid vaccination. Refer to the attached Safety Protocols.

36. **COMPLIANCE WITH STORM WATER PERMIT (if applicable).** Contractor shall be required to comply with all conditions of the State Water Resources Control Board (“State Water Board”) National Pollutant Discharge Elimination System General Permit for Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (“Permit”) – General NPDES Permit No. CAS000004 adopted by the State Water Resources Control Board. Contractor shall be responsible for filing the Notice of Intent and for obtaining the Permit and include all costs in the Contract amount. Contractor shall be responsible for procuring, implementing and complying with the provisions, monitoring and reporting requirements as required by the Permit. Contractor shall provide copies of all reports and monitoring information to the District Representative. Failure to comply with the Permit is in violation of federal and state law.

Contractor’s Initials _____`

San Ysidro School District
SCHOOL SAFETY CERTIFICATION FORM

CERTIFICATION PURSUANT TO EDUCATION
CODE SECTION 45125.1 and
Penal Code section 667.5(c) or a serious felony
listed in Penal Code section 1192.7(c)
Fingerprinting and Criminal Background
Investigation Requirements

The San Ysidro School District (District) has determined under Education Code Section 45125.1, subdivision (c) that in performing services under this contract, **Contractor's employees and/or subcontractors may have contact with pupils.**

_____(Initial) As required under Education Code Section 45125.1, subdivision (a), Contractor shall require their employees, including the employees of any sub-Contractor and/or subcontractor, who will provide services pursuant to this contract to submit their fingerprints in a manner authorized by the Department of Justice in order to conduct a criminal background check to determine whether such employees have been convicted of or have charges pending for a felony as defined under Education Code Section 45122.1.

_____(Initial) Contractor shall not permit any employee to perform services that may come in contact with pupils under this contract until the Department of Justice has determined that the employee has not been convicted of a felony or has no criminal charges pending for a felony as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

_____(Initial) Contractor certifies that all of its employees who may come in contact with pupils have not been convicted of or have no criminal charges pending for a felony, as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

_____(Initial) Contractor shall defend, indemnify, protect and hold the District and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property which arise from or are connected with or are caused or claimed to be caused by Contractor's failure to comply with all of the requirements contained in Education Code Section 45125.1, including, but not limited to, the requirements prohibiting Contractor from using

employees who may have contact with pupils who have been convicted or have charges pending for a felony in Education Code Section 45122.1.

_____(Initial) Per Ed Code 49406 and Assembly Bill 1667, the District requires for Tuberculosis (TB) Clearances to be in place by anyone coming in contact with pupils.

_____(Initial) Contractor's individuals/employees and/or SubContractors who may come in contact with pupils in the performance of services in this contract agree to provide fingerprint (DOJ/FBI) and TB Clearances (at their own expense) to be in compliance with the above-mentioned Ed Codes before commencement of any services under this contract. The District will provide LiveScan form if necessary.

- I certify to the District's Governing Board that I have read and understand the above terms and conditions and will report any changes that may affect the performance services of this contract.
- I certify to the District's Governing Board that none of the Contractor's employees/ individuals and/or SubContractors performing services under this agreement have been convicted of a felony as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).
- I certify to the District's Governing Board that all of the Contractor's and Subcontractor's employees-individuals performing services under this agreement are clear of tuberculosis (TB) as defined on Education Code Section 49406 and Assembly Bill 1667.

Company Name:

Name & Title of authorized representative (Print)

Signature: _____

Date _____



David Farkas, Ed.D.

Assistant Superintendent of Educational Leadership,
Pupil Services and Safety,
San Ysidro School District

SAFETY PROTOCOLS

According to our district's COVID-19 Prevention Plan [SYSD CPP](#) also posted on our San Ysidro School District website:

All students, employees, and visitors are required to wear face coverings at all times (unless they are exempt according to state and county health guidelines) while in public or in shared spaces on campus unless doing so would damage their health. For staff who come into routine contact with others, CDPH recommends the use of disposable 3-ply surgical masks, which are more effective than cloth face coverings.

Additionally, any person entering a San Ysidro School District site should self screen for COVID-19 symptoms and not enter campus if symptoms exist. Social distancing of six feet remains in effect at all SYSD sites. It is highly encouraged that individuals wash their hands often.

IMPORTANT NOTICE:

The District is requesting that service providers/contractors that will be on SYSD facilities to provide proof of Covid vaccination. Proof of vaccination can be submitted to covid19vaccines@sysdschools.org. On the subject line, please put the **NAME OF YOUR ORGANIZATION**. This needs to be completed before performing services at any of our facilities.

In addition to the above, regardless of their vaccination status, under a new statewide mandate issued by the California Department of Public Health (CDPH) guidance that takes effect on Feb. 16, 2022, does not apply to K-12 schools. The indoor mask mandate remains in effect throughout the San Ysidro School District.

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4350 Otay Mesa Road, San Ysidro, CA 92173



(619) 428-4476 Ext. 3027



David.Farkas@sysdschools.org



Service Rate Pricing 2021-2022

EXHIBIT A

On-Call Service Plumber: \$133/hr. Regular Hrs. NO TRUCK CHARGE

- 6am-4pm normal rates (Mon-Fri) 2hr minimum (unless otherwise noted on Work Order)
- Saturday - Overtime
- Sunday and Holiday or over 10hrs in one day - Double Time
- After 8hrs the next two hours are Overtime after that it's Double Time unless management approval of a lesser rate is procured **prior to the call.**
- Emergency calls after hours start from when the plumber is dispatched and until they return

Overtime is \$189.50/hr Doubletime/ Holiday is \$246/hr

Equipment charges: No Labor Included

- | | |
|---|---|
| • Small Jetter | \$200.00 |
| • Large Jetter | \$285.00 + (3hr labor min 2 plumbers) |
| • Main line snaking | \$60.00 |
| • Branch line snaking | \$45.00 |
| • Fixture snaking | \$30.00 |
| • Camera, Locate and Provide Report | \$310.00 |
| • Backflow Certification (includes labor) | \$117.00 (1 st two backflows)
\$97.00 (Each Additional) |
| • Pipe Freezing up to 2" | \$310.00 + (2hr labor min) |
| • Smoke Machine | \$205.00 + (4hr labor min 2 plumbers) |
| • Leak Location & Report (2hr labor min) | \$305.00 + (2hr labor min) |
| • Gas Leak Locating | \$355.00 + (2hr labor min) |
| • Confined Space | \$405.00 + (4hr labor min 2 plumbers) |

ACCO prides itself on developing relationships, we understand that plumbing issues are unforeseeable and need immediate attention. NONE of our employees are commission based. We are available 24/7 and are here to assist in your profitability!

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24HR Phone – 1- 800-998-2226 or email serviceplbg@accoes.com

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Information Management Systems
Todd Lewis, Director

Informational
 Action

AGENDA ITEM: AGREEMENT WITH CDW-G FOR PROFESSIONAL DEVELOPMENT

BACKGROUND INFORMATION:

The District currently has a large, enterprise level, uninterruptable power supply (UPS) that ensures the servers and main network hardware located at the District continue to operate for a limited time in the event of a power outage. In the future, this battery backup system will continue to provide instantaneous battery power to the server room during electrical outages for a limited time until the new generator turns on.

This request will provide training for the Technology Team on the basic use and operation of this APC brand uninterruptable power supply. This knowledge will allow the Technology Department to perform testing as needed, general maintenance and operation of the UPS system in case of an electrical outage and in the event of an emergency.

RECOMMENDATION:

Approve the agreement with CDW-G to provide Uninterruptable Power Supply Expanded Basic Operator Training – Lectures and Labs in the amount of \$1,198.42 to be paid from the General fund.

LCAP GOAL AND ACTION/SERVICE:

Goal 3: School Culture and Student Engagement ~ Ensure that all students are educated in positive academic environments that are safe, welcoming, and drug free. – Actions 6 & 7

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

(Amount)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

QUOTE CONFIRMATION



DEAR TODD LEWIS,

Thank you for considering CDW•G LLC for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MQBR397	2/16/2022	APC	12408780	\$1,198.42

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Expanded Basic Operator Training - lectures and labs	1	2677188	\$1,198.42	\$1,198.42
Mfg. Part#: WADDFSETRN UNSPSC: 86101601 Contract: MARKET				

PURCHASER BILLING INFO	SUBTOTAL	
Billing Address: SAN YSIDRO SCHOOL DISTRICT ACCTS PAYABLE 4350 OTAY MESA RD SAN YSIDRO, CA 92173-1617 Phone: (619) 428-4476 Payment Terms: NET 30 Days-Govt/Ed	SHIPPING	\$0.00
	SALES TAX	\$0.00
	GRAND TOTAL	\$1,198.42
	DELIVER TO Shipping Address: SAN YSIDRO SCHOOL DISTRICT TODD LEWIS 4350 OTAY MESA RD SAN YSIDRO, CA 92173-1617 Phone: (619) 428-4476 Shipping Method: DROP SHIP-GROUND	
Please remit payments to: CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515		

Need Assistance? CDW•G LLC SALES CONTACT INFORMATION



Jeff Polk

(866) 639-2816

jeffpol@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager

© 2022 CDW•G LLC 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239



[Terms and Conditions](#) > Sales and Service Projects

TERMS AND CONDITIONS

SALES AND SERVICE PROJECTS

PLEASE READ THESE TERMS AND CONDITIONS VERY CAREFULLY

THE TERMS AND CONDITIONS OF PRODUCT SALES AND SERVICE PROJECTS ARE LIMITED TO THOSE CONTAINED HEREIN. ANY ADDITIONAL OR DIFFERENT TERMS OR CONDITIONS IN ANY FORM DELIVERED BY YOU ("CUSTOMER") ARE HEREBY DEEMED TO BE MATERIAL ALTERATIONS AND NOTICE OF OBJECTION TO THEM AND REJECTION OF THEM IS HEREBY GIVEN.

BY ACCEPTING DELIVERY OF THE PRODUCTS OR BY ENGAGING THE CDW AFFILIATE IDENTIFIED ON THE INVOICE, STATEMENT OF WORK OR OTHER CDW DOCUMENTATION ("SELLER") TO PROVIDE PRODUCT OR PERFORM OR PROCURE ANY SERVICES, CUSTOMER AGREES TO BE BOUND BY AND ACCEPTS THESE TERMS AND CONDITIONS UNLESS CUSTOMER AND SELLER HAVE SIGNED A SEPARATE AGREEMENT, IN WHICH CASE THE SEPARATE AGREEMENT WILL GOVERN.

ANY GENERAL DESCRIPTION OF THE TYPES OF PRODUCTS OR SERVICES AND RESULTS THEREOF POSTED ON ANY SELLER WEBSITE OR MOBILE APPLICATION DO NOT CONSTITUTE PART OF THE AGREEMENT BETWEEN SELLER AND CUSTOMER.

Important Information About These Terms and Conditions

These Terms and Conditions constitute a binding contract between Customer and Seller and are referred to herein as either "Terms and Conditions" or this "Agreement". Customer accepts these Terms and Conditions by making a purchase from or placing an order with Seller or shopping on any Seller Website or Mobile Application (each, a "Site") or otherwise requesting products (the "Products") or engaging Seller to perform or procure any Services (as this and all capitalized terms are defined herein). These Terms and Conditions are subject to change without prior notice, except that the Terms and Conditions posted on a Site at the time Customer places an order or signs a Statement of Work will govern the order in question, unless otherwise agreed in writing by Seller and Customer.

Customer consents to receiving electronic records, which may be provided via a Web browser or e-mail application connected to the Internet; individual consumers may withdraw consent to receiving electronic records or have the record provided in non-electronic form by contacting Seller. In addition, Internet connectivity requires access services from an Internet access provider. Contact your local access provider for details. Electronic signatures (or copies of signatures sent via electronic means) are the equivalent of written and signed documents.

Customer may issue a purchase order for administrative purposes only. Additional or different terms and conditions contained in any such purchase order will be null and void. No course of prior dealings between the parties and no usage of trade will be relevant to determine the meaning of these Terms and Conditions or any purchase order or invoice, or any document in electronic or written form that is signed and delivered by each of the parties for the performance of Services other than Third Party Services (each, a "Statement of Work"). This Agreement contains the entire understanding of the parties with respect to the matters contained herein and supersedes and replaces in its entirety any and all prior communications and contemporaneous agreements and understandings, whether oral, written, electronic or implied, if any, between the parties with respect to the subject matter hereof.

Governing Law

THESE TERMS AND CONDITIONS, ANY STATEMENTS OF WORK, THE SERVICES HEREUNDER AND ANY SALE OF PRODUCTS HEREUNDER WILL BE GOVERNED BY THE LAWS OF THE STATE OF ILLINOIS, WITHOUT REGARD TO CONFLICTS OF LAWS RULES. ANY ARBITRATION, ENFORCEMENT OF AN ARBITRATION OR LITIGATION WILL BE BROUGHT EXCLUSIVELY IN COOK COUNTY, ILLINOIS, AND CUSTOMER CONSENTS TO THE JURISDICTION OF THE FEDERAL AND STATE COURTS LOCATED THEREIN, SUBMITS TO THE JURISDICTION THEREOF AND WAIVES THE RIGHT TO CHANGE VENUE. CUSTOMER FURTHER CONSENTS TO THE EXERCISE OF PERSONAL JURISDICTION BY ANY SUCH COURT WITH RESPECT TO ANY SUCH PROCEEDING. Except in the case of nonpayment, neither party may institute any action in any form arising out of these Terms and Conditions more than one (1) year after the cause of action has arisen. The rights and remedies provided Seller under these Terms and Conditions are cumulative, are in addition to, and do not limit or prejudice any other right or remedy available at law or in equity.

Title; Risk of Loss

If Customer provides Seller with Customer's carrier account number or selects a carrier other than a carrier that regularly ships for Seller, title to Products and risk of loss or damage during shipment pass from Seller to Customer upon delivery to the carrier (F.O.B. Origin, freight collect). For all other shipments, title to Products and risk of loss or damage during shipment pass from Seller to Customer upon delivery to the specified destination (F.O.B. Destination, freight prepaid and added). Notwithstanding the foregoing, title to software will remain with the applicable licensor(s), and Customer's rights therein are contained in the license agreement between such licensor(s) and Customer.

Services

Customers may order services (collectively, "Services") from or through Seller from time to time. Certain Services may be provided by third parties, including, but not limited to, extended warranty service by manufacturers, and are sold by Seller as distributor or sales agent ("Third Party Services").

In the case of Third Party Services, Customer shall consider the third party to be the contracting party and the third party shall be the party responsible for providing the services to the Customer and Customer will look solely to the third party for any loss, claims or damages arising from or related to the provision of such Third Party Services. Customer and Customer's Affiliates (defined below) hereby release Seller and Seller's Affiliates (defined below) from any and all claims arising from or relating to the purchase or provision of any such Third Parties Services. Any amounts, including, but not limited to, taxes, associated with Third Party Services which may be collected by Seller will be collected solely in the capacity as an independent sales agent. "Affiliate" means, with respect to a party, an entity that controls, is controlled by, or is under common control with such party.

Where Services are ordered in a Statement of Work, each Statement of Work hereby incorporates these Terms and Conditions and constitutes a separate agreement with respect to the Services performed. Seller, or any of its Affiliates on behalf of Seller, may execute a Statement of Work. In the event of an addition to or a conflict between any term or condition of the Statement of Work and these Terms and Conditions, these Terms and Conditions will control, except as expressly amended in the applicable Statement of Work by specific reference to this Agreement. Each such amendment will be applicable only with respect to such Statement of Work and not to future Statements of Work. Changes to the scope of the Services described in a Statement of Work will be made only in a writing executed by authorized representatives of both parties. Seller will have no obligation to commence work in connection with any such change, unless and until the change is agreed upon in that writing executed by both parties. All such changes to the scope of the Services will be governed by these Terms and Conditions and the applicable Statement of Work. Each Statement of Work may be signed in separate counterparts each of which shall be deemed an original and all of which together will be deemed to be one original.

Cooperation

In addition to any specific Customer duties set forth in any applicable Statement of Work, Customer agrees to cooperate with Seller in connection with performance of the Services by providing: (i) timely responses to Seller's inquiries and requests for approvals and authorizations, (ii) access to any information or materials reasonably requested by Seller which are necessary or useful as determined by Seller in connection with providing the Services, including, but not limited to, physical and computer access to Customer's computer systems, and (iii) all Required Consents necessary for Seller to provide the Services. "Required Consents" means consents or approvals required to give Seller, its

Affiliates, and its and their subcontractors the right or license to access, use and modify all data and third party products. Customer acknowledges and agrees that the Services are dependent upon the completeness and accuracy of information provided by Customer and the knowledge and cooperation of the agents, employees or subcontractors ("Personnel") engaged or appointed by Customer who are selected by Customer to work with Seller.

Seller will follow all reasonable Customer security rules and procedures, as communicated in writing by Customer to Seller from time to time.

Access

Seller may perform the Services at Customer's place of business, at Seller's own facilities or such other locations as Seller and Customer deem appropriate. When the Services are performed at Customer's premises, Seller will attempt to perform such Services within Customer's normal business hours unless otherwise jointly agreed to by the parties. Customer will also provide Seller access to Customer's staff and any other Customer resources (and when the Services are provided at another location designated by Customer, the staff and resources at such location) that Seller determines are useful or necessary for Seller to provide the Services. When the Services are provided on Customer's premises or at another location designated by Customer, Customer agrees to maintain adequate insurance coverage to protect Seller and Customer's premises and to indemnify and hold Seller and its Affiliates, and its and their agents and employees harmless from any loss, cost, damage or expense (including, but not limited to, attorneys' fees and expenses) arising out of any product liability, death, personal injury or property damage or destruction occurring at such location in connection with the performance of the Services, other than solely as a result of Seller's gross negligence or willful misconduct.

Payment

Orders are not binding upon Seller until accepted by Seller. Customer agrees to pay the total purchase price for the Products plus shipping (to the extent shipping is not prepaid by Customer), including shipping charges that are billed to Seller as a result of using Customer's carrier account number. Terms of payment are within Seller's sole discretion. In connection with Services being performed pursuant to a Statement of Work, Customer will pay for the Services in the amounts and in accordance with any payment schedule set forth in the applicable Statement of Work. If no payment schedule is provided, Customer will pay for the Services as invoiced by Seller. Invoices are due and payable within the time period specified on the invoice, measured from the date of invoice, subject to continuing credit approval by Seller. Seller, or any of its Affiliates on behalf of Seller may issue an invoice to Customer. Seller may invoice Customer separately for partial shipments, and Seller may invoice Customer for all of the Services described in a Statement of Work or any portion thereof. Customer agrees to pay interest on all past-due sums at the lower of one and one-half percent (1.5%) per month or the highest rate allowed by law. Customer will pay for, and will indemnify and hold Seller and its Affiliates harmless from, any applicable sales, use, transaction, excise or similar taxes and any federal, state or local fees or charges (including, but not limited to, environmental or similar fees), imposed on, in respect of or otherwise associated with any Statement of Work, the Products or the Services. Customer must claim any exemption from such taxes, fees or charges at the time of purchase and provide Seller with the necessary supporting documentation. In the event of a payment default, Customer will be responsible for all of Seller's costs of collection, including, but not limited to, court costs, filing fees and attorneys' fees. In addition, if payments are not received as described above, Seller reserves the right to suspend Services until payment is received. Customer hereby grants to Seller a security interest in the Products to secure payment in full. Customer authorizes Seller to file a financing statement reflecting such security interest. Except as otherwise specified on an applicable Statement of Work, Customer will reimburse Seller for all reasonable out-of-pocket expenses incurred by Seller in connection with the performance of the Services, including, but not limited to, travel and living expenses.

Export Sales

If this transaction involves an export of items (including, but not limited to, commodities, software or technology) subject to the Export Administration Regulations, such items were exported from the United States by Seller in accordance with the Export Administration Regulations. Customer agrees that it will not divert, use, export or re-export such items contrary to United States law. Customer expressly acknowledges and agrees that it will not export, re-export, or provide such items to any entity or person within any country that is subject to United States economic sanctions imposing comprehensive embargoes without obtaining prior authorization from the United States Government. The list of such countries subject to United States economic sanctions or embargoes may change from time to time

but currently includes Cuba, Iran, Sudan and Syria. Customer also expressly acknowledges and agrees that it will not export, re-export, or provide such items to entities and persons that are ineligible under United States law to receive such items, including but not limited to, any person or entity on the United States Treasury Department's list of Specially Designated Nationals or on the United States Commerce Department's Denied Persons List, Entity List or Unverified List. In addition, manufacturers' warranties for exported Products may vary or may be null and void for Products exported outside the United States.

Warranties

Customer understands that Seller is not the manufacturer of the Products purchased by Customer hereunder and the only warranties offered are those of the manufacturer, not Seller or its Affiliates. In purchasing the Products, Customer is relying on the manufacturer's specifications only and is not relying on any statements, specifications, photographs or other illustrations representing the Products that may be provided by Seller or its Affiliates. SELLER AND ITS AFFILIATES HEREBY EXPRESSLY DISCLAIM ALL WARRANTIES EITHER EXPRESS OR IMPLIED, RELATED TO PRODUCTS, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF TITLE, ACCURACY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WARRANTY OF NON-INFRINGEMENT, OR ANY WARRANTY RELATING TO THIRD PARTY SERVICES. THE DISCLAIMER CONTAINED IN THIS PARAGRAPH DOES NOT AFFECT THE TERMS OF ANY MANUFACTURER'S WARRANTY. Customer expressly waives any claim that it may have against Seller or its Affiliates based on any product liability or infringement or alleged infringement of any patent, copyright, trade secret or other intellectual property rights (each a "Claim") with respect to any Product and also waives any right to indemnification from Seller or its Affiliates against any such Claim made against Customer by a third party. Customer acknowledges that no employee of Seller or its Affiliates is authorized to make any representation or warranty on behalf of Seller or any of its Affiliates that is not in this Agreement.

Seller makes no warranties to the Customer and the Customer hereby acknowledges that Seller makes no warranties in regard to the applicability of all laws and regulations affecting, without limitation the manufacture, performance, sale, packaging and labelling of the Products which are in force within the Customer's territory.

Customer further acknowledges and agrees that Seller makes no representations, warranties or assurances that the Products are designed for or suitable for use in any high risk environment, including but not limited to aircraft or automobile safety devices or navigation, life support systems or medical devices, nuclear facilities, or weapon systems, and Customer agrees to indemnify Seller in connection with any such use of the Products. Customer further agrees to review and comply with the manufacturer's disclaimers and restrictions regarding the use of the Products in high risk environments.

Seller warrants that the Services will be performed in a good and workmanlike manner. Customer's sole and exclusive remedy and Seller's entire liability with respect to this warranty will be, at the sole option of Seller, to either (a) use its reasonable commercial efforts to reperform or cause to be reperformed any Services not in substantial compliance with this warranty or (b) refund amounts paid by Customer related to the portion of the Services not in substantial compliance; provided, in each case, Customer notifies Seller in writing within five (5) business days after performance of the applicable Services. EXCEPT AS SET FORTH HEREIN OR IN ANY STATEMENT OF WORK THAT EXPRESSLY AMENDS SELLER'S WARRANTY, AND SUBJECT TO APPLICABLE LAW, SELLER MAKES NO OTHER, AND EXPRESSLY DISCLAIMS ALL OTHER, REPRESENTATIONS, WARRANTIES, CONDITIONS OR COVENANTS, EITHER EXPRESS OR IMPLIED (INCLUDING WITHOUT LIMITATION, ANY EXPRESS OR IMPLIED WARRANTIES OR CONDITIONS OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, DURABILITY, TITLE, ACCURACY OR NON-INFRINGEMENT) ARISING OUT OF OR RELATED TO THE PERFORMANCE OR NON-PERFORMANCE OF THE SERVICES, INCLUDING BUT NOT LIMITED TO ANY WARRANTY RELATING TO THIRD PARTY SERVICES, ANY WARRANTY WITH RESPECT TO THE PERFORMANCE OF ANY HARDWARE OR SOFTWARE USED IN PERFORMING SERVICES AND ANY WARRANTY CONCERNING THE RESULTS TO BE OBTAINED FROM THE SERVICES. THIS DISCLAIMER AND EXCLUSION SHALL APPLY EVEN IF THE EXPRESS WARRANTY AND LIMITED REMEDY SET FORTH HEREIN FAILS OF ITS ESSENTIAL PURPOSE. CUSTOMER ACKNOWLEDGES THAT NO REPRESENTATIVE OF SELLER OR OF ITS AFFILIATES IS AUTHORIZED TO MAKE ANY REPRESENTATION OR WARRANTY ON BEHALF OF SELLER OR ANY OF ITS AFFILIATES THAT IS NOT IN THIS AGREEMENT OR IN A STATEMENT OF WORK EXPRESSLY AMENDING SELLER'S WARRANTY.

Customer shall be solely responsible for daily back-up and other protection of its data and software against loss, damage or corruption. Customer shall be solely responsible for reconstructing data (including but not limited to data located on disk files and memories) and software that may be lost, damaged or corrupted during the performance of Services. SELLER, ITS AFFILIATES, AND ITS AND THEIR SUPPLIERS, SUBCONTRACTORS AND AGENTS ARE HEREBY RELEASED AND SHALL CONTINUE TO BE RELEASED FROM ALL LIABILITY IN

CONNECTION WITH THE LOSS, DAMAGE OR CORRUPTION OF DATA AND SOFTWARE, AND CUSTOMER ASSUMES ALL RISK OF LOSS, DAMAGE OR CORRUPTION OF DATA AND SOFTWARE IN ANY WAY RELATED TO OR RESULTING FROM THE SERVICES.

Seller will not be responsible for and no liability shall result to Seller or any of its Affiliates for any delays in delivery or in performance which result from any circumstances beyond Seller's reasonable control, including, but not limited to, Product unavailability, carrier delays, delays due to fire, severe weather conditions, failure of power, labor problems, acts of war, terrorism, embargo, acts of God or acts or laws of any government or agency. Any shipping dates or completion dates provided by Seller or any purported deadlines contained in a Statement of Work or any other document are estimates only.

Pricing Information; Availability Disclaimer

Seller reserves the right to make adjustments to pricing, Products and Service offerings for reasons including, but not limited to, changing market conditions, Product discontinuation, Product unavailability, manufacturer price changes, supplier price changes and errors in advertisements. All orders are subject to Product availability and the availability of Personnel to perform the Services. Therefore, Seller cannot guarantee that it will be able to fulfill Customer's orders. If Services are being performed on a time and materials basis, any estimates provided by Seller are for planning purposes only.

Credits

Any credit issued by Seller to Customer for any reason must be used within two (2) years from the date that the credit was issued and may only be used for future purchases of Products and/or Services. Any credit or portion thereof not used within the two (2) year period will automatically expire.

Limitation of Liability

UNDER NO CIRCUMSTANCES AND NOTWITHSTANDING THE FAILURE OF ESSENTIAL PURPOSE OF ANY REMEDY SET FORTH HEREIN, WILL SELLER, ITS AFFILIATES OR ITS OR THEIR SUPPLIERS, SUBCONTRACTORS OR AGENTS BE LIABLE FOR: (A) ANY INCIDENTAL, INDIRECT, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, BUSINESS, REVENUES OR SAVINGS, EVEN IF SELLER HAS BEEN ADVISED OF THE POSSIBILITIES OF SUCH DAMAGES OR IF SUCH DAMAGES ARE OTHERWISE FORESEEABLE, IN EACH CASE, WHETHER A CLAIM FOR ANY SUCH LIABILITY IS PREMISED UPON BREACH OF CONTRACT, WARRANTY, NEGLIGENCE, STRICT LIABILITY OR OTHER THEORY OF LIABILITY; (B) ANY CLAIMS, DEMANDS OR ACTIONS AGAINST CUSTOMER BY ANY THIRD PARTY; (C) ANY LOSS OR CLAIM ARISING OUT OF OR IN CONNECTION WITH CUSTOMER'S IMPLEMENTATION OF ANY CONCLUSIONS OR RECOMMENDATIONS BY SELLER OR ITS AFFILIATES BASED ON, RESULTING FROM, ARISING OUT OF OR OTHERWISE RELATED TO THE PRODUCTS OR SERVICES; OR (D) ANY UNAVAILABILITY OF THE PRODUCT FOR USE OR ANY LOST, DAMAGED OR CORRUPTED DATA OR SOFTWARE. IN THE EVENT OF ANY LIABILITY INCURRED BY SELLER OR ANY OF ITS AFFILIATES, THE ENTIRE LIABILITY OF SELLER AND ITS AFFILIATES FOR DAMAGES FROM ANY CAUSE WHATSOEVER WILL NOT EXCEED THE LESSER OF: (A) THE DOLLAR AMOUNT PAID BY CUSTOMER FOR THE PRODUCT(S) GIVING RISE TO THE CLAIM OR THE SPECIFIC SERVICES GIVING RISE TO THE CLAIM; OR (B) \$50,000.00.

Limited License

Customer's sole rights to the work product, materials and other deliverables to be provided or created (individually or jointly) in connection with the Services, including but not limited to, all inventions, discoveries, methods, processes, formulae, ideas, concepts, techniques, know-how, data, designs, models, prototypes, works of authorship, computer programs, proprietary tools, methods of analysis and other information (whether or not capable of protection by patent, copyright, trade secret, confidentiality, or other proprietary rights) or discovered in the course of performance of this Agreement that are embodied in such work or materials ("Work Product") will be, upon payment in full, a non-transferable, non-exclusive, royalty-free license to use such Work Products solely for Customer's internal use. Customer will have no ownership or other property rights thereto and Customer shall have no right to use any such Work Product for any other purpose whatsoever. Customer acknowledges that Sellers may incorporate intellectual property created by third parties into the Work Product ("Third Party Intellectual Property"). Customer agrees that its right to

use the Work Product containing Third Party Intellectual Property may be subject to the rights of third parties and limited by agreements with such third parties.

Confidential Information

Each party anticipates that it may be necessary to provide access to information of a confidential nature of such party, the Affiliates or a third party (hereinafter referred to as "Confidential Information") to the other party in the performance of this Agreement and any Statement of Work. "Confidential Information" means any information or data in oral, electronic or written form which the receiving party knows or has reason to know is proprietary or confidential and which is disclosed by a party in connection with this Agreement or which the receiving party may have access to in connection with this Agreement, including but not limited to the terms and conditions of each Statement of Work. Confidential Information will not include information which: (a) becomes known to the public through no act of the receiving party; (b) was known to the receiving party, or becomes known to the receiving party from a third party having the right to disclose it and having no obligation of confidentiality to the disclosing party with respect to the applicable information; or (c) is independently developed by agents, employees or subcontractors of the receiving party who have not had access to such information. To the extent practicable, Confidential Information should be clearly identified or labeled as such by the disclosing party at the time of disclosure or as promptly thereafter as possible, however, failure to so identify or label such Confidential Information will not be evidence that such information is not confidential or protectable.

Each party agrees to hold the other party's Confidential Information confidential for a period of three (3) years following the date of disclosure and to do so in a manner at least as protective as it holds its own Confidential Information of like kind but to use no less than a reasonable degree of care. Disclosures of the other party's Confidential Information will be restricted (i) to those individuals who are participating in the performance of this Agreement or the applicable Statement of Work and need to know such Confidential Information for purposes of providing or receiving the Products or Services or otherwise in connection with this Agreement or the applicable Statement of Work, or (ii) to its business, legal and financial advisors, each on a confidential basis. Each party agrees not to use any Confidential Information of the other party for any purpose other than the business purposes contemplated by this Agreement and the applicable Statement of Work. Upon the written request of a party, the other party will either return or certify the destruction of the Confidential Information of the other party.

If a receiving party is required by law, rule or regulation, or requested in any judicial or administrative proceeding or by any governmental or regulatory authority, to disclose Confidential Information of the other party, the receiving party will give the disclosing party prompt notice of such request so that the disclosing party may seek an appropriate protective order or similar protective measure and will use reasonable efforts to obtain confidential treatment of the Confidential Information so disclosed.

Return Privileges

CDW allows Customer returns based on the policies of the original product manufacturer. Software is not returnable if the packaging has been opened. If software was distributed electronically, it is not returnable if the licenses were downloaded. For additional information see CDW's full Product Return Policy at the following link: [Return Policy](#). Customers should contact CDW Customer Relations at 866.SVC.4CDW or e-mail at [Customer Relations](#) to initiate a return or for additional information. Customers must notify CDW Customer Relations of any damaged Products within fifteen (15) days of receipt.

Termination

Either party may terminate performance of a Service or a Statement of Work for cause if the other party fails to cure a material default in the time period specified herein. Any material default must be specifically identified in a written notice of termination. After written notice, the notified party will, subject to the provision of warranties herein, have thirty (30) days to remedy its performance except that it will only have ten (10) days to remedy any monetary default. Failure to remedy any material default within the applicable time period provided for herein will give cause for immediate termination, unless such default is incapable of being cured within the time period in which case the defaulting party will not be in breach (except for Customer's payment obligations) if it used its reasonable efforts to cure the default. In the event of any termination of the Services or a Statement of Work, Customer will pay Seller for all Services performed and expenses incurred up to and including the date of termination plus any termination fee if one is set forth in the applicable Statement of

Work. In such event Customer will also pay Seller for any out-of-pocket demobilization or other direct costs resulting from termination. Upon termination, all rights and obligations of the parties under this Agreement will automatically terminate except for any right of action occurring prior to termination, payment obligations and obligations that expressly or by implication are intended to survive termination (including, but not limited to, limitation of liability, indemnity, confidentiality, or licensing of Work Product and this survival provision).

Provisions Related to Custom Imaging

If in connection with the provision of Products or Services, Customer desires to have Seller provide installation of custom software images, Customer will be required to execute an Installation Indemnity Agreement, a form of which is provided at <https://www.cdw.com/content/cdw/en/landing-pages/installation-and-custom-engraving-indemnity-agreement.html>

Arbitration

Any claim, dispute, or controversy (whether in contract, tort or otherwise, whether preexisting, present or future, and including, but not limited to, statutory, common law, intentional tort and equitable claims) arising from or relating to the Products, the Services, the interpretation or application of these Terms and Conditions or any Statement of Work or the breach, termination or validity thereof, the relationships which result from these Terms and Conditions or any Statement of Work (including, to the full extent permitted by applicable law, relationships with third parties who are not signatories hereto), or Seller's or any of its Affiliates' advertising or marketing (collectively, a "Claim") WILL BE RESOLVED, UPON THE ELECTION OF ANY OF SELLER, CUSTOMER OR THE THIRD PARTIES INVOLVED, EXCLUSIVELY AND FINALLY BY BINDING ARBITRATION. If arbitration is chosen, it will be conducted pursuant to the Rules of the American Arbitration Association. If arbitration is chosen by any party with respect to a Claim, neither Seller nor Customer will have the right to litigate that Claim in court or to have a jury trial on that Claim or to engage in pre-arbitration discovery, except as provided for in the applicable arbitration rules or by agreement of the parties involved. **Further, Customer will not have the right to participate as a representative or member of any class of claimants pertaining to any Claim.** Notwithstanding any choice of law provision included in these Terms and Conditions, this arbitration agreement is subject to the Federal Arbitration Act (9 U.S.C. §§ 1-16). The arbitration will take place exclusively in Chicago, Illinois. Any court having jurisdiction may enter judgment on the award rendered by the arbitrator(s). Each party involved will bear its own cost of any legal representation, discovery or research required to complete arbitration. The existence or results of any arbitration will be treated as confidential. **Notwithstanding anything to the contrary contained herein, all matters pertaining to the collection of amounts due to Seller arising out of the Products or Services will be exclusively litigated in court rather than through arbitration.**

Data Protection

This Section shall apply to the extent Seller performs any operation or set of operations, including collecting, recording, storing, retaining, using, disclosing or otherwise accessing, (collectively, "Process," "Processed," or "Processing") on any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household in connection with the Services ("Personal Data"), including without limitation any information that qualifies as "personal information" under the California Consumer Privacy Act, Cal. Civ. Code §§ 1798.100 et seq. ("CCPA"). Seller shall only Process Personal Data in accordance with the instructions of Customer as detailed in the Agreement or the applicable SOW or PO and applicable data privacy law, including, if applicable, the CCPA ("Privacy Laws"). For the avoidance of doubt, it is the intention of the Parties that Seller be a "service provider" of Customer pursuant to the CCPA. Notwithstanding the foregoing, to the extent expressly set forth in the Agreement, Seller (1) shall have the right to retain, use or disclose de-identified or aggregated data derived from Personal Data ("Seller Data"), provided that Seller Data shall not include any Personal Data, and (2) if Seller Processes any "personal information" as such term is defined in the CCPA in connection with the Services, Seller shall have the right to Process such "personal information" for any purpose permitted by the CCPA. Where applicable law requires Seller to Process Personal Data under terms other than those of the Agreement, Seller shall promptly notify Customer of such legal requirement before Processing, unless applicable law prohibits such disclosure. Where required by applicable law, Seller shall also notify Customer if Seller determines any of Customer's instructions infringes applicable Privacy Laws.

The Parties agree that Customer is responsible for obtaining any consents required by applicable Privacy Laws, as well as providing and ensuring the accuracy of any notices required to disclose Personal Data to Seller, Seller's Affiliates, or any Seller subcontractor providing Services for use in accordance with the Agreement. Furthermore, Customer warrants that all Personal Data provided to Seller has been obtained, Processed, and provided to Seller in accordance with all applicable laws and ensured that there are legitimate grounds for Processing any and all Personal Data by Seller, Seller's Affiliates, or any Seller subcontractor providing Services for use in accordance with the Agreement.

Seller shall promptly notify Customer of any request, complaint, claim, or other communication received by Seller or a subcontractor regarding its Processing of Personal Data. Seller shall cooperate with and provide any necessary assistance to Customer in responding to any such inquiries, in so far as possible and taking into account the nature of Seller's Processing and the Personal Data available to Seller. Seller shall be obliged to provide such assistance only in so far that the Customer cannot respond to such request on its own. Notwithstanding anything to the contrary in the Agreement, Customer is obliged to reimburse Seller for out of pocket expenses in connection with such requests. Such expenses will be invoiced to Customer in accordance with the Agreement.

Customer acknowledges that Seller is reliant on Customer for instruction as to the extent to which Seller is entitled to use and Process Personal Data, and that Seller is not liable for any claim brought by a data subject to the extent that such claim arises from the Customer's instructions.

Upon request, Seller shall provide reasonable cooperation and assistance to Customer with its obligations under applicable Privacy Laws, in so far as possible in connection with the Services, taking into account the nature of Seller's Processing and the Personal Data available to Seller. Seller shall be obliged to provide such assistance only in so far that Customer's obligations cannot be met by Customer through other means. Notwithstanding anything to the contrary in the Agreement, Customer is obliged to reimburse Seller for out of pocket expenses in connection with such assistance. Such expenses will be invoiced to Customer in accordance with the Agreement.

To the extent that Personal Data includes information about individuals who are located in the European Economic Area ("EEA") and/or Switzerland, and Seller stores or otherwise obtains access to such Personal Data outside of the EEA and/or Switzerland, Seller agrees it has implemented appropriate measures to address the cross-border transfer of Personal Data.

Seller shall implement and maintain an information security program that includes appropriate technical and procedural safeguards to protect Personal Data, taking into account the nature of Seller's Processing and the Personal Data available to Seller. To the extent required by applicable Privacy Laws, upon request, Seller shall make available to Customer information reasonably necessary to demonstrate compliance with this obligation.

The parties agree that Seller may subcontract its obligations to subcontractors as necessary to perform the Services under the Agreement. Seller shall remain responsible for subcontractors' performance under the Agreement, and shall enter into an agreement with subcontractors that impose materially the same obligations as set forth in this Section. Seller also agrees that any subcontractors who have access to Personal Data are bound to Process Personal Data in accordance with Seller's instructions and are subject to obligations to maintain confidentiality.

Notwithstanding any provisions in the Agreement to the contrary, Seller shall promptly notify Customer in the event Seller discovers or is notified of a known breach of security leading to unauthorized disclosure of or access to Personal Data as a result of its Processing of Personal Data ("**Security Breach**"). Seller shall reasonably cooperate in the investigation of the Security Breach.

The parties agree that to the extent required by applicable Privacy Laws, and upon thirty (30) days written notice to Seller, and no more than once per calendar year, Customer may request reasonable access to Seller's facilities, systems, and supporting documentation used to provide the Services, to the extent necessary to assess Seller's compliance with its obligations under this Section. Such assessments shall be subject to Seller's security and confidentiality policies, and shall be conducted in a manner that minimizes any disruption of Seller's performance of services and other normal operations. Such expenses will be invoiced to Customer in accordance with the Agreement.

Notwithstanding any other provision of the Agreement to the contrary, upon termination of the Agreement or otherwise at Customer's written request, Seller shall, at the choice of Customer, either return or delete Personal Data from its systems unless required by law, rule

or regulation, or requested in any judicial or administrative proceeding or by any governmental or regulatory authority.

Customer shall reimburse Seller and its managers, officers, directors, employees, agents, affiliates, successors and permitted assigns (collectively, "Reimbursed Party") against any and all losses costs, or expenses of whatever kind, including professional fees and attorney's fees, that are incurred by any Reimbursed Party for any investigation or any preparation for any investigation by any governmental or regulatory authority arising out of Customer's violation of any Privacy Laws in connection with this Agreement.

Miscellaneous

Seller may assign or subcontract all or any portion of its rights or obligations with respect to the sale of Products or the performance of Services or assign the right to receive payments, without Customer's consent. Customer may not assign these Terms and Conditions, or any of its rights or obligations herein without the prior written consent of Seller. Subject to the restrictions in assignment contained herein, these Terms and Conditions will be binding on and inure to the benefit of the parties hereto and their successors and assigns. No provision of this Agreement or any Statement of Work will be deemed waived, amended or modified by either party unless such waiver, amendment or modification is in writing and signed by both parties. The relationship between Seller and Customer is that of independent contractors and not that of employer/employee, partnership or joint venture. If any term or condition of this Agreement or a Statement of Work is found by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, the same shall not affect the other terms or conditions hereof or thereof or the whole of this Agreement or the applicable Statement of Work. Notices provided under this Agreement will be given in writing and deemed received upon the earlier of actual receipt or three (3) days after mailing if mailed postage prepaid by regular mail or airmail or one (1) day after such notice is sent by courier or facsimile transmission. Any delay or failure by either party to exercise any right or remedy will not constitute a waiver of that party to thereafter enforce such rights.

Version Date: 12-27-2019

Related Links

- [Site Use](#)
- [Privacy Policy](#)
- [Product Recalls](#)
- [Site Accessibility](#)
- [Site Map](#)

WE GET GETTING RESULTS

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International Solutions
Locations
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eProcurement
e-Waste Recycling
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Product Recalls
Product Finder
CDW Outlet

Contact An Expert: P 800.808.4239 | Email Us

CDW CDW-G Canada CDW-UK

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: AGREEMENT WITH CSM CONSULTING, INC. FOR E-RATE PROGRAM

BACKGROUND INFORMATION:

The E-rate program provides discounts to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access. It is one of four support programs funded through a Universal Service fee charged to companies that provide interstate and/or international telecommunications services. In order to receive these services, it is necessary to file specific documentation on a timely manner. A service provider will assist the District with the preparation, review and filing of the required documentation. The District would like to retain the services of CSM Consulting, Inc. to assist with the E-rate Program.

The cost implications for these services is \$16,000.00 which includes:

- Base Contract Amount \$6,000.00
- 6% of Category Two applications submitted, not to exceed \$10,000.00

Additional services are optional at hourly rates from \$80.00 - \$175.00 per hour.

Other expenses as per agreement.

Term: July 1, 2021 to June 30, 2022 and will automatic renew for up to four (4) successive one year terms unless early terminated.

RECOMMENDATION:

Approve/Ratify the E-rate Program Contract with CSM Consulting, Inc. at an estimated cost of \$20,000.00 paid from E-Rate funds.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal **New** **Amendment** **Ratify** **Other**

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

\$20,000.00

(Amount)

E-Rate Funding

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



CONTRACT FOR E-RATE COMPLIANCE SERVICES

This agreement is made and entered by and between **San Ysidro School District**, a local education agency (“District”) and CSM Consulting, Inc., a California Corporation (“Consultant”).

RECITALS

- A. District desires to have a Consultant to prepare documentation, forms and applications regarding the Federal Communications Commission (“FCC”) E-Rate program.
- B. District has the authority to enter into an Agreement with a Consultant for purposes of complying with the FCC E-Rate program.
- C. Consultant is duly qualified to provide the services called for in this Agreement in consideration for the fee stipulated in this Agreement.

I. CONSULTANT’S RESPONSIBILITIES – SCOPE OF SERVICE

1. Shall provide to District completed forms and processes related to all Category One and Category Two applications of the Federal Communications Commission E-Rate filings with the schools and library division (“SLD”) during the term of this Agreement as shown in Section IV., 1. Services provided under this agreement to include the following:
 - Assist and coordinate the preparation and filing of FCC Forms: 470, 471, 486 and 500.
 - Assist and coordinate the preparation and filing of:
 - Item 21 Attachments
 - Form 472 (Billed Entity Applicant Reimbursement Form BEAR) and/or vendor specific discount forms (i.e. Data Gathering Form, Existing Services List, etc.)
 - Implementation Deadline Extension Request (ImDER)
 - Invoice Deadline Extension Request (IDER)
 - Service Provider Identification Number (SPIN) Change Requests
 - Service Substitution Requests
 - Service Certifications
 - Program Integrity Assurance (PIA)
 - Payment Quality Assurance (PQA) requests
2. Act as District’s main point of contact with the SLD.
3. Assist District on E-Rate compliance including updates on rule or regulatory changes, as applicable.

II. DISTRICT RESPONSIBILITIES

1. Provide all required information and data for filing all forms with the SLD in a timely manner and all required and requested data for filing the Form 471 at least thirty (30) days prior to USAC’s Form 471 filing deadline.
2. Take such official action, such as review of Consultants drafts and promptly sign and return all forms required for filing with a third party in a timely manner so that Consultant can perform its obligations under this Agreement.
3. Promptly pay Consultant its fee for services rendered. All payments are due and payable within 30 days after delivery to the District of the invoice.
4. Sign, date and certify all forms filed by Consultant on District’s behalf.

III. COST

1. **Pricing.** The cost for services rendered regarding the E-Rate application process, as referred to in Section I of this agreement, will be invoiced and due to the Consultant as follows:

Base contract amount (“Base Amount”) of **\$6,000** plus;

An amount equal to six percent (6%) of Category Two applications submitted during the Term of this Agreement, not to exceed a total amount of **\$10,000** (“C2 Amounts”).

Invoices for the Base Amount will be provided monthly (or quarterly) continuing through July 31 of each respective term of this Agreement.

Invoice(s) for C2 Amounts will be provided upon completion of the annual E-Rate Form 471 submission process applicable to Category Two submissions during the Term(s) of this Agreement.

The amounts in this section do not include any costs related to additional Professional Services offered by Consultant that may be requested by the District as shown in Section IV., 4. and 5 below.

IV. MISCELLANEOUS

1. **Term.** The initial term (“Term”) of this agreement shall be one (1) year commencing as of July 1, 2021, or upon execution (whichever is later), through June 30, 2022. Thereafter, the Term of this Agreement shall automatically renew for up to (4) successive one (1) year Term(s) unless one party provides written notice to the other party at least ninety (90) days in advance of the end of the existing Term that it does not wish to renew the Term of this Agreement.
2. **Modifications.** This Agreement may be modified only by a written amendment to this Agreement, executed by both parties.
3. **Independent Contractor.** While engaged in carrying out and complying with the terms and conditions of the Agreement, Consultant is an independent contractor and not an officer, employee, or agent of the District.
4. **Additional Professional Services not included in SECTION I CONSULTANT RESPONSIBILITIES – SCOPE OF SERVICE.**
 - A. Services and costs in this section are not included in Section I (Consultant Responsibilities – Scope of Service) and Section III (Cost). At the written request of the District, the Consultant may provide the additional Professional Services listed below, based upon the following hourly rates.

Officer/Principal	\$175 per hour
Information Technology Consultant/Director	\$150 per hour
Lead Consultant	\$120 per hour
Specialist	\$80 per hour

An authorized agent of the District may request the services below via written request to the Consultant. The Consultant will provide the District with an estimate of the number of hours and rates to complete the requested task. Consultant will provide a quote in the form of an email, hard copy quote, electronic copy quote or other means, as appropriate

and acceptable to the District and Consultant. These Professional Services may include but are not limited to the following:

- Assist in the preparation of RFPs/RFIs/RFQs, etc., including technical specs
- Surveys (alternate discount method)
- Comprehensive Technology Plan Writing
- Coordination of response to Special Compliance Reviews
- Selective Review Information Request (SRIR)
- Preparation of USAC and/or FCC appeals
- Technology Plan and Technology Plan Addenda preparation, technology needs assessment, etc.
- Audit support, including Beneficiary Contributor Audit Program
- Preparation of documentation/reports/presentations for Board meetings or other special meetings
- Assess and process issues with prior E-Rate applications not previously contracted by with Consultant (invoiced at ten percent 10% of amount recovered)
- Travel expenses for any on-site meetings including hourly rate, standard mileage reimbursement and actual accommodation/travel expense (including airfare if applicable)
- Other E-Rate related services

5. **Conflict of Interest.** No business or personal relationship exists between any school employee and the service provider.

6. **Attorney's Fees and Costs.** In any litigation, arbitration or other proceeding by which one party either seeks to enforce its rights under this Agreement (whether in contract, tort, or both) or seeks a declaration of any rights or obligations under this Agreement, each party shall bear its own attorney fees, together with any costs and expenses to resolve the dispute and to enforce the final judgment.

7. **Severability.** If any term of this Agreement is held by a court of competent jurisdiction to be void or unenforceable, the remainder of this Agreement shall remain in full force and effect and shall not be affected.

8. **Notices.** All notices that are required to be given by one party to the other under this Agreement shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope postage prepaid and deposited with a United States Post Office for delivery by first class and certified mail addressed to the parties at the following addresses, unless such addresses are changed by notice, in writing, to the other party.

**San Ysidro School District
4350 Otay Mesa Road
San Ysidro, CA 92173**

CSM Consulting, Inc.
P.O. Box 4408
El Dorado Hills, CA 95762-0018

9. **Limitation of Liability.** The aggregate liability in connection with any claim arising out of or relating to this agreement whether in contract, tort or otherwise, shall be limited to an amount

equivalent to the fee(s) paid by the District to Consultant for services performed pursuant to this Agreement. Consultant shall not in any circumstances be liable to District, whether in contract, tort or otherwise, for any special, indirect, incidental, or consequential damages of any kind whatsoever whether Consultant is made aware in any way due to, resulting from, or arising in connection with the services performed by Consultant pursuant to this Agreement. District's right to monetary damages listed above in that amount shall be in lieu of all other remedies that District may have.

- 10. **Governing Law.** The validity of this Agreement and each of its terms and provisions, as well as the rights and duties of the parties under this Agreement, shall be construed pursuant to and in accordance with the law of the State of California.
- 11. **Authority.** The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to execute and contractually bind their respective legal entities.
- 12. **Entire Agreement.** This Agreement supersedes any and all other agreements, whether oral or in writing, between the parties with respect to the subject of this Agreement. This Agreement contains all of the covenants and agreements between the parties with respect to the subject of this Agreement, and each party acknowledges that no representations, inducements, promises, or agreements have been made by or on behalf of any party except the covenants and agreements embodied in this Agreement. No agreement, statement, or promise not contained in this Agreement shall be valid or binding on the parties with respect to the subject of this Agreement.

Executed in San Diego, CA This 25th day of February, 2022.



_____, Vice President
David T. Cichella

_____, Title Chief Business Official

Marilyn Adrianzen Print Name
San Ysidro School District

Board approved/ratified: March 10, 2022

AUTHORITY TO COMMUNICATE – Letter of Agency (LOA)

This ATC/LOA (Agreement) entered into on this _____ day of _____, 2022 by and between **CSM Consulting, Inc.**, *Consultant Registration Number 16043564*, a California Corporation (“Consultant”) and **San Ysidro School District**, a local education agency (“District”). Consultant’s authority to communicate shall remain in effect during the term of the “E-Rate Services” consulting contract.

Consultant and District determines it is necessary to prepare documentation, forms and applications regarding the Federal Communications Commission (“FCC”) E-Rate program.

District grants to Consultant the authority to investigate and communicate, in any form, with any telecommunication company, service provider, the FCC or the Schools and Libraries Division with regard to the E-Rate Program on District’s behalf. Consultant acknowledges that nothing contained herein shall constitute a principal and agent relationship or be construed to evidence the intention of the District to constitute such. The District represents and warrants that the officer executing this Agreement has been duly authorized.

The term of this assignment is from the date of final execution (above) until all issues with E-Rate Years 2004, 2005, 2006, 2007, 2008 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022 are resolved or June 30, 2025. When executed, this agreement is authorization for all employees of Consultant to communicate on behalf of the District in performance of the duties outlined herein.

San Ysidro School District

Name: _____

Print Name: _____

Title: _____

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Special Education Department
Oscar Madera, Director

Informational
 Action

AGENDA ITEM: SUBSCRIPTION FOR THE SOCIAL COMMUNICATION CURRICULA
FROM EVERYDAY SPEECH

BACKGROUND INFORMATION:

Everyday Speech was created in collaboration with Speech Language Pathologists to provide high-quality, engaging SEL curricula for every type of learner.

Social Communication is one of the curricula from Everyday Speech and it is used for intensive social skills instruction in small groups and one on one therapy sessions. Each lesson unit includes a variety of materials for preschool through high-school-aged students, including videos for behavior modeling, activities for further practice, and games to solidify newly learned skills, and to address the social skills goals on student's Individualized Education Program (IEP).

The Director of Special Education is requesting approval to purchase the Social Communication subscription from Everyday Speech at the cost of \$399.99 per year.

RECOMMENDATION:

Approve the purchase of the Social Communication 1-year subscription from Everyday Speech at a cost of \$399.99 from the Special Education fund.

LCAP GOAL AND ACTION/SERVICE:

Goal 1: Academic Achievement ~ Action #16: Continue to provide supplemental programs and resources (i.e., educational software, math manipulatives, dual language materials, etc.) to support student achievement in core content areas and to support language acquisition for all students including unduplicated students.

Goal 4: Social emotional Learning and well-being ~ Actions 2 & 4.

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

\$399.99

(Amount)

Special Education Fund

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

QUOTE

Quote # **EDS-CF-02-08-4213**
 Quote Date **02/08/2022**
 Amount **\$399.99 USD**
 Expiry Date **03/10/2022 19:29 EDT**

BILLED TO
 Oscar Madera
 oscar.madera@sysdschools.org

Description	Units	Unit Price	Price with Discount	Amount (USD)
Premium	1	\$399.99	(\$399.99)	\$399.99
			Sub Total	\$399.99
			Bulk Discount	(\$0)
			Total	\$399.99

NOTES

Please note that our licensing is one user per subscription. We define a user as a professional running an independent session. Students do not need their own subscription.

This quote is valid only until the date indicated.

Please upload your purchase order online at everydayspeech.com/po

If you are required to mail or fax your quote, please also send an electronic version via everydayspeech.com/po

TERMS OF SERVICE

Last Updated: August 1st, 2020

Welcome to Everyday Speech!

These terms and conditions are a legal agreement (these “Terms”) between you (together with the business entity, if any, that you represent, “you” or “your” or “User”) and Everyday Speech, LLC (“Everyday Speech” or “we”, “us” or “our”), establishing terms and conditions under which you shall access and use the services and features (“Services”) available through our mobile application (the “App”) and through on Everyday Speech’s web-based social learning platform (together with the App, the “Platform”). The Platform is located at <https://www.everydayspeech.com/> and any related sub-domains (the “Website(s)”) and provided through such Website and through our App, as made available by Everyday Speech from time to time. The date you first agree to these Terms is referred to herein as the “Effective Date.” Your use of the Platform is also subject to our Privacy Policy available on our Website at <https://everydayspeech.com/privacy> and updated from time to time (“Privacy Policy”).

The Platform enables you to provide social skills training and related content to students (“Students”) by providing such Students with access to the content available through your use of the Platform.

You represent, warrant and covenant that, prior to displaying content from the Platform to any individual, you will obtain the agreement of such individuals, or their parent or legal guardian where applicable, under applicable law and regulation, permitting such individuals, or the Students they represent, to access and use content available through your use of the App or Platform under terms and conditions consistent with these Terms.

BEFORE YOU CLICK ON THE “I ACCEPT” BUTTON OR OTHERWISE ACCESS THE PLATFORM OR APP OR USE ANY OF THE SERVICES, CAREFULLY READ THESE TERMS. BY CLICKING ON THE “I ACCEPT” BUTTON OR ACCESSING THE PLATFORM, WEBSITE OR APPS OR USING THE SERVICES, YOU AND THE BUSINESS ENTITY THAT YOU REPRESENT ARE AGREEING TO BE BOUND BY AND ARE BECOMING A PARTY TO THESE TERMS. YOU REPRESENT AND WARRANT THAT YOU HAVE THE AUTHORITY TO ENTER INTO THESE TERMS ON BEHALF OF THE BUSINESS ENTITY YOU REPRESENT. YOU HEREBY COVENANT TO ENSURE THAT ALL USERS THAT GAIN ACCESS TO THE PLATFORM AND/OR THE SERVICES FROM YOU ARE BOUND BY THESE TERMS. IF YOU DO NOT AGREE TO ALL OF THESE TERMS, THEN DO NOT CLICK “I ACCEPT” AND YOU WILL NOT BE PERMITTED TO ACCESS AND/OR USE THE SERVICES.

1. Registration

Some portions of our Services may be available to users without registering, other features will only be available to those users who register with us, while still other features will only be available to users based on the features included in their tier of subscription plan or trial of our Services. In consideration of your use of the Service, you agree to (a) provide accurate, current and complete information about you as may be prompted by any registration forms on the Service (“Registration Data”); (b) maintain the security of your password and identification; (c) maintain and promptly update the Registration Data, and any other information you provide to us, to keep it accurate, current and complete; and (d) be fully responsible for all use of your account and for any actions that take place using your account.

2. Restricted License

On the condition that you comply with all your obligations under these Terms, Everyday Speech hereby grants you a non-exclusive, non-transferable, restricted license (without the right to sublicense) to access the Platform and use the Services in accordance with these Terms and the instructions and guidelines posted on the Platform. Everyday Speech reserves the rights to terminate your license to use the Platform and Services

at any time and for any reason or to change the features included in different tiers of paid or free subscription plans. You may not use the Services to substantially replicate products or services offered by Everyday Speech including the republication of Everyday Speech content or the creation of a competing platform. If Everyday Speech believes, in its sole discretion, that you have violated or attempted to violate these Terms, your ability to use and access the Services may be temporarily or permanently revoked, with or without notice.

Everyday Speech reserves the right to investigate possible violations of these Terms, block users from accessing the Services, and refer matters to law enforcement authorities for further investigation. We may disclose information to third parties, in accordance with our Privacy Policy, located at <https://everydayspeech.com/privacy>.

You agree that if Everyday Speech determines or reasonably suspects that you are reselling or brokering the Services' information, programs, computer applications, or data, or is otherwise violating any provision of these Terms, Everyday Speech may take immediate action, including terminating the delivery of, and the license to use, the Services. Everyday Speech reserves the right to use whatever means it deems appropriate to monitor your compliance with these Terms. Everyday Speech reserves the right to exercise whatever lawful means it deems necessary to prevent unauthorized access to or use of the Services, including, but not limited to, technological barriers, IP mapping, and contacting your Internet Service Provider (ISP) regarding such unauthorized use.

You represent and warrant that (i) you are not located in a country that is subject to a U.S. Government embargo, or that has been designated by the U.S. Government as a "terrorist supporting" country; and (ii) you are not listed on any U.S. Government list of prohibited or restricted parties.

3. Your Content

In order to use some features of the Services, you may choose to provide us with information, or access to information, to create and automatically update your Everyday Speech account (collectively, "your content"). You own your content and may request deletion of your content at any time, unless you have shared your content with others and they have not deleted it, or it was copied or stored by other users while displayed by you to others through the Services, as further described in our Privacy Policy. You represent and warrant that you have the right to provide us with your content and to permit us to use and disclose your content within the parameters authorized by these Terms or our Privacy Policy.

Everyday Speech permits teachers to provide information identifying content made available to individual students, as a personal memory aid. You agree that you will not provide any information that would constitute an "education record" under the Family Education Rights and Privacy Act ("FERPA") or 34 CFR §99.3, or otherwise provide personal information regarding any minors.

You, and not Everyday Speech, are responsible for maintaining and protecting a separate permanent record of all of your content, if you wish to retain your content. Everyday Speech will not be liable for any loss or corruption of your content, or for backing up or restoring any of your content.

Notwithstanding anything else in these Terms or otherwise, Everyday Speech may monitor your use of the Services and Platform and use data and information related to your use of the Services in an aggregate or de-identified manner, including to compile statistical and performance information related to the provision and operation of the Platform and Services and the efficacy of the Platform, Services and particular Content. You agree that Everyday Speech may make such data and information publicly available and use such information to the extent and in the manner required by applicable law or regulation and/or for purposes of data gathering, analysis, service enhancement and marketing, provided that such data and information does not identify you or any other individual or entity.

4. User Conduct

You understand that the Services are available for your personal and business use only and for your use in connection with your Students. You shall not share your login credentials with any third party or otherwise enable a third party to use your account. Information and other text, images, data, links, software, or other material accessible through the Websites or Services, whether created by us or provided by another person for display on the Websites or through the Services (“Content”) in the Services may be protected by intellectual property rights of others. Please do not copy, upload, download, or share files unless you have the right to do so. You, not Everyday Speech, will be fully responsible and liable for what you copy, share, post, upload, download or otherwise use while using the Services. You represent, warrant and agree that your content or information shared through your account or otherwise shared by you on or through the Services will not violate or infringe upon the rights of any third party, including copyright, trademark, privacy, publicity or other personal or proprietary rights; be in violation of any law or used in furtherance of any such violation; or contain libelous, defamatory or otherwise unlawful material.

In addition, you agree not to use the Services:

- in any unlawful manner or in any other manner that could damage, disable, overburden or impair the Services;
- to share or otherwise make available any content that we deem to be harmful, threatening, unlawful, defamatory, infringing, abusive, inflammatory, harassing, vulgar, obscene, fraudulent, invasive of privacy or publicity rights, hateful, or racially, ethnically or otherwise objectionable;
- to impersonate any person or entity, or falsely state or otherwise misrepresent yourself, your age or your affiliation with any person or entity;
- to share or otherwise make available any unsolicited or unauthorized advertising, solicitations, promotional materials, “junk mail,” “spam,” “chain letters,” “pyramid schemes,” or any other form of solicitation;
- to share or otherwise make publicly available on the Services any private information of any third party, including addresses, phone numbers, email addresses, Social Security numbers and credit card numbers;
- to share or otherwise make available any material that contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment;
- to share or otherwise make available content that would constitute, encourage or provide instructions for a criminal offense, violate the rights of any party, or that would otherwise create liability or violate any local, state, national or international law;
- to use or attempt to use another’s account, service or system without authorization from us, or create a false identity on the Services;
- to manipulate the Services to obtain fee-bearing features for which you have not subscribed or to start more than one free trial for the Services within a one-month period without authorization from us;
- to forge headers or otherwise manipulate identifiers in order to disguise the origin of any information transmitted by you;
- to access, retrieve or index the Services for purposes of constructing or populating a searchable database of contact or business information;
- to record, process, or mine information about other users;
- to use any robot, spider, search/retrieval application, or other automated device, process or means to access, retrieve, scrape, or index the Services or any Content; or
- to reformat or frame any portion of the Services.

5. Content Posted on Other Websites

We have not reviewed, and cannot review, all of the material, including computer software, made available through the websites and web pages to which Everyday Speech.com links, or that link to our Website. Everyday Speech does not have any control over those non-Everyday Speech websites and web pages and is not responsible for their contents or their use. By linking to a non-Everyday Speech website or webpage, Everyday Speech does not represent or imply that it endorses such website or webpage. You are

responsible for taking precautions as necessary to protect yourself and your computer systems from viruses, worms, Trojan horses, and other harmful or destructive content. Everyday Speech disclaims any responsibility for any harm resulting from your use of non-Everyday Speech websites and web pages.

6. Intellectual Property

These Terms do not transfer from Everyday Speech to you any Everyday Speech or third-party intellectual property, and all right, title and interest in and to such property will remain (as between the parties) solely with Everyday Speech. Everyday Speech, the Everyday Speech logo, and all other trademarks, service marks, graphics and logos used in connection with Everyday Speech, LLC or the Platform, are trademarks or registered trademarks of Everyday Speech or Everyday Speech's licensors. Other trademarks, service marks, graphics and logos used in connection with the Platform may be the trademarks of other third parties. Your use of the Platform grants you no right or license to reproduce or otherwise use any Everyday Speech or third-party trademarks.

7. Unsolicited Ideas and Feedback

While we welcome your feedback, ideas, and suggestions, it is important to be aware of the following restrictions. If you send us feedback, ideas, or suggestions (collectively, "unsolicited ideas"), you agree that: (1) your unsolicited ideas become the property of Everyday Speech and you are not owed any compensation in exchange; (2) none of the unsolicited ideas contain confidential or proprietary information of any third party; (3) Everyday Speech may use or redistribute unsolicited ideas for any purpose and in any way; (4) there is no obligation for Everyday Speech to review or use your unsolicited ideas; and (5) Everyday Speech has no obligation to keep any unsolicited ideas confidential.

8. Advertisements

Everyday Speech reserves the right to display advertisements on Everyday Speech.com or within Everyday Speech's mobile applications.

9. Payments

If you purchase any Services that we offer for a fee, either on a one-time or subscription basis ("Premium Services"), you agree to Everyday Speech or its third-party payment processing service provider storing your payment card information. You also agree to pay the applicable fees for the Premium Services (including, without limitation, periodic fees for premium accounts) as they become due plus all related taxes. You may cancel your Premium Services as provided on the Platform from time to time. If you register for our Services as a member of an organization, your subscription may be paid by such organization; provided that, if so, then your subscription shall be effective for only the period for which such subscription is paid by such third party.

10. Changes

Everyday Speech reserves the right, at its sole discretion, to modify or replace any part of these Terms. It is your responsibility to check these Terms periodically for changes. Your continued use of or access to the Platform following the posting of any changes to these Terms constitutes acceptance of those changes, except that, if such changes occur during the period of your paid subscription to our Services, then such changes shall take effect upon the sooner of (i) the renewal of your subscription and (ii) the date that you inform Everyday Speech of your acceptance of such changes.

11. Termination

Everyday Speech may terminate your access to all or any part of the Platform at any time, with or without cause, with or without notice, effective immediately. If you wish to terminate your EverydaySpeech.com account (if you have one), you may terminate your subscription via the Platform or provide notice of termination to us at info@everydayspeech.com. Everyday Speech will have no obligation to provide a refund of any amounts previously paid to Everyday Speech. Everyday Speech can terminate the Platform and/or any related Services immediately as part of a general shut down of our Services. If your subscription is paid by a third-party organization, your subscription may be terminated by such organizer. All provisions of these Terms which by their nature should survive termination shall survive termination, including, without

limitation, ownership provisions, rights in data you share with other users, warranty disclaimers, indemnity, limitations of liability and governing law and jurisdiction.

12. Disclaimer of Warranties

- a) THE SERVICES, YOUR EVERYDAY SPEECH ACCOUNT, AND ALL INFORMATION AND CONTENT ARE MADE AVAILABLE TO YOU ON AN “AS IS,” “AS AVAILABLE” BASIS. EVERYDAY SPEECH, ITS PARENTS, SUBSIDIARIES, AFFILIATES, AND THIRD PARTY DATA PROVIDERS AND MOBILE APPLICATION DISTRIBUTORS (COLLECTIVELY THE “EVERYDAY SPEECH PARTIES”) MAKE NO WARRANTIES, REPRESENTATIONS, OR CONDITIONS OF ANY KIND, EXPRESS, STATUTORY OR IMPLIED AS TO (1) THE OPERATION AND FUNCTIONALITY OF THE EVERYDAY SPEECH SERVICES, (2) THE ACCURACY, INTEGRITY, COMPLETENESS, QUALITY, LEGALITY, USEFULNESS, SAFETY, AND IP RIGHTS OF ANY OF THE INFORMATION AND CONTENT, INCLUDING BUT NOT LIMITED TO THE ACCURACY OF CONTACT AND BUSINESS INFORMATION CONTAINED ON THE SERVICES, (3) THE FUNCTIONS CONTAINED ON THIS SITE WILL BE UNINTERRUPTED OR ERROR-FREE; (4) THAT DEFECTS WILL BE CORRECTED, OR (5) THE PRODUCTS AND SERVICES ASSOCIATED WITH THE SERVICES. THE EVERYDAY SPEECH PARTIES FURTHER DISCLAIM ALL WARRANTIES, EXPRESS, STATUTORY, OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY, MERCHANTABILITY, DURABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. NO ADVICE OR INFORMATION, WHETHER ORAL OR WRITTEN, THAT YOU OBTAIN FROM EVERYDAY SPEECH OR THE EVERYDAY SPEECH SERVICES SHALL CREATE ANY WARRANTY, REPRESENTATION, OR CONDITION NOT EXPRESSLY STATED HEREIN.
- b) THE EVERYDAY SPEECH PARTIES FURTHER DISCLAIM ALL LIABILITY FOR ANY LOSS OR DAMAGE ARISING OUT OF YOUR USE OF THE EVERYDAY SPEECH SERVICES AND INFORMATION AND CONTENT AVAILABLE THROUGH THE EVERYDAY SPEECH SERVICES. YOUR USE OF THE EVERYDAY SPEECH SERVICES IS AT YOUR OWN DISCRETION AND RISK, AND YOU WILL BE SOLELY RESPONSIBLE FOR ANY RESULTING LOSS OR DAMAGE, INCLUDING BUT NOT LIMITED TO LOST REVENUE OR PROFITS, ANY LOSS OF DATA, OR DAMAGE TO YOUR COMPUTER FROM VIRUSES THAT MAY BE DOWNLOADED TO YOUR COMPUTER IN THE COURSE OF USING THE EVERYDAY SPEECH SERVICES.
- c) THE EVERYDAY SPEECH PARTIES ALSO DISCLAIM ALL LIABILITY FOR ANY LOSS OR DAMAGE ARISING OUT OF YOUR COMMUNICATIONS OR DEALINGS WITH ANY OF THE BUSINESSES, ADVERTISERS, OR USERS LISTED ON THE EVERYDAY SPEECH SERVICES. YOU ACKNOWLEDGE THAT EVERYDAY SPEECH HAS NO AFFILIATION WITH SUCH BUSINESSES, ADVERTISERS, AND USERS. YOUR COMMUNICATIONS OR DEALINGS WITH SUCH BUSINESSES, ADVERTISERS, AND USERS ARE SOLELY BETWEEN YOU AND THEM, THOUGH EVERYDAY SPEECH RESERVES THE RIGHT TO MONITOR DISPUTES BETWEEN YOU AND THEM.
- d) SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OF CERTAIN WARRANTIES, THE LIMITATION OR EXCLUSION OF IMPLIED WARRANTIES, OR LIMITATIONS ON HOW LONG AN IMPLIED WARRANTY MAY LAST, SO THE ABOVE LIMITATIONS MAY NOT APPLY TO YOU. IF YOU RESIDE IN SUCH A JURISDICTION, THE ABOVE LIMITATIONS SHALL APPLY TO YOU TO THE FULLEST EXTENT PERMITTED UNDER APPLICABLE LAW.
- e) EVERYDAY SPEECH DOES NOT HAVE ANY OBLIGATION TO VERIFY THE IDENTITY OF THE PERSONS REGISTERING TO USE ITS SERVICES, NOR DO WE HAVE ANY OBLIGATION TO MONITOR THE USE OF ITS SERVICES BY OTHER USERS; THEREFORE, EVERYDAY SPEECH DISCLAIMS ALL LIABILITY FOR IDENTITY THEFT OR ANY OTHER MISUSE OF YOUR IDENTITY OR INFORMATION THAT YOU PERMIT ANY THIRD PARTY TO ACCESS.
- f) EVERYDAY SPEECH IS NOT RESPONSIBLE, AND MAKES NO REPRESENTATIONS OR WARRANTIES, FOR THE DELIVERY OF ANY MESSAGES (SUCH AS POSTING OR TRANSMISSION OF ANY OTHER USER GENERATED CONTENT) SENT THROUGH EVERYDAY SPEECH TO ANYONE.
- g) THE EVERYDAY SPEECH SERVICES MAY CONTAIN HYPERLINKS TO THIRD PARTY WEBSITES (THE “THIRD PARTY SITES”), AND EVERYDAY SPEECH ASSUMES NO RESPONSIBILITY AND HAS NO CONTROL OVER THE INFORMATION AND OR CONTENT CONTAINED THEREIN. THE EVERYDAY SPEECH PARTIES ALSO DISCLAIM ALL LIABILITY ASSOCIATED WITH YOUR USE OF ANY THIRD PARTY SITES.

13. Limitation of Liability

- a) TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE EVERYDAY SPEECH PARTIES BE LIABLE FOR (A) INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, EXEMPLARY, RELIANCE, OR CONSEQUENTIAL DAMAGES, (B) LOSS OF PROFITS, (C) BUSINESS INTERRUPTION, (D) LOSS OF OR DAMAGE TO REPUTATION, OR

(E) LOSS OF INFORMATION OR DATA REGARDLESS OF LEGAL THEORY, WHETHER OR NOT EVERYDAY SPEECH HAS BEEN WARNED OF THE POSSIBILITY OF SUCH DAMAGES, AND EVEN IF A REMEDY FAILS OF ITS ESSENTIAL PURPOSE.

b) THE EVERYDAY SPEECH PARTIES' MAXIMUM AGGREGATE LIABILITY TO YOU FOR ANY CAUSES WHATSOEVER, AND REGARDLESS OF THE FORM OF ACTION (WHETHER SUCH LIABILITY ARISES DUE TO NEGLIGENCE, BREACH OF CONTRACT, MISREPRESENTATION OR FOR ANY OTHER REASON), WILL AT ALL TIMES BE LIMITED TO THE GREATER OF (I) THE AMOUNT PAID, IF ANY, BY YOU TO EVERYDAY SPEECH IN CONNECTION WITH THE SERVICES IN THE TWELVE (12) MONTHS PRIOR TO THE ACTION GIVING RISE TO LIABILITY OR (II) US \$10.00.

14. General Representation and Warranty.

You represent and warrant that (i) your use of the Platform will be in strict accordance with the Everyday Speech, LLC Privacy Policy, with these Terms and with all applicable laws and regulations (including without limitation any local laws or regulations in your country, state, city, or other governmental area, regarding online conduct and acceptable content, and including all applicable laws regarding the transmission of technical data exported from the United States or the country in which you reside) and (ii) your use of the Platform will not infringe or misappropriate the intellectual property rights of any third party.

15. Indemnification

You agree to indemnify and hold harmless Everyday Speech, its contractors, and its licensors, and their respective directors, officers, employees and agents from and against any and all claims and expenses, including attorneys' fees, arising out of your use of the Platform, including but not limited to your violation of these Terms.

16. Miscellaneous

These Terms constitute the entire agreement between Everyday Speech and you concerning the subject matter hereof. We may, at our sole discretion and without notice, revise these Terms at any time by updating this posting. These Terms shall be governed and interpreted pursuant to the laws of the Commonwealth of Massachusetts, United States of America, without regard to the conflict of law provisions thereof. All claims, legal proceedings, or litigation arising in connection with the Services will be brought solely in federal or state courts located in the Commonwealth of Massachusetts, and you consent to the jurisdiction of and venue in such courts and waive any objection as to inconvenient forum. If any part of these Terms is held to be unlawful, void, or unenforceable, that part will be deemed severable and shall not affect the validity and enforceability of the remaining provisions. A waiver by either party of any term or condition of these Terms or any breach thereof, in any one instance, will not waive such term or condition or any subsequent breach thereof. Neither these Terms nor the licenses granted herein are transferable by You without the prior written consent of Everyday Speech, which may be granted or withheld in Everyday Speech's sole discretion. Everyday Speech may assign or subcontract its rights and obligations under these Terms without condition. These Terms will be binding upon and will inure to the benefit of the parties, their successors and permitted assigns.

17. For Additional Information.

If You have any questions about these Terms, please contact us at: info@everydayspeech.com.

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**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: AGREEMENT WITH O'DAY CONSULTANTS

BACKGROUND INFORMATION:

The Vista Del Mar (VDM) onsite mitigation area also known as the Gnatcatcher Preserve was purchased by the San Ysidro School District (SYSD) as mitigation for impacts to habitat potentially occupied by the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*) from construction of the VDM School.

The City of San Diego and the District have been negotiating a Habitat Management Plan so that the City of San Diego can take over the maintenance of the Gnatcatcher Preserve (APN No. 645-040-18-00) which is located across the street from the Vista Del Mar Middle School. It is necessary to survey, stake and fence the property appropriately making sure the fencing is on District land.

Five companies were invited to provide a proposal for Property Line Surveying and Staking of the above-mentioned property. Four companies responded with a proposal. The District selected O'Day Consultants which offered the lowest cost for these services.

RECOMMENDATION:

Approve/Ratify the agreement with O'Day Consultants to provide a property line surveying and staking of the Vista Del Mar Gnatcatcher Preserve at a cost of \$2,045.00 from the Routine Restricted Maintenance Account and RDA funds.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

\$2,045.00

(Amount)

Routine Restricted Maintenance Account & RDA Funds

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

O'Day

Promo No. 22-0022

January 31, 2022

Page 1 of 1

**San Ysidro School District Site
Vacant Lot (APN: 645-040-18)
San Diego, CA 92154**

Boundary Survey

Scope of Work

Scope I: Lump sum fee of \$2,045.00 due and payable upon percentage of work completed.

Perform a boundary survey to locate and flag property corner monuments and flag property lines at Vacant Lot North of Vista Del Mar School (APN: 645-040-18), Del Sol Blvd., San Diego, CA 92154.

Includes:

- A. Research County of San Diego survey records.
- B. Develop survey control in the field.
- C. Perform a field survey of the boundary of the District's property.
- D. Locate, flag and measure property corner monuments and flag property lines* (If property corners are found).

* In the event that one or more property corners are not found the property line(s) may not be set and O'Day will recommend that a Corner Record be filed with the County of San Diego (cost to be provided). No additional work will be started unless written authorization by the owner is provided.

Does Not Include:

- Prepare and file a Corner Record with the County of San Diego.
- Agency Fees
- Legal Descriptions
- Permit for Construction Documents
- Recordation Fees
- Title Documents

SYSD Approved:

Marilyn Adrianzen, CBO

O'Day Consultants
2710 Loker Avenue West, Suite 100
Carlsbad, CA 92010-6609
(760) 931-7700 Survey Dept. x-123



Civil Engineering • Surveying

Certified: SDVOSB • DVBE • SBE • SLBE

SCHEDULE OF HOURLY BILLING RATES

January 10, 2022

OFFICE ENGINEERING

Project Manager	\$241.00
Project Engineer	196.00
Design Engineer	169.00
AutoCad Technician	157.00
Engineering Technician	126.00
Engineering Intern	94.00
Construction Office Management/Document Control	91.00
Word Processing	91.00

FIELD ENGINEERING

2 Man Survey Crew	268.00
1 Man Survey Crew/Survey Chief/Project Surveyor	176.00
1 Man Survey Crew-Robotic/GPS	198.00

FIELD ENGINEERING-PREVAILING WAGE

3 Man Survey Crew	482.00
2 Man Survey Crew	324.78
1 Man Survey Crew/Survey Chief/Project Surveyor	165.91

CONSULTATION

Principal	\$290.00
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All out-of-pocket expenses, such as filing fees, printing, reproduction costs and deliveries, will be extra and invoiced at our direct cost plus 10%. Prevailing wage projects will be charged a higher rate for field engineering. Four (4) hour minimum charge for survey crew time. Any site visits less than 4 hours will be charged as extra work to fixed fee scopes of work.

Payment Terms: Accounts are due and payable within 30 days of the date of the invoice. If payment for invoice is not received within 30 days from the date of invoice, then a finance charge will be assessed at 1.5% per month for each month the invoice remains unpaid, starting at the 31st day. If payment for invoice is not received within 60 days from the date of invoice, then work will stop and will recommence once the account is paid in full.

Rates are subject to periodic increase. Prevailing Wage rates are subject to California Department of Industrial Relations mandated wage rate changes.

Agreement between **O'Day Consultants** (Consultant) and
San Ysidro School District (District)

ADDENDUM

Both Parties O'Day Consultants and the District (Parties) agree to the following:

- **INDEMNIFICATION:**

Parties mutually agree to protect, save, defend, indemnify and hold harmless each other, their Governing Boards and each member thereof, their officers, employees, agents and volunteers from any and all claims, liabilities, expenses or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of or in any way connected with the negligent acts, errors or omissions or willful misconduct by either Party, Parties' agents, officers, employees, subcontractors, or independent contractors hired by Parties under this Agreement. The only exception to responsibility to protect, save, defend and hold harmless is where a claim, liability, expense or damage occurs due to the sole negligence, or willful misconduct of either Party. This hold harmless Agreement shall apply to all liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by negligent Party.

- **INSURANCE:**

Consultant shall maintain commercial general liability insurance or self-insurance acceptable to the District in the minimum amounts of \$1,000,000 per occurrence, \$2,000,000 general aggregate and upon request shall furnish proof thereof in the form of a certificate of insurance. The San Ysidro School District shall be named additional insured and provide the District with additional insured endorsements.

All Coverages. Insurance policy required by this Agreement shall be not be suspended, voided, reduced in limits or canceled except after thirty (30) days prior written notice or ten (10) days' notice for nonpayment premium. Should any insurance policies be cancelled before the expiration date thereof, the issuing insurer will endeavor to mail thirty (30) days written notice to District, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives, and any failure to comply with reporting or other provisions of the policies, shall not affect coverage provided to District, its directors, officials, officers, employees, agents and volunteers.

- **GOVERNING LAW:**

This Agreement shall be governed by the laws of the State of California. Any action brought to enforce the terms of this Agreement shall be brought in a state or federal court located in the County of San Diego, State of California, but only after dispute resolution as provided herein.

Each of the parties signing this Agreement warrants to the other that he or she has the full authority of the entity on behalf of which his or her signature is made.

O'DAY CONSULTANTS

Firm Name

SAN YSIDRO SCHOOL DISTRICT

Firm Name

Signature of Authorized Agent

Signature

Print Name, Title

Print Name, Title

Date

Date

Phone Number

Board Approved

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Educational Services Informational
Cynthia Gonzalez, Executive Director Action

AGENDA ITEM: AGREEMENT WITH SCHOOL INNOVATIONS & ADVOCACY, INC. FOR SCHOOL ACCOUNTABILITY REPORT CARD SERVICES

BACKGROUND INFORMATION:

Pursuant to California Education Code Section 35160, districts are authorized to retain services for the preparation of School Accountability Report Cards (SARC). In order to be compliant with Education Code Section 35160, the District will retain the services of School Innovations & Advocacy, Inc. to assist with the preparation of the 2021-2022 School Accountability Report Cards (SARC).

Term: July 1, 2022 to June 30, 2023

RECOMMENDATION:

Approve the agreement with School Innovations & Advocacy, Inc. for the preparation of the School Accountability Report Cards (SARC) at a cost of \$8,300.00 from the General fund.

LCAP GOAL AND ACTION/SERVICE:

Goal 5: Parent Engagement ~ Action #4: Improve home--school communication including improving websites, providing information on student academic progress, and notifying parents of district and school events. Including providing access to families with primary language supports and modes for access.

Renewal **New** **Amendment** **Ratify** **Other**

Financial Implications?

Yes No

Are funds for this item available in the 2022-2023 Budget?

Yes No

Requisition #

\$8,300.00

(Amount)

General Fund

(Name of funding source and/or location)

Recommended for: **Approval** **Denial** Certification Requested **Yes** **No**



SCHOOL ACCOUNTABILITY REPORT CARD SERVICES AGREEMENT

**Between
SCHOOL INNOVATIONS & ACHIEVEMENT
And the
SAN YSIDRO ELEMENTARY SCHOOL DISTRICT**

THIS AGREEMENT, dated March 11th, 2022 (the “Agreement”) is made by and between San Ysidro Elementary School District (“District”), and School Innovations & Achievement, a California corporation (“SI&A”), each being a “Party” and collectively the “Parties”.

RECITALS

WHEREAS, District is authorized to retain services for the preparation of school accountability report cards (“SARC”) pursuant to the California Education Code Section 35160; and

WHEREAS, it is necessary and desirable that SI&A be retained by District for the purpose of performing the above described service and SI&A is qualified to perform such service;

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. **Agreement Term.** This Agreement begins July 1, 2022 (the “Effective Date”) and will automatically expire on June 30, 2023.

2. **Services.**

Description of Services. SI&A agrees to provide District the following consulting services (“Services”) during the Agreement Term:

2.1 Compile the 2021/22 SARC (in English) for each school site as indicated in Exhibit C – Price Quote for Services (“School Sites”). This compilation of SARC includes, but is not limited to, the following: (a) an assessment of the school’s conditions pursuant to Proposition 98, (b) California Education Code Sections 17002, 17014, 17032.5, 17070.75, 17089, 32286, 52056, 60119, 33126, 35256, 35256.1, 35258, 41409 and 41409.3, (c) California Department of Education changes to the SARC per *Eliezer Williams, et al., vs. State of California, et al.*, and (d) Title I, Section 1111(b)(2)(H). Upon District’s request, SI&A may translate the SARC into a different language for an additional fee, as indicated in Exhibit C – Price Quote for Services;

2.2 In each SARC, disclose the salary and budget information for districts that operate more than one (1) School Site, pursuant to the California Education Code Section 41409.3;

2.3 Provide District with one (1) hard copy of the SARC for each School Site and an Adobe Acrobat Reader PDF file. Additional copies are outside the Initial Scope of Services (as defined in Exhibit A – Standard Terms and Conditions, Section 1), however, upon District’s request, more copies will be provided for an additional fee, which shall be billed separately;

- 2.4 Serve as District’s liaison with the California Department of Education and other government entities regarding (a) information requests, (b) clarifications, or (c) compliance reviews that may occur;
- 2.5 Maintain appropriate record keeping practices per State regulations;
- 2.6 Prior to finalizing the SARC, SI&A shall verify the propriety and accuracy of the information contained therein with District. District shall be entitled to a maximum of three (3) reviews and three (3) revisions of the draft version of the SARC prior to publishing within the Initial Scope of Services and Fees (as defined in Exhibit A – Standard Terms and Conditions). Revisions within the Initial Scope of Services include, but are not limited to, changes to State or district data. If District’s proposed changes exceed either the Initial Scope of Services or the three (3) revisions maximum, the Parties shall execute an amendment to the Agreement and additional fees shall apply. In such event, SI&A shall provide District with an Agreement amendment describing the additional amounts of time and fees of the proposed revisions for District’s review, approval and signature. SI&A will not perform additional services until such amendment is executed. Requests for additional revisions submitted after the Production Schedule (as defined in Exhibit B – SARC Format Checklist) may cause a delay of the final SARC delivery and result in additional fees under this Agreement; and
- 2.7 Complete delivery of the final SARC per the agreed upon Production Schedule (as defined in Exhibit B – SARC Format Checklist).

3. Payment of Fees.

3.1 Fees. For Services provided pursuant to the terms of this Agreement as indicated in Exhibit C, District agrees to pay SI&A:

- **\$8,300** for the fiscal year 2022/2023 (“Discounted Annual Fee”) if Agreement is received on or before March 31, 2022, or
- **\$8,600** for the fiscal year 2022/2023 (“Standard Annual Fee”) if Agreement is received after March 31, 2022.

3.2 Payment Plan. The Fee is payable as follows:

	Agreement Received By Date	<u>FY 2022/2023</u> <u>07/01/2022-06/30/2023</u> Due 07/01/2022
Discounted Annual Fee	On or Before March 31, 2022	\$8,300
Standard Annual Fee	After March 31, 2022	\$8,600

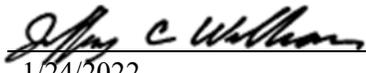
4. **Entire Agreement.** This Agreement, including, without limitation, the Standard Terms and Conditions attached hereto as Exhibit A and the Price Quote for Services attached hereto as Exhibit C, is the final expression of, and contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto.

5. **Exhibits.** All exhibits referred to in this Agreement are attached and incorporated herein by this reference.
6. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, including copies sent to a party by facsimile transmission or in portable document format (pdf), as against the party signing such counterpart, but which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the District and SI&A have made and executed this Agreement as set forth below.

SI&A:

**SCHOOL INNOVATIONS
& ACHIEVEMENT**

Signature: 
 Date Signed: 1/24/2022
 Print Name: Jeffrey C. Williams
 Title: Chief Executive Officer
 Company: School Innovations & Achievement
 Address: 5200 Golden Foothill Parkway
El Dorado Hills, CA 95762
 Phone: (800) 487-9234
 Fax: (888) 487-6441

DISTRICT:

**SAN YSIDRO ELEMENTARY SCHOOL
DISTRICT**

Signature: _____
 Date Signed: _____
 Print Name: Marilyn Adrianzen
 Title: Chief Business Official
 Address: 4350 Otay Mesa Road
San Ysidro, CA 92173
 Phone: (619) 428-4476
 Fax: (619) 428-9355
 Email: marilyn.adrianzen@syzdschools.org

Board approved: 03-10-22

EXHIBIT A - STANDARD TERMS AND CONDITIONS

1. **Scope of Services; Independent Contractor.** SI&A's services described in the Agreement (the "Services") detail the initial scope of services anticipated by SI&A as of the effective date of the Agreement ("Initial Scope of Services"). District acknowledges that the Fee (as defined below) is based on this Initial Scope of Services. If SI&A determines that the Initial Scope of Services may be or has been increased anytime during the Agreement Term, SI&A reserves the right to increase the Fee to compensate for the unanticipated or additional services as mutually agreed upon in writing by both Parties. This Agreement is not for lobbying services and SI&A is not being retained to provide lobbying services to District. The parties agree that School Innovations & Achievement is an independent contractor and the Agreement shall not be construed to create a relationship of agent, servant, employee, partnership, joint venture, association or any other relationship.
2. **Payment.** For purposes of the Agreement, the price of products and services set forth on the Products and Services Addendum and any other applicable fee pursuant to the Agreement shall be collectively referred to herein as the "Fee" or "Fees." District acknowledges that the Fees are based on the Initial Scope of Services anticipated by SI&A as of the date of this Agreement. The Fees shall be billed to District and District shall pay the entire amount within thirty (30) days after District receives SI&A's invoice.
3. **Termination.** Either Party may terminate the Agreement, with or without cause, by delivering written notice of termination to the other party not later than sixty (60) days prior to expiration of the current agreement year within the Agreement Period. The effective date of termination shall be the expiration of such current year of the Agreement. Upon termination, SI&A will invoice District for any Fees owing and District shall pay the full invoice amount within thirty (30) days after receipt of SI&A's invoice. Except as set forth in this Section 3, neither party shall have any liability to the other for damages resulting solely from a party's termination of this Agreement in accordance with this Section 3.
4. **Notice.** All Agreement notices must be in writing, directed to the party's address set forth below such party's signature in the Agreement and shall be deemed to be received in accordance with the following: (a) in the case of personal delivery, on the date of such delivery; (b) in the case of facsimile transmission, on the date upon which the sender receives confirmation by facsimile transmission that such notice was received by the addressee, provided that a copy of such transmission is additionally sent by mail as set forth in (d) below; (c) in the case of overnight courier, on the second business day following the day such notice was sent, with receipt confirmed by the courier; and (d) in the case of mailing by first class certified mail, postage prepaid, return receipt requested, on the fifth business day following such mailing. A party may change the address stated in the Agreement by giving notice to the other party.
5. **District's General Responsibilities; District Acknowledgment.** During the Agreement Term, in addition to the obligations set forth in the Agreement, District is responsible for the following: (a) ensuring that District, its employees and contractors properly identify and comply with laws and regulations applicable to District's activities; (b) completing any documents required by SI&A for any service obtained by District; (c) importing only data that reflects student performance to the grade level into the school site plan to ensure confidentiality and consistency with FERPA guidelines; and (d) monitoring assignments of login and passwords to assure FERPA compliance. District acknowledges that SI&A's full, accurate and timely performance under this Agreement is materially dependent upon District's reasonable cooperation and assistance. District further acknowledges that SI&A's Initial Scope of Services and Fee presume a reasonable amount of cooperation and assistance from District, such as District's timely provision of certain information, documentation and personnel. SI&A has explained its requirements in this regard to District and District agrees to meet these requirements.
6. **Further Assurances.** Upon request of the other party, SI&A or District shall execute and deliver additional instruments and take additional actions as may be necessary or appropriate to perform the Agreement.
7. **Assignment Prohibited.** Neither party may assign any rights or obligations under this Agreement without the prior written consent of the other party. Any purported assignment in violation of the provisions of this Section 7 shall be null and void.
8. **Family Educational Rights and Privacy Act ("FERPA"); California Education Code; and Other Privacy Related Laws.**
 - a. FERPA and California Educational Code and California Education Code. SI&A may have limited access to student data or information only for purposes of providing the services specified in the Agreement. SI&A performs the Services as an independent contractor of District. SI&A, its officers and employees, shall comply at all times with the Family Educational Rights and Privacy Act and, for any California District, California Education Code sections 49073 et seq. and/or sections 76240 et seq., as applicable. Further to the requirements of California Education Code section 49073.1, as applicable, SI&A and District agree that (a) any and all "Pupil records" (as that term is defined in Education Code section 49073.1 and hereinafter referred to as "Pupil Records") disclosed or transmitted to SI&A remain the property of District and under the control of District; (b) SI&A shall not use any Pupil Records disclosed or transmitted to SI&A by District or any information in those pupil records for any purpose other than those required or specifically permitted by the Agreement; (c) SI&A shall not disclose any Pupil Records disclosed or transmitted to SI&A by District to any third party; (d) SI&A shall dispose of the Pupil Records according to Section 16 below; and (e) SI&A shall not use any Pupil Records disclosed or transmitted to SI&A by District to engage in targeted advertising. The procedures (a) created by District to comply with the requirements of Education Code section 49073.1 and (b) used by SI&A to ensure the security and confidentiality of Pupil records are listed or referenced in Exhibit D to the Agreement. Notwithstanding the foregoing, District grants to SI&A a perpetual, exclusive, royalty-free license to use de-identified District Data and "Deidentified information" (as defined in Education Code section 49703.1) for any purpose allowed by law. As set forth in the Standard Terms and Conditions, District and SI&A shall cooperate to preserve the confidentiality of District Data as mandated by applicable federal and state law.
 - b. Student Online Personal Information Protection Act ("SOPIPA"). SI&A does not knowingly use "Covered information" (as defined in Cal. Bus. & Prof. Code §§22584 to 22588 and hereinafter referred to as "Covered Information") or persistent unique identifiers for targeted advertising. SI&A does not knowingly develop student profiles with Covered Information or persistent unique identifiers, or sell or disclose Covered Information unless exceptions under SOPIPA apply.
 - c. California Consumer Privacy Act ("CCPA"). SI&A is a "service provider" (as defined under Cal. Civ. Code §1798.140(v) and hereinafter referred to as "Service Provider"). SI&A, as a Service Provider, does not further collect, sell, or use the "personal information" (as defined under Cal. Civ. Code §1798.140 (o)) except as necessary to perform obligations under the Agreement.
9. **Confidential and Proprietary Materials of SI&A.** During performance of the Agreement, SI&A may provide materials or disclose information to District that SI&A considers proprietary or confidential including, but not limited to SI&A's training handbooks, policy manuals, instructions, copyrighted checklists and forms ("SI&A's Materials"). District agrees that District acquires no interest of any kind in SI&A's Materials. At all times during and after the Agreement Term, District agrees (a) to keep SI&A's Materials in confidence and trust for SI&A; (b) not to disclose, duplicate or otherwise use SI&A's Materials, except in furtherance of SI&A's performance per the Agreement; (c) to limit access to SI&A's Materials to District's employees and/or contractors who have a "need to know;" and (d) to promptly return all copies of SI&A's Materials to SI&A after a request is made.
10. **Limitation of Liability; Indemnification.** In no event shall SI&A's liability to District, for any reason arising out of this Agreement, exceed the amount of the Fee actually received by SI&A under this Agreement. SI&A shall not be liable for any consequential damages. Each party agrees to defend, hold harmless, and indemnify the other party (and its officers, employees, trustees, agents, successors, and assigns) against all claims, suits, expenses (including reasonable attorney's fees), losses, penalties, fines, costs, and liability whether in contract, tort, or strict liability (including but not limited to personal injury, death at any time, and property damage) arising out of or made necessary by the indemnifying party's breach of the terms of this Agreement. In the event that any action or proceeding is brought against a party by reason of any claim or demand discussed in this Section 10, upon notice from the party, the indemnifying party shall defend the action or proceeding at the indemnifying party's expense, through counsel reasonably satisfactory to the other party. The obligations to indemnify set forth in this Section 10 shall include reasonable attorney's fees and investigation costs and all other reasonable costs, expenses, and liabilities from the time of giving the first notice of any claim or demand. The indemnifying party's obligations under this Section 10 shall apply regardless of whether the other party (or any of its officers, employees, trustees, or agents) is actively or passively negligent, but shall not apply to any loss, liability, fine, penalty, forfeiture, cost, or damage caused solely by the active negligence or by the willful misconduct of the other party.
11. **Governing Law; Enforcement Costs.** The Agreement shall be governed by and construed in accordance with the substantive laws of California. If any legal action (including arbitration) is commenced to enforce the Agreement's terms or a party's rights or obligations under this Agreement, then the prevailing party shall be entitled to recover all fees and costs incurred by the action, including reasonable attorneys' fees and arbitrators' fees, in addition to any other relief to which the party may be entitled.
12. **Judicial Reference.** In the event a dispute is not resolved through discussions and negotiations among the parties, the dispute shall be decided by general reference procedures pursuant to Code of Civil Procedure Section 638 et seq., as modified by the provisions of this Section 12, and any subsequent provisions mutually agreed upon in writing by the parties. The reference shall be conducted in accordance with California law, including, but not limited to, the Code of Civil Procedure and the Evidence Code. The parties shall be allowed to conduct discovery in the manner provided by Code of Civil Procedure Section 2017 et. seq. **BOTH PARTIES HEREBY WAIVE A JURY TRIAL OR PROCEEDING IN CONNECTION WITH ANY DISPUTE ARISING OUT OF THIS AGREEMENT.** All general reference proceedings hereunder shall, unless all parties hereto otherwise agree, be conducted in a mutually agreeable location in the County of Sacramento, State of California.
13. **Modification; Interpretation; Severability; Construction.** No modification or supplement to any provision of the Agreement shall be valid, unless executed in writing by both parties. No provision of the Agreement shall be construed to require the commission of any act contrary to law. If any term, provision, covenant or condition of the Agreement is held to be invalid or otherwise unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated. SI&A shall

have the full power and authority to interpret, construe and administer the Agreement and SI&A's determination shall be binding and conclusive on the parties for all purposes. The headings preceding each Section and subsection of this Agreement are solely for convenience of reference only, are not part of the Agreement, and shall be disregarded in the interpretation of any portion of the Agreement. Whenever required by the context of the Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. The Agreement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties had prepared the same. Unless otherwise indicated, all references to paragraphs, Sections, subparagraphs and subsections are to the Agreement.

14. **Waiver.** Either party's failure at any time to enforce any default or right reserved to it, or to require performance of any of the Agreement's terms, covenants, provisions by the other party at the time designated, shall not be a waiver of any such default or right to which the party is entitled, nor shall it in any way affect the right of the party to enforce such provisions thereafter.

15. **Force Majeure.** A party shall not be liable under the Agreement as a result of any delay, failure or interruption caused by the other party or third parties, an act of God, acts or orders of governmental authorities, acts of civil or military authorities, catastrophes or other cause (other than financial) beyond the party's reasonable control, and such nonperformance will not be a default hereunder or a ground for termination of the Agreement.

EXHIBIT B



Please complete the following to enable SI&A to best manage District's expectations and SARC layout preferences.

1. Page Layout:

- Single-Sided
- Double-Sided

2. Colors:

- Anthem (red, white, and blue)
- Nantucket (shades of blue)
- Coastal (blues and greens)
- Greenhouse (greens and yellow)
- Tide Pool (shades of teal)
- Other - please list 2-3 colors here: Same colors as last year.

3. Photos:

- Stock SI&A Photos
- District Supplied Photos*

** SI&A may work with several of the District's school photos, supplied in digital format (such as a .jpeg or .gif file). The photos will run in color. If the pictures are of students, there must be a parental consent on file to use the photos in the SARC.*

4. District's SARC Contact:

Name: Elizabeth Originales
Telephone: (619)428-4476 Ext.3019
E-mail: elizabeth.originales@sysdschools.org
Physical Address: 4350 Otay Mesa Road, San Ysidro CA 92173
(address where your SARC package will be mailed)

5. Production Schedule and Deadlines:

- a. Following SI&A's receipt of the signed Agreement, SI&A's SARC Department shall contact District to discuss and finalize the Production Schedule, which shall establish deadlines, delivery dates, materials to be supplied by District and other items necessary to complete the SARC.
- b. Critical phases of the Production Schedule include the following:
 - i. Questionnaires to be completed by District and submitted to SI&A;
 - ii. SI&A's initial SARC draft sent for District's review;
 - iii. District's requested revisions of SARC provided to SI&A; and
 - iv. SARC is published and shipped.

6. Translation Services: If District has contracted for any translation services, these services require additional time to complete after all English SARCs are completed.

*If you have any questions, please call Sybil Pearson at (800) 487-9234.
The SARC Production Team looks forward to working with you!*

EXHIBIT C

PRICE QUOTE FOR SERVICES

DISCOUNTED ANNUAL FEE
(If Agreement is received on or before March 31, 2022)

ANNUAL SARC	# of Sites	Cost Per Site	Total Cost to District
SARC (English)	7	635	\$4,445
Spanish Translation	7	555	\$3,885
Translation Other than Spanish			
SARC Summary			
Translation Formatting			
Total			\$8,300*
*Annual fee rounded to nearest \$100			

STANDARD ANNUAL FEE
(If Agreement is received after March 31, 2022)

ANNUAL SARC	# of Sites	Cost Per Site	Total Cost to District
SARC (English)	7	655	\$4,585
Spanish Translation	7	575	\$4,025
Translation Other than Spanish			
SARC Summary			
Translation Formatting			
Total			\$8,600*
*Annual fee rounded to nearest \$100			

SCHOOL SITES

La Mirada Elementary
Ocean View Hills
San Ysidro Middle
Smythe Elementary
Sunset Elementary
Vista Del Mar
Willow Elementary

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Ocean View Hills School
Erika Meza, Principal

Informational
 Action

AGENDA ITEM: LICENSE AGREEMENT RENEWAL WITH SEESAW LEARNING INC.

BACKGROUND INFORMATION:

Seesaw is a platform that encourages creativity, expression, and feedback that makes students excited to learn. It creates a powerful learning loop between students, teachers, and families.

Benefits of using Seesaw:

- *Students show learning* ~ Students use built-in annotation tools to capture what they know in Seesaw’s digital portfolio
- *Teachers gain insights* ~ Teachers deeply understand student thinking and progress — enabling them to teach better
- *Families connect* ~ Families gain a window into their student’s learning and engage with school happenings

Ocean View Hills School implemented this platform last school year and would like to renew it for an additional year as a remote learning tool.

Term: 03-01-22 to 02-28-23

RECOMMENDATION:

Approve/Ratify the license agreement renewal with Seesaw Learning Inc. to provide a remote learning tool for students at Ocean View Hills School at a cost of \$3,066.00 from LCAP ESSER III funds.

LCAP GOAL AND ACTION/SERVICE:

Goal 1: Academic Achievement, Action #16
Goal 3: School Culture and Student Achievement, Action #6
Goal 5: Parent Engagement, Action #4

Renewal **New** **Amendment** **Ratify** **Other**

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

\$3,066.00
(Amount)

LCAP ESSER III Fund
(Name of funding source and/or location)

Recommended for: **Approval** **Denial** Certification Requested **Yes** **No**



Company Address 180 Montgomery St.
Suite 750
San Francisco, CA 94104
United States

Bill To Name Ocean View Hills School
Created Date 2/15/2022
Expiration Date 2/22/2022
Quote Number 00042723

Please send any billing questions to accounting@seesaw.me

Contract Summary

Contract Start Date 3/1/2022 Contract End Date 2/28/2023
of Students 511.00
Total Price USD 3,066.00
Tax USD 0.00
Grand Total USD 3,066.00

Contract Details

Product	Quantity	Sales Price	Total Price	Invoice Date
First Year Discount	1.00	USD -500.00	USD -500.00	3/1/2022
Seesaw for Schools	511.00	USD 6.00	USD 3,066.00	3/1/2022
Setup Fee	1.00	USD 500.00	USD 500.00	3/1/2022

Admin Sponsor (e.g. Principal, Director of Instructional Tech, etc.)

Decided to purchase (or renew) Seesaw. Will be included in conversations about our partnership progress.

Name: Erika Meza Email: erika.meza@sysdschools.org
Title: Principal Phone: 619-661-0457

Seesaw Lead

Responsible for Seesaw training and adoption. Main Seesaw point of contact throughout the contract.

Name: Elizabeth Moreno Email: elizabeth.moreno@sysdschools.org
Title: School Administrative Assistant Phone: (619) 428-4476 ext. 3897

Tech Lead (Who can help set up your school?)

Lead for Seesaw's technical implementation. Point of contact for technical issues or updates.

Name: Todd Lewis Email: todd.lewis@sysdschools.org
Title: Director of Technology Phone: 619-428-4476

Billing Contact - Accounts Payable (Who will pay the invoice?)

Receives invoices. Point of contact on payment-related matters.

Name: Blanca Vega Email: blanca.veg@sysdschools.org
Title: Accounting Technician III Phone: 619-428-4476



School Address

Address: 4919 Del Sol Blvd

City: San Diego

State: CA

Zip / Post Code: 92154

If you are purchasing professional development sessions, they must be scheduled and delivered within 1 year of the contract start date. Sessions not used by this time will expire.

This contract, including the number of students and amount, is a non-adjustable binding agreement. By signing, your school or district agrees to pay the full amount quoted per the payment schedule above. Please make sure you have proper payment authorization (including a PO # if required) before signing.

Please read and acknowledge the attached terms and conditions

By signing below, I acknowledge that I have read, understand, and accept the Terms and Conditions as defined above.

Name: Marilyn Adrianzen

Title: Chief Business Official

Email: marilyn.adrianzen@sysdschools.org

PO Number (if required): _____

Accepted By: _____

Board approved: _____



Terms of Service

Effective: October 18, 2021

Welcome to Seesaw!

1. INTRODUCTION

We are Seesaw Learning, Inc. (“Seesaw”, “we”, “us”, “our”). Seesaw’s mission is to create an environment where students can be their best. To accomplish this goal, it is essential that our learning platform, Seesaw, is a safe place for students to document their learning, and that parents or guardians, teachers, and school administrators are in control over how that information is shared.

This Terms of Service (these “Terms”) governs your use of our websites located at seesaw.me (the “Site”), and the Seesaw mobile application (the “App”), and our learning services accessible via the Site and App, (collectively “the Services”). Our [Privacy Policy](#) and [Copyright & Intellectual Property Policy](#) are incorporated into these Terms.

By using the Services, you agree to be bound by these Terms. If you don’t agree with these Terms, you cannot use the Services.

If you are the parent or legal guardian of a child who is under the age when they can legally enter into a contract or grant consent to processing of personal information, then, by using the Services, you also accept these Terms on your child’s behalf. See Section 4 (“Consent Requirements for Children”) for more information on how to obtain consent for children to use the Services.

You can contact us anytime with questions about this policy at help@seesaw.me.

IMPORTANT NOTICE REGARDING ARBITRATION FOR U.S. CUSTOMERS: WHEN YOU AGREE TO THESE TERMS YOU ARE AGREEING (WITH LIMITED EXCEPTION) TO RESOLVE ANY DISPUTE BETWEEN YOU AND SEESAW THROUGH BINDING, INDIVIDUAL ARBITRATION RATHER THAN IN COURT. PLEASE REVIEW CAREFULLY SECTION 24 (“WE BOTH AGREE TO ARBITRATE”) BELOW FOR DETAILS REGARDING ARBITRATION.

2. CHANGES TO THESE TERMS

We may update the Terms from time to time at our sole discretion. If we do, we’ll let you know by posting the updated Terms on the Site, to the App, and/or may also send other communications. It is important that you review the Terms whenever we update them or you use the Services. If you continue to use the Services after we have posted updated Terms it means that you accept and agree to the changes. If you don’t agree to be bound by the changes, you may not use the Services anymore. Because our Services are evolving over time, we may change or discontinue all or any part of the Services, at any time and without notice, at our sole discretion.

3. PRIVACY

Seesaw takes protecting your security and privacy seriously and we’ve put a number of measures in place to protect the integrity of your information. For more information, see our [Privacy Policy](#). Residents of the European Union, UK, and Switzerland may review our additional privacy commitments pursuant to the GDPR, located at <https://web.seesaw.me/gdpr>.

For Seesaw customers who are schools or school districts located in the European Union, UK, or Switzerland, Seesaw may be subject to an additional Data Processing Agreement between Seesaw and the applicable customer, which imposes additional obligations on Seesaw with respect to how we process and handle data from teachers, students and other users associated with that school or school district. For schools or school districts located in the European Union, UK, and Switzerland who agree to these Terms, unless otherwise agreed in writing between Seesaw and the applicable schools or school district, Seesaw’s standard [Data Processing Agreement](#) applies and is incorporated into these Terms solely with respect to those schools or school districts located in the EU, UK, or Switzerland.

4. CONSENT REQUIREMENTS FOR CHILDREN

The Children's Online Privacy and Protection Act (“COPPA”) requires that online service providers provide notice and obtain parental consent before they knowingly collect personally identifiable information online from children younger than 13 in the United States. Seesaw requires teachers, schools, or districts to obtain advance consent from parents or guardians whose children under 13 will be using the Services.

There are a number of methods teachers, schools, or districts can use to satisfy this requirement:

- Get consent as part of a school-wide technology consent process you may already have in place.
- Use our [sample consent form](#) - but please note that this is an example only and does not constitute legal advice.
- Agree to act as the parent’s agent, and provide consent on their behalf to use Seesaw solely in the educational context as provided by the FTC. [Learn More](#).

If you are a teacher, you represent and warrant to Seesaw that prior to uploading any personal information of any child who is younger than 13 (or such other age as may be required under applicable law) onto the Services, you have obtained the legally binding consent of the parent or legal guardian of each such child. In addition, you should consult with your school or district to ensure that you obtain proper consent to use the Services in the classroom consistent with your school’s or district’s policies. See also Section 5 (“Creating a Teacher Account or Class”) below. If you are aware that Seesaw is collecting information from a student without parental consent, please contact us immediately at help@seesaw.me.

Schools and districts located in the EU, UK, and Switzerland should review the terms of the [Data Processing Agreement](#) for consent requirements under the GDPR.

5. CREATING A TEACHER ACCOUNT OR CLASS

Only teachers or school administrators are permitted to create a class on the Services. Once the class is created, teachers can invite students, additional faculty, parents, and guardians to the class. Teachers control who can upload, view, comment on, and share student work and they can change these permissions at any time.

When you create a Seesaw class, you represent and warrant that:

- Any students you add to your class are current students in your class.
- Any additional teachers you add to your class are authorized by your school to access Student Data (as defined in Section 10 below).
- You will use Seesaw only for lawful purposes and you will abide by applicable laws and school and school district policies.
- You will treat Seesaw as an extension of the classroom and take reasonable steps to confirm that students are using Seesaw appropriately.
- You will take reasonable measures to protect access to Student Data accessible through the Services.
- You will only invite parents or guardians (collectively, “Family Members”) to view student journals and upload their contact information only with their prior consent.
- You will protect your class QR code so that access to student journals and class journals is limited only to invited students and Family Members.

6. CREATING A FAMILY MEMBER ACCOUNT

Teachers can authorize Family Members to view information in their child’s journal. By using the Services, you agree that you are the parent or legal guardian of the student and are permitted to have contact with the student. If you are not the parent or legal guardian, you agree that you have explicit consent from the parent or legal guardian of the student to create a family account and access the student journal.

As a Family Member, you will only be able to access journal entries in which your student has been tagged. Family Members of other children may be able to access your child’s work if your child is tagged in a journal entry with their child, such as when your child collaborates with other students on a group project.

7. CREATING A STUDENT ACCOUNT

Students may use Seesaw only if their parent or legal guardian has given permission to their teacher or school. You agree to use the Services only if you have been given a Join Code or have otherwise been invited to use the Services by your teacher.

The Services are an extension of the classroom. As a Student, you agree to use the Services in a manner that is appropriate to the classroom. You also agree to use the Services only for lawful purposes and you will abide by applicable laws and school and school district policies.

8. SUBMISSIONS TO THE ACTIVITY LIBRARY

Activities teachers create are private to their accounts by default. Teachers may choose to publish activities they create to the public Community Activity Library or an Activity Library managed by their school or district. If you publish your activity to the Activity Library, you agree that:

- You are the copyright holder, you have the consent of the copyright holder, or you have a valid legal basis (for example, fair use) for posting any content you submit to the Services.
- You have secured permission to share the personal information of any person included in your activity.

Any activities you submit are yours - not Seesaw's. By publishing your activity to the Community Activity Library you understand that:

- Your activity will be publicly accessible unless you choose to remove it.
- Your name and other activities you publish to the Library will be visible as part of your Activity Author Profile.
- For as long as your activity is published to the Library, your activity may be shared by Seesaw (for example on our website or in an email) and by teachers using the Services. Teachers using the Services may also modify your activity and re-share it with their students or other teachers.
- If you remove your activity from the Library, prior copies of your activity or modified versions of your activity may still exist in other teachers' accounts and will not be removed.

Student responses to activities are **not** shared in the Activity Library.

9. CONSENT TO RECEIVE COMMUNICATIONS

By signing up for the Services, you agree to receive communications from Seesaw, including text (SMS), email, and/or push notifications. If a teacher or school administrator adds a Family Member to the Services via phone number, the Family Member will receive an SMS with information about how to join the Services and how to opt-out of SMS messages. Seesaw does not collect phone numbers from or send SMS messages to students. By signing up for the Services and providing your phone number either directly to Seesaw or to your student's school or district, you agree to receive communications from Seesaw as well as other Seesaw users, and you represent and warrant that every person whose contact information you provide to us has also consented in advance to receive communications from you and Seesaw. Seesaw is not responsible for your receipt of, or failure to receive any messages, or for messages sent erroneously or with incorrect information. Seesaw is not responsible for your or someone else's action or failure to take action due to the receipt of any messages. If you make changes to your contact information, you are responsible for updating your Account Settings and informing your student's school or district.

You can opt-out of notifications at any time. Text "STOP" in reply to any SMS message from Seesaw to unsubscribe. Text "HELP" for instructions on how to use our service. Message frequency varies. Message and data rates may apply. You can also opt-out of notifications in your Account Settings.

You can also opt-out of marketing communications from us at any time. If you opt-out of marketing communications, you may still receive communications that are necessary for the Services or otherwise exempt from anti-spam laws. By opting out of communications from Seesaw, you acknowledge that this may impact your use of the Services.

10. YOUR INTELLECTUAL PROPERTY

Our Services may allow you to store or share content such as text (in posts or communications with others), files, documents, graphics, images, music, software, audio, and video. Anything (other than Feedback) that you post or otherwise make available through the Services is referred to as "User Content".

Students and their schools or districts own all Student Data added to the Services. "Student Data" means any personal information, metadata, or content directly attributable to a student user.

We do not claim any ownership rights to any User Content and nothing in these Terms will be deemed to restrict any rights that you may have to your User Content. However, in order to provide our Services, we require certain limited rights to User Content. For example, when you upload your User Content, we must be able to store it and serve it back to you. Therefore, you grant Seesaw a non-exclusive, transferable, worldwide, royalty-free license, with the right to sublicense, to use, publish, transmit, display, copy, process, adapt, modify, publicly perform, and distribute your User Content in connection with operating and providing the Services, but only how you specify and only within the context of the Services.

You are solely responsible for all your User Content. You represent and warrant that you have (and will have) all rights that are necessary to grant us the license rights in your User Content under these Terms. You represent

and warrant that neither your User Content, nor your use and provision of your User Content to be made available through the Services, nor any use of your User Content by us on or through the Services will infringe, misappropriate or violate a third party's intellectual property rights, or rights of publicity or privacy, or result in the violation of any applicable law or regulation.

11. SEESAW'S INTELLECTUAL PROPERTY

All content on the Services that is not User Content, including but not limited to logos, trademarks, copyrights, domain names, or other distinctive brand features (collectively, "Seesaw Content") is protected by copyright, trademark, and other intellectual property laws and is the exclusive property of Seesaw and its licensors. We and our licensors grant you a limited, non-exclusive, non-transferable license to view, copy, and display Seesaw Content solely in connection with your permitted use of the Services. Any rights not expressly granted here are reserved. Unauthorized use of Seesaw Content is prohibited. You agree not to remove, alter or obscure any copyright, trademark, service mark, or other proprietary rights notices incorporated in or accompanying the Services.

12. COPYRIGHT POLICY

Seesaw respects copyright law and expects its users to do the same. It is Seesaw's policy to terminate in appropriate circumstances account holders who repeatedly infringe or are believed to be repeatedly infringing the rights of copyright holders. To learn more about how Seesaw responds to allegations of copyright infringement, please review our [Copyright Policy](#).

13. THIRD-PARTY SERVICE PROVIDERS

The Services (including the App) may allow you to access third-party websites or other resources, for example when a teacher includes a link to an instructional YouTube video in an activity. We provide access only as a convenience and are not responsible for the content, products, or services on or available from those resources or links displayed on such websites. You acknowledge sole responsibility for and assume all risk arising from your use of any third-party resources.

14. PROHIBITED ACTIVITIES

You agree not to do any of the following:

- Post, upload, publish, submit or transmit any User Content that:
 - infringes, misappropriates, or violates a third party's patent, copyright, trademark, trade secret, moral rights or other intellectual property rights, or rights of publicity or privacy;
 - violates, or encourages any conduct that would violate, any applicable law or regulation or would give rise to civil liability;
 - is fraudulent, false, misleading, or deceptive;
 - is defamatory, obscene, pornographic, vulgar, or offensive;
 - promotes discrimination, bigotry, racism, hatred, harassment, or harm against any individual or group;
 - is violent or threatening or promotes violence or actions that are threatening to any person or entity;
 - promotes illegal or harmful activities or substances; or
 - is inappropriate for the classroom or violates applicable school or school district policies;
- Jeopardize the security of your account in any way, for example by allowing someone else access to your account or password;
- Use, display, mirror, or frame the Services or any individual element within the Services, Seesaw's name, any Seesaw trademark, logo or other proprietary information, or the layout and design of any page or form contained on a page, without Seesaw's express written consent;
- Access, tamper with, or use non-public areas of the Services, Seesaw's computer systems, or the technical delivery systems of Seesaw's providers;
- Attempt to probe, scan or test the vulnerability of any Seesaw system or network or breach any security or authentication measures;
- Avoid, bypass, remove, deactivate, impair, descramble or otherwise circumvent any technological measure implemented by Seesaw or any of Seesaw's providers or any other third party (including another user) to protect the Services;
- Attempt to access or search the Services or download content from the Services using any engine, software, tool, agent, device, or mechanism (including spiders, robots, crawlers, data mining tools, or the like) other than the software and/or search agents provided by Seesaw or other generally available third-party web browsers;
- Send any unsolicited or unauthorized advertising, promotional materials, email, junk mail, spam, chain letters, or other forms of solicitation;

- Use any meta tags or other hidden text or metadata utilizing a Seesaw trademark, logo URL, or product name without Seesaw’s express written consent;
- Use the Services, or any portion thereof, for any commercial purpose or for the benefit of any third party or in any manner not permitted by these Terms;
- Forge any TCP/IP packet header or any part of the header information in any email or newsgroup posting, or in any way use the Services to send altered, deceptive, or false source-identifying information;
- Attempt to decipher, decompile, disassemble or reverse engineer any of the software used to provide the Services;
- Interfere with, or attempt to interfere with, the access of any user, host or network, including, without limitation, sending a virus, overloading, flooding, spamming, or mail-bombing the Services;
- Collect or store any personally identifiable information from the Services from other users of the Services without their express permission;
- Impersonate or misrepresent your affiliation with any person or entity;
- Violate any applicable law or regulation; or
- Encourage or enable any other individual to do any of the foregoing.

We take measures to monitor, log, and block content that violates our policies. We are not obligated to monitor access to or use of the Services or to review or edit any content. However, we have the right to do so for the purpose of operating the Services, to ensure compliance with these Terms, and to comply with applicable law or other legal requirements. We reserve the right but are not obligated, to remove or disable access to any content, including User Content, at any time and without notice, including, but not limited to, if we, at our sole discretion, consider it objectionable or in violation of these Terms. We have the right to investigate violations of these Terms or conduct that affects the Services. We may also consult and cooperate with law enforcement authorities to prosecute users who violate the law. To report violations of these policies, contact help@seesaw.me.

Seesaw does not guarantee the identity of any users you may interact with in the course of using the Services. In addition, Seesaw does not guarantee the authenticity of any information users provide about themselves.

15. ACCOUNT SUSPENSION AND TERMINATION

Seesaw reserves the right to suspend or terminate accounts associated with users who engage in any of the prohibited activities described above or in any manner that otherwise violates these Terms or other policies. In addition, Seesaw reserves the right to terminate any account at any time for any reason without notice to you. If you would like to delete your Seesaw account or delete your child’s Seesaw account, follow [these steps](#) or contact help@seesaw.me. If you request that your account or any content submitted to Seesaw be deleted, Seesaw may still retain information as needed to provide customer support and prevent accidental deletion, or as required or permitted by law.

16. ACCOUNT TRANSFER

If you’ve signed up as a teacher with a school-provided email address, and your school later signs up for a Seesaw school account, we may transfer your account to be under the management and control of your school. To protect Student Data, in certain limited circumstances (such as when a teacher leaves a school) we may transfer a class to a different teacher if we receive a properly authorized request from the relevant school.

17. ABANDONED ACCOUNTS

Seesaw reserves the right to permanently delete accounts that have not been accessed by the account holder for a period of more than one year. Seesaw will permanently delete an account that has not been accessed by the account holder for more than seven years, except where required to retain the information longer for legal or compliance purposes. Prior to permanently deleting an abandoned account, Seesaw will attempt to notify the account holder by email.

18. SUBSCRIPTIONS

Teachers have the option of purchasing a subscription (“Subscription”) to use the Services.

- General.** If you purchase a Subscription (a “Transaction”), you expressly authorize us (or our third-party payment processor) to charge you for such Transaction. We may ask you to supply additional information relevant to your Transaction, including your credit card number, the expiration date of your credit card, and your email and postal addresses for billing and notification (such information, “Payment Information”). You represent and warrant that you have the legal right to use all payment method(s) represented by any such Payment Information. When you initiate a Transaction, you authorize us to provide your Payment Information to third parties so we can complete your Transaction and charge your

payment method for the type of Transaction you have selected (plus any applicable taxes and other charges). You may need to provide additional information to verify your identity before completing your Transaction (such information is included within the definition of Payment Information). By initiating a Transaction, you agree to the pricing, payment, and billing policies applicable to such fees and charges, as posted or otherwise communicated to you. All payments for Transactions are non-refundable and non-transferable except as expressly provided in these Terms.

b. Subscriptions. If you purchase a Subscription, you will be charged the Subscription fee monthly or annually, depending on the type of Subscription you have selected, plus any applicable taxes, and other charges (“Subscription Fee”), at the beginning of your Subscription and each month or year thereafter, depending on the type of Subscription you have selected, at the then-current Subscription Fee. BY PURCHASING A SUBSCRIPTION, YOU AUTHORIZE SEESAW TO INITIATE RECURRING NON-REFUNDABLE PAYMENTS AS SET FORTH BELOW. If you purchase a Subscription, we (or our third-party payment processor) will automatically charge you each month or year, depending on the type of Subscription you have selected, using the Payment Information you have provided until you cancel your Subscription. No less than thirty (30) days and no more than sixty (60) days before your Subscription term ends, or otherwise in accordance with applicable law, Seesaw will send you a reminder email regarding your Subscription. By agreeing to these Terms and electing to purchase a Subscription, you acknowledge that your Subscription has recurring payment features and you accept responsibility for all recurring payment obligations prior to cancellation of your Subscription by you or Seesaw. Your Subscription continues until canceled by you or we terminate your access to or use of the Services or Subscription in accordance with these Terms.

c. Canceling Your Subscription. YOUR PURCHASE IS FINAL AND YOU WILL NOT BE ABLE TO CANCEL THE PURCHASE AND/OR RECEIVE A REFUND OF YOUR SUBSCRIPTION FEE AT ANY TIME. But if something unexpected happens in the course of completing a Transaction, we reserve the right to cancel your Transaction for any reason; if we cancel your Transaction we’ll refund any payment you have already remitted to us for such Transaction. Without limiting the foregoing, you may cancel your Subscription at any time, but please note that such cancellation will be effective at the end of the then-current Subscription period. YOU WILL NOT RECEIVE A REFUND OF ANY PORTION OF THE SUBSCRIPTION FEE PAID FOR THE THEN-CURRENT SUBSCRIPTION PERIOD AT THE TIME OF CANCELLATION. To cancel, you can send an email to AR@seesaw.me. You will be responsible for all Subscription Fees (plus any applicable taxes and other charges) incurred for the then-current Subscription period. If you cancel, your right to use the Services will continue until the end of your then-current Subscription period and will then terminate without further charges.

19. WARRANTY DISCLAIMERS

YOUR USE OF THE SERVICES IS AT YOUR SOLE RISK. THE SERVICES AND ANY THIRD-PARTY SOFTWARE, SERVICES, OR APPLICATIONS MADE AVAILABLE IN CONNECTION WITH THE SERVICES ARE PROVIDED “AS IS,” WITHOUT WARRANTY OF ANY KIND. TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, SEESAW, AND ITS SUPPLIERS AND PARTNERS, DISCLAIM ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT OF PROPRIETARY RIGHTS. SEESAW AND ITS SUPPLIERS AND PARTNERS DO NOT WARRANT THAT THE SERVICES WILL BE UNINTERRUPTED OR ERROR-FREE, THAT DEFECTS WILL BE CORRECTED, THAT THE SERVICES OR THE SERVERS THAT MAKE THEM AVAILABLE ARE FREE OF HARMFUL COMPONENTS, OR THAT THE SERVICES WILL MEET YOUR REQUIREMENTS. YOU ARE SOLELY RESPONSIBLE FOR ANY DAMAGE TO YOUR EQUIPMENT OR DEVICE, LOSS OF USE, OR LOSS OF DATA. WE MAKE NO WARRANTY REGARDING THE QUALITY, ACCURACY, TIMELINESS, TRUTHFULNESS, COMPLETENESS, OR RELIABILITY OF ANY INFORMATION OR CONTENT ON THE SERVICES. NOTHING IN THIS SECTION IS INTENDED TO LIMIT ANY RIGHTS YOU MAY HAVE WHICH MAY NOT BE LAWFULLY LIMITED.

20. INDEMNITY

You agree to indemnify and hold harmless Seesaw from any and all claims, suits, actions, losses, costs, damages, and any other liabilities, including attorneys’ fees, arising out of or related to: (a) your use or misuse of Seesaw; (b) any violation of the rights of any other person or entity by you, including without limitation, any intellectual property right, publicity, confidentiality, property or privacy right; or (c) your breach of any part of these Terms. Seesaw will attempt to provide you with written notice of any such matter; however, any failure or delay by Seesaw to do so does not negate your defense or indemnification obligations or waive Seesaw’s rights to seek payment or defense or indemnification from you. Seesaw reserves the right, at your expense, to assume the

exclusive defense and control of any matter for which you are required to indemnify us, and you agree to cooperate with Seesaw in our defense of these claims. You will not settle any claim that affects Seesaw or our affiliates without our prior written approval.

21. LIMITATION OF LIABILITY

TO THE MAXIMUM EXTENT PERMITTED BY LAW, SEESAW WILL NOT BE LIABLE TO YOU FOR ANY SPECIAL, INDIRECT, INCIDENTAL, PUNITIVE, RELIANCE, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, OR ANY DAMAGES FOR LOSS OF PROFITS OR REVENUES, WHETHER INCURRED DIRECTLY OR INDIRECTLY, OR ANY LOSS OF DATA, GOODWILL OR OTHER INTANGIBLE LOSSES, SERVICE INTERRUPTION, COMPUTER DAMAGE OR SYSTEM FAILURE OR THE COST OF SUBSTITUTE SERVICES OF ANY KIND ARISING OUT OF OR IN CONNECTION WITH THESE TERMS OR: (A) YOUR ACCESS TO, USE OF, OR INABILITY TO USE THE SERVICES; (B) ANY CONDUCT OR CONTENT OF ANY USER OR THIRD PARTY ON THE SERVICES; (C) UNAUTHORIZED ACCESS, USE, OR ALTERATIONS OF YOUR TRANSMISSIONS OR CONTENT; (D) ANY INFORMATION POSTED ON THE SERVICES; OR (E) SEESAW'S DECISION TO PUBLISH OR REMOVE ANY INFORMATION ON THE SERVICES; IN EACH CASE, WHETHER BASED ON WARRANTY, CONTRACT, TORT (INCLUDING NEGLIGENCE), PRODUCT LIABILITY OR ANY OTHER LEGAL THEORY, AND WHETHER OR NOT SEESAW OR OUR SERVICE PROVIDERS HAVE BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGE, AND EVEN IF A LIMITED REMEDY SET FORTH HEREIN IS FOUND TO HAVE FAILED OF ITS ESSENTIAL PURPOSE.

TO THE MAXIMUM EXTENT PERMITTED BY THE LAW OF THE APPLICABLE JURISDICTION, IN NO EVENT SHALL SEESAW'S TOTAL LIABILITY TO YOU FOR ALL DAMAGES, LOSSES, OR CAUSES OF ACTION ARISING OUT OF OR RELATING TO THESE TERMS OR FROM THE USE OR INABILITY TO USE THE SERVICES EXCEED: (1) THE AMOUNTS YOU PAID TO ACCESS THE SERVICES DURING THE TWELVE (12) MONTHS IMMEDIATELY PRECEDING THE DATE OF YOUR CLAIM, OR (2) ONE HUNDRED U.S. DOLLARS, WHICHEVER IS GREATER.

The limitations of liability set forth in this Section are fundamental elements of the basis of the bargain between you and us and will survive any termination or expiration of these Terms, and will apply even if any limited remedy specified in these Terms is found to have failed of its essential purpose.

22. GOVERNING LAW AND DISPUTES

These Terms and any action related thereto will be governed by the laws of the State of California, without regard to its conflicts of law provisions. Except as otherwise expressly set forth in Section 23 ("Informal Dispute Resolution") and Section 24 ("We Both Agree to Arbitrate") below, the exclusive jurisdiction for any and all disputes, claims, or controversies arising out of or relating to these Terms or the breach, termination, enforcement, interpretation or validity thereof or the use of the Services (collectively, "Disputes") that you and Seesaw are not required to arbitrate will be the state and federal courts located in San Francisco County, California, and you and Seesaw each waive any objection to jurisdiction and venue in such courts.

23. INFORMAL DISPUTE RESOLUTION

We want to address your concerns without litigation or other formal proceedings. Before filing a claim against Seesaw, you agree to try to resolve the Dispute informally by contacting privacy@seesaw.me and providing us with reasonably detailed information concerning your issue. We will try to resolve the Dispute informally by contacting you through email. If a dispute is not resolved within 15 days after submission, you or Seesaw may bring a formal proceeding in accordance with these Terms.

24. WE BOTH AGREE TO ARBITRATE

This Section applies to United States users.

- a. **Mandatory Arbitration of Disputes.** We each agree that any Disputes will be resolved **solely by binding, individual arbitration and not in a class, representative, or consolidated action or proceeding.** You and Seesaw agree that the U.S. Federal Arbitration Act governs the interpretation and enforcement of these Terms and that you and Seesaw are each waiving the right to a trial by jury or to participate in a class action. This arbitration provision shall survive termination of these Terms.
- b. **Exceptions.** As limited exceptions to Section 24(a) above: (i) we both may seek to resolve a Dispute in small claims court if it qualifies; and (ii) we each retain the right to seek injunctive or other equitable relief from a court to prevent (or enjoin) the infringement or misappropriation of our intellectual property rights.
- c. **Conducting Arbitration and Arbitration Rules.** The arbitration will be conducted by the American Arbitration Association ("AAA") under its Consumer Arbitration Rules (the "AAA Rules") then in effect, except as modified by these Terms. The AAA Rules are available at www.adr.org or by calling 1-800-778-

7879. A party who wishes to start arbitration must submit a written Demand for Arbitration to AAA and give notice to the other party as specified in the AAA Rules. The AAA provides a form Demand for Arbitration at www.adr.org. Any arbitration hearings will take place in the county (or parish) where you live unless we both agree to a different location. The parties agree that the arbitrator shall have exclusive authority to decide all issues relating to the interpretation, applicability, enforceability, and scope of this arbitration agreement.

d. **Arbitration Costs.** Payment of all filing, administration, and arbitrator fees will be governed by the AAA Rules, and we won't seek to recover the administration and arbitrator fees we are responsible for paying unless the arbitrator finds your Dispute frivolous. If we prevail in arbitration we'll pay all of our attorneys' fees and costs and won't seek to recover them from you. If you prevail in arbitration you will be entitled to an award of attorneys' fees and expenses to the extent provided under applicable law.

e. **Injunctive and Declaratory Relief.** Except as provided in Section 24(b) above, the arbitrator shall determine all issues of liability on the merits of any claim asserted by either party and may award declaratory or injunctive relief only in favor of the individual party seeking relief and only to the extent necessary to provide relief warranted by that party's individual claim. To the extent that you or we prevail on a claim and seek public injunctive relief (that is, injunctive relief that has the primary purpose and effect of prohibiting unlawful acts that threaten future injury to the public), the entitlement to and extent of such relief must be litigated in a civil court of competent jurisdiction and not in arbitration. The parties agree that litigation of any issues of public injunctive relief shall be stayed pending the outcome of the merits of any individual claims in arbitration.

f. **Class Action Waiver.** **YOU AND SEESAW AGREE THAT EACH MAY BRING CLAIMS AGAINST THE OTHER ONLY IN YOUR OR ITS INDIVIDUAL CAPACITY, AND NOT AS A PLAINTIFF OR CLASS MEMBER IN ANY PURPORTED CLASS OR REPRESENTATIVE PROCEEDING.**

Further, if the parties' Dispute is resolved through arbitration, the arbitrator may not consolidate another person's claims with your claims, and may not otherwise preside over any form of a representative or class proceeding. If this specific provision is found to be unenforceable, then the entirety of this Section 24 ("We Both Agree to Arbitrate") shall be null and void.

g. **Severability.** Except as expressly stated in Section 24(f) of these Terms ("Class Action Waiver"), if an arbitrator or court of competent jurisdiction decides that any part of this Section 24 ("We Both Agree to Arbitrate") is invalid or unenforceable, the other parts of this Section 24 will still apply

25. FEEDBACK

We welcome your feedback and suggestions about the Services. Please email us at help@seesaw.me at any time. If you choose to submit feedback, you agree that we are free to use it without any restriction or compensation to you.

26. ENTIRE AGREEMENT

These Terms (and any other policies we refer to in this document) make up the entire agreement between you and Seesaw Learning, Inc., and supersede any prior agreement. If any part of these Terms are found to be unenforceable by a court or arbitrator, the remaining parts will remain in full force and effect. If Seesaw fails to enforce any part of these Terms, such a failure does not constitute a waiver. Except as expressly stated in Section 24(f) of these Terms ("Class Action Waiver"), if any provision of these Terms is held invalid or unenforceable by an arbitrator or a court of competent jurisdiction, that provision will be enforced to the maximum extent permissible and the other provisions of these Terms will remain in full force and effect. You may not assign or transfer these Terms, by operation of law or otherwise, without Seesaw's prior written consent. Any attempt by you to assign or transfer these Terms, without such consent, will be null. Seesaw may freely assign or transfer these Terms without restriction. Subject to the foregoing, these Terms will bind and inure to the benefit of the parties, their successors, and permitted assigns.

27. CONTACT INFORMATION

Seesaw Learning, Inc.
180 Montgomery St, Suite 750
San Francisco, CA 94104
help@seesaw.me

Last Updated October 18, 2021

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: AMENDMENT NO. 3 TO THE TOM SILVA CONSULTING AGREEMENT

BACKGROUND INFORMATION:

Tom Silva Consulting provides professional school facilities planning services and serves as a facility advisor, providing guidance and support on school facility planning, construction and communication plans. Mr. Silva is knowledgeable of the District's facilities and processes.

On August 13, 2020, the Governing Board approved the agreement with Tom Silva Consulting.

- Amendment No. 1 was to extend the term to 2021-22 at a not to exceed cost of \$10,000.00.
- Amendment No. 2 – Added services NTE \$5,000.00.
- Amendment No. 3 is to increase the total contract limit for 2021-22 from \$15,000.00 to NTE \$20,000.00 to finalize the two pending projects: New Generator Project and the Vernal Pool/Gnatcatcher Mitigation Site negotiations with the City of San Diego. All other terms & conditions will remain the same.

RECOMMENDATION:

Approve Amendment No. 3 to the agreement with Tom Silva Consulting to increase the 2021-22 contract total to \$20,000.00 for professional school facilities planning services on an "as needed" basis.

LCAP GOAL AND ACTION/SERVICE:

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

NOT TO EXCEED
\$20,000.00
(Amount)

2012 COPS Refunding Resources
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

AMENDMENT NO. 3

The Professional Services Agreement between San Ysidro School District (District) and Tom Silva Consulting was entered on August 14, 2020, to provide Professional School Facilities Planning consulting services.

Amendment No. 3 - The following sections are being amended.

- EXHIBIT A – Compensation
 - Hourly rate of \$150.00 per hour on an “as needed” basis for services satisfactorily rendered pursuant to Section 2 of the Agreement.
 - Amendment No. 3 increases compensation up to \$5,000.00 (New contract total for 2021-22 is NTE \$20,000.00) to finalize the two pending projects.

All other Terms and Conditions of the Agreement dated August 14, 2020, remain the same.

The District and Tom Silva Consulting, each of the parties signing this Amendment warrants to the other that he or she has the full authority to sign on behalf of the Party which his or her signature is made.

Tom Silva Consulting

Firm Name

Signature of Authorized Agent

Print Name, Title

Date:

San Ysidro School District

Firm Name

Signature

Marilyn Adrianzen, Chief Business Official

Print Name, Title

Date

Board Approved

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: ACCEPTANCE OF DONATIONS

BACKGROUND INFORMATION:

The San Ysidro School District appreciates the support of individuals and organizations that contribute to the enhancement of the District's educational programs. These gifts/donations are in keeping with the criteria of Board Policy 3290.

The District would like to accept and thank the organization and/or individuals on the attached list for their generous contributions to education, students and staff.

RECOMMENDATION:

Accept donations valued at \$1,200.00 to help support and enrich our educational programs.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

DONATIONS
\$1,200.00

(Amount)

Cash/Checks Only
Donations Account

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Business Services
Marilyn Adrianzen, Chief Business Official

Informational
 Action

AGENDA ITEM: CALIFORNIA RELEAF 2021 TREECOVERY DONATION

BACKGROUND INFORMATION:

Lumbercycle was awarded a grant to establish a Forest Resiliency Program covering all of the activities that pertain to the planting and maintenance of trees. The project will add 40 trees and a more efficient and effective irrigation system to three Title 1 public elementary schools. Lumbercycle has selected the San Ysidro School District as the recipient of these trees for three of its campuses (Willow, La Mirada, and Smythe Schools) that need more trees to provide shade and other eco-benefits including carbon sequestration, stormwater run-off mitigation and improved air quality. The educational component of the project includes a professional arborist will be available to provide instruction on planting and maintenance of the trees, educational activities, materials and events. Lumbercycle’s project staff is an experienced coordinator of tree planting events/projects who will work closely with the district’s facilities team.

The estimated value of this donation is \$20,000.00 in equivalent benefits of trees, supplies, professional expertise, and educational material for the students. This project will provide additional savings and benefits such as:

- Ecosystem benefits over 40 year projection from reduced stormwater runoff and air pollution, carbon sequestration, etc.
- Hunter Plumbing’s expertise and donations which would significantly improve tree irrigation efficiency, i.e., save water and cost of water.

RECOMMENDATION:

Approve/Ratify the acceptance of the California Releaf 2021 Treecoverly donation of trees and irrigation system with an estimated value of \$20,000.00.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

(Amount)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



2021 Treecovery Grant Program

Project Details

1. MISSION STATEMENT AND ORGANIZATION OVERVIEW. Provide your organization's mission statement and briefly describe how your mission, programs, and accomplishments pertain to urban forestry.

Lumbercycle has established a Forest Resiliency Program covering all the activities within Lumbercycle that pertain to the planting and maintenance of trees. The focus is on proper selection, placement, planting, and maintenance of trees to provide maximum benefits to humans and their environment. The strategy is to employ best practices to create resilient forests in the face of changing conditions such as climate change and development/gray infrastructure. Since the vast majority of work is in urban settings, the program also includes community outreach, involvement, education, skills training, and economic development to increase job opportunities. In addition it diverts woody biomass from landfills by milling fallen trees into lumber and reinvesting it back into our communities. The vision is to create zero waste utilization of trees Too many decent logs for lumber are wasted in the overproduction of mulch and firewood. With off cuts, sawdust, small logs and branches, you can also produce, biochar, wood pellets fur fuel, furniture, household goods, decorative art items and more. There is enough in a single tree to go around for every intention.

2. PROJECT SNAPSHOT. Describe your project and why it is important for your community.

This project will add 40 trees and a more efficient and effective irrigation system to three Title 1 public elementary schools in San Ysidro. Part of the City of San Diego, San Ysidro is a large under-served community located immediately north of the international border with Mexico. Contrainning the world's most heavily crossed international land border, huge GhG emissions from fossil fuel are generated by trucks, cars, and trains. Because it is located in the Tijuana River watershed, a river running through Tijuana and San Ysidro, it is designated by many as the most polluted watershed in the U.S. Its tree canopy coverage is significantly below the rest of the city The population includes many residents of Hispanic descent plus a wide variety of other ethnicities, many of whom are recent immigrants. Residents experience most of socio-economic and health challenges associated climate justice and systemic racism, such as respiratory problems, low incomes, discrimination, lack of protection from heat events, lack of job opportunities, English language challenges, etc . Their public school system, the San Ysidro School District, (SYSD) serves a student population who experience these challenges in their homes, schools, and neighborhoods. Adding trees along with improvements to irrigation will improve physical, mental, and emotional health of students and staff as well as reduce watering costs..

3. PROJECT OBJECTIVES AND OUTCOMES. Please describe the project objectives and how the project will achieve the expected results and proposed outcomes for the proposed tree planting.

Project objectives:

1. Plant new trees on three Title 1 elementary school campuses in the SYSD that need more trees to provide shade and other eco-benefits including carbon sequestration, stormwater run-off mitigation, and improved air quality.
2. Use the new tree plantings as an opportunity to engage and educate students and the local community about why trees are important and how to plant and maintain them properly.
3. Adopt use of a state-of-the-art irrigation control system

Results and outcomes:

1. 40 new trees purchased and planted on three campuses, properly maintained by the SYSD. Most or all of the trees will be planted by volunteers from the community, working with students from each school to the extent possible. A certified arborist will ensure proper tree planting and maintenance methods.
2. Educational information will be shared with students, teachers and administrators, parents, and community volunteers. Casa Familiar, a long-standing non-profit serving San Ysidro, and the three school principals have committed to providing volunteers to help plant trees and distribute educational material during their establishment period.
3. The new irrigation control system will improve irrigation efficiency and effectiveness as well as reduce staff time required to operate the system.

4. EDUCATION. Briefly describe the proposed education activities for the project, including information about the development of education materials and how they will be distributed.

Educational activities include:

1. Planting event(s) nvolving students, teachers administrators, parents, and community volunteers with hands-on instruction by a professional arborist. Lumbercycle's project staff already has extensive experience in running successful tree planting events.
2. Educational materials geared both to adults and to elementary school student explaining the benefits of trees and the correct planting and watering methods. These materials will be customized starting with already existing materials available from CA ReLeaf, CALFire, CA Urban Forests Council, and Lumbercycle. They will include information based on the climate zone, and to the extent possible, Spanish versions. These will be distributed by the schools as well as by Casa Familiar to its volunteer base. All three school principals are very enthusiastic participants in this project.

5. ECONOMIC RECOVERY BENEFITS. How will the project maximize economic recovery for you and the community served? This could include but not be limited to maximizing access to workforce education, training, and quality jobs to individuals with barriers to employment; and/or maximizing contracting and procurement of goods from local business, businesses located in disadvantaged communities (DACs) or low-income communities (LICs), or minority or women-owned businesses.

Procurement of trees and other materials from suppliers located in the South Bay area of San Diego County will contribute to their sales. That entire area is deemed a "community of concern" in our region. Also, to the extent that this experience encourages and empowers local residents, e.g., parents, teachers, administrators, and community volunteers to plant more trees on their own properties, these urban forestry suppliers will improve their revenue and profits.

6. OTHER COMMUNITY BENEFITS. Describe the social and environmental benefits beyond GHG emission reductions that will be achieved with this project (i.e., improved air, heat island mitigation). How will these benefits be reported? How will community members directly benefit from the proposed project in the near and long term?

Using CALFIRE's approved methodology, these trees will also yield additional eco-benefits, such as mitigation of stormwater run-off and improved air quality. These are quantitatively estimated in the attachment to this application titled, "Eco-benefits from trees - Treerecovery Lumbercycle.xlsx".

Also heat island mitigation is a clear benefit. Some of these trees will be planted in areas that currently have little or no shade, including locations in which students gather for various activities, including waiting areas, lunch and snack areas, playgrounds.

Immediate benefits include: (1) Improved habitability of the school campuses--all of which were closed until May 2021 and with only about 60% in person attendance currently. Anticipating higher attendance next school year, most students will see these improvements installed and begin to enjoy the benefits. (2) Increased awareness among community members of all ages about all the reasons why having more trees is important to their physical, mental, and emotional health.

Long-term benefits emerge as these trees grow and their eco-benefits grow with them, including the obvious ones of shade and cooling but also ones they will learn about, such as the carbon storage and improved air quality that grows with the trees. For example, children in this community have asthma rates 2.5 times the County average. The air quality benefits of the trees will help clean the air they breathe.

7. COMMUNITY ENGAGEMENT. What are the communities served by your project? How will your project engage and reach out to your communities safely?

The community served is San Ysidro. The two methods of engaging this community are Casa Familiar and the SYSD. Casa Familiar (<https://www.casafamiliar.org>) has many programs to benefit San Ysidro, including one on urban greening. They have existed since 1973 to serve this community and developed deep and wide community connections and trust. Among other things they have been proactive in monitoring air quality and sharing this information to bring attention to environmental conditions that negatively affect the residents. While part of the City of San Diego, due to its far south location, it is a community traditionally under-resourced. Casa Familiar has been directly involved with planning this project and facilitated our introduction to the SYSD and the three schools, including attending site visits.

The three Title 1 elementary schools involved--Willow, Smythe, and La Mirada--all have principals who are highly enthusiastic about receiving these trees and their many benefits. Their students attend schools with a paucity of tree canopy. Among other things this means students gather and wait for various reasons in unshaded areas, eat in unshaded areas, and play in unshaded areas. Also they lack any experiential educational activities related to trees. In general schools in the SYSD are significantly under-resourced compared to most other school systems in San Diego County, so the enthusiasm and commitment from these principals to receive outside resources is not surprising. Each principal individually has committed to engage not only the students and faculty but also their network of family and friends in planting trees and learning about their benefits. We have met each principal during our site visits, giving them an opportunity to give input. Also staff from the SYSD Facilities Dept. led our site visits and provided input.

8. OTHER PROJECT DETAILS. Describe methods and approach that will be used, and justify why the methods and approach are the most effective way to accomplish the project's goals and objectives. This should include the process utilized to determine what species will be planted and why these trees were selected.

Species selection was guided by site visits on each campus and input from a certified arborist. Criteria included carbon sequestration capacity of the trees, low to moderate water requirements, disease conditions, and the climate zone.

The approach to education has been informed through discussions with Casa Familiar and with school administration.

PLANTING DETAILS AND SPECIFICATIONS

9. Location and Description of the Planting Site(s): Please describe the project site location, including physical address, census tract number(s) and proximity to disadvantaged and low-income communities as applicable. Identify condition of the project site(s), such as presence of overhead wires, soil conditions, tree-well dimensions and other existing elements pertinent to the project. Describe any special site preparations that may be required (i.e., protection against vandals, rodents) for the project tree plantings in addition to proposed methods for planting and staking the trees. Please attach project map(s), including marked planting locations, and photographs of planting sites to all copies of your proposal.

All sites and procedures for planting trees are based on following CAL FIRE Standards and Specifications for Purchasing, Planting, and Maintaining Trees. The planting plan was shaped by very experienced certified arborist who works for Dudek, a highly regarded Environmental Services company. There are no overhead wires or other unusual conditions. Soil conditions are typical for the area. There may be drainage issues in an area in which 3-4 of the trees will be planted. This will be assessed if the project is funded. There are additional planting sites available if this space proves to be too difficult. Since the trees are going on elementary school property, each one will be surrounded with mesh for an initial period of time to protect them from young curiosity and fingers. Because the school properties are well-secured and monitored, vandalism is not anticipated. The locations are as follows:

Willow Elementary School
226 Willow Rd., San Ysidro, CA 92173
Census tract: BLOCK: 3000
TRACT: 010009
DAC

Smythe Elementary School
1880 Smythe Ave, San Ysidro, CA 92173
Census tract: BLOCK: 3003
TRACT: 010005
LIC

a Mirada Elementary School
222 Avenida De La Madrid, San Ysidro, CA 92173
Census tract: BLOCK: 1002
TRACT: 010005
LIC

10. Maintenance Plan: Please detail the proposed plan for tree maintenance during the grant cycle, including watering, weeding, stake adjustment or removal, and pruning. Identify your source of technical expertise to be utilized for proper planting and maintaining the project trees. Identify your 3-year maintenance plan for the trees after the grant cycle is completed. Provide target dates for maintenance activities as appropriate.

Maintenance of the trees is the responsibility of the San Ysidro School District, with cooperation between the Facilities Department and the school principals. We have informed these parties that we will be providing them with a list of maintenance requirements and procedures based on CALFIRE/ISA standards. Because all three schools are within the same climate zone, the requirements will be the same for all three schools. Particularly important is the watering schedule during the establishment period for new trees--in our climate about 3 years. During this time additional water is required, especially during heat events, and this water needs to be delivered as deep watering around the trees' drip lines. Fortunately all planting sites are adjacent to existing drip irrigation systems. In addition, due to the generosity of Hunter Industries, (<https://www.hunterindustries.com/>), they are donating new equipment to improve both the efficiency and effectiveness of the existing irrigation. Hunter is not only an international developer and supplier of irrigation equipment, but they also: (1) are in the forefront of improving the state-of-the-art in irrigation equipment; and (2) have headquarters located in San Diego County with a long-track record of community support and involvement. Lumbercycle's project management staff have extensive professional experience with urban tree planting and maintenance requirements, having successfully accomplished a number of CALFIRE and CA ReLeaf tree planting and maintenance-funded projects previously.



2021 Treecovery Grant Program

Disadvantaged and Low-Income Community Criteria

This project is located in and benefitting a DAC or Low-Income Community because:

- The majority of trees to be planted are publicly accessible within a DAC.
- The majority of trees to be planted are publicly accessible within a Low-Income Community

If you have checked one of the boxes above, please provide additional details as follows:

What percentage of all trees are to be planted within a DAC? 60%

What percentage of all trees are to be planted within a Low-Income Community? 40%

Where will the other trees be planted:

- Title I schools located within a two-mile radius of one or more DACs.
- Title I schools located within a two-mile radius of one or more Low-Income Communities.
- Public parks and green spaces that are heavily utilized by DAC residents within a two-mile radius.
- Public parks and green spaces that are utilized by Low-Income residents within a two-mile radius.
- Other (explain):

This project is contained within a Low-Income Community that is located within ½ mile of a Disadvantaged Community.

What percentage of all trees are to be planted within this Low-Income Community? _____

Other

This project is not located in and does not provide benefit to a DAC or Low-Income Community

Additional information (optional)

All three elementary schools--Willow, Smythe, and La Mirada--are Title I schools. Willow is in a DAC, so close to the international border that Tijuana is highly visible. Smythe and La Mirada are located just a couple miles from the border and are in Low-Income Communities. Needless to say, San Ysidro is a community highly impacted by migration pressures and border control issues that spill over into the mental and physical well-being of the children and families living there. While beyond the scope of this particular grant, suffice it to say that San Ysidro needs all the support it can get. It's a poster child for the need for climate justice.



2021 Treecovery Grant Program

**Certification by CAL FIRE and Certified Arborist,
Registered Professional Forester, or Licensed Landscape Architect**

I, See separate attachment, a _____,
(name) *(title, e.g., certified arborist, R.P.F., landscape architect)*

certify that _____ has selected
(organization applying for grant)

trees of a species and size reaching a minimum height of 25 feet (excluding fruit trees) that are appropriate to the site described in the project proposal entitled:

(project title)

I have visited the proposed planting site, reviewed the maintenance plan, and certify that, if carried out as proposed, this project will ensure the long-term viability of the trees.

(Signature)

(Date)

(Certified Arborist #)

(Telephone)

or

(Registered Professional Forester #)

(Address)

or

(Landscape Architect License #)

(City, State, Zip)



2021 Treecovery Grant Program

Permission for Planting and Maintenance of Trees

To be completed in conjunction with the owner of the property (i.e., city, county, school or special district) on which the tree planting and maintenance will take place.

This is to certify that See separate attachment, (property owner, e.g., city, county, state)

legal owner of the property located at (address or location of property)

hereby grants permission (organization applying for grant)

to plant and maintain trees, for at least three years after all project trees have been planted on said property as described in the project proposal entitled

(Signature of property owner's authorized representative)

(Date)

(Title)

(Telephone)

(Print Name of owner's authorized representative)



2021 Treecovery Grant Program

Project Timeline

(List all planned activities related to the project on a quarterly basis)

Write project plan and gain approval from all participants

August 2021

Document the schedule with SDYS of tree planting and educational events and activities

November 2021

Plant trees; share educational information with students, the school community, and community volunteers; instaff new irrigation equipment

February 2022

Monitor newly planted trees.

May 2022 (All trees must be planted by April 30, 2022)

Report as required

August 2022

Report as required; Monitor trees

November 2022

Report as required; Re-distribute educational materials in schools

February 2023

Report as required; Monitor trees

May 2023

Report as required

August 2023

Report as required; Monitor trees

November 2023

Complete and submit final report as required

January 2024 *(Project must be completed by December 31st, 2023. Final report due January 28th, 2024):*

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Special Education Department
Oscar Madera, Director

Informational
 Action

AGENDA ITEM: AMENDMENT NO. 1 TO THE MEMORANDUM OF UNDERSTANDING WITH SBCS CORPORATION FOR MENTAL HEALTH SERVICES FOR THE 2021-22 SCHOOL YEAR

BACKGROUND INFORMATION:

SBCS Corporation formerly known as South Bay Community Services (SBCS) will be working together with San Ysidro School District to provide clinical services for students of San Ysidro School District. The clinicians will work in direct partnership with School Psychologists or other designated school personnel to provide support, services, and assistance with triaging the mental health needs of students.

SBCS will continue offering mental health services to our students, which will help with the profound impact on the mental health caused by COVID-19 and that may have lasting effects on students if left un-treated.

The Board approved this MOU on July 15, 2021, and it needs to be amended to reflect the following:

- Extend the mental health services at Vista Del Mar Middle School (VDM) at the additional cost of \$45,077.00. The new contract total is \$270,077.00
- Term of services for VDM: December 1, 2021, through June 30, 2022

RECOMMENDATION:

Approve/Ratify Amendment No. 1 to the Memorandum of Understanding with SBCS Corporation to extend the Mental Health Services for Vista Del Mar Middle School during school year 2021-22 at the additional cost of \$45,077.00 for a new contract total of \$270,077.00 from the Expanded Learning Opportunities Grant and the site Title I funds.

LCAP GOAL AND ACTION/SERVICE:

Goal #4: Social Emotional Learning and Well-being ~ All students will obtain the necessary social-emotional skills to build resilience and thrive in an equitable educational environment, their community and beyond.

Actions 2 & 3

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

\$270,077.00

(Amount)

Expanded Learning Opportunities Grant &
Site Title I funds

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN
San Ysidro School District
AND
SBCS Corporation**

THIS FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT (“Amendment”) is made and entered into effective as of December 1, 2021 and amends that certain Agreement between SBCS Corporation (SBCS), a California nonprofit, public benefit corporation, and the San Ysidro School District (SYSD), executed as of July 1, 2021, as previously amended (the “Agreement”).

The parties agree to amend the Agreement as follows:

1. Compensation:

As a result of the Amendment, SBCS’s compensation is increased by an amount of \$45,077.00, resulting in a new Maximum Agreement Amount of \$270,077.00 due to the addition of a part time licensed therapist for 3 days per week for the term of 12/1/2021 through 6/30/2022.

2. Add Exhibit C-2 Budget Addition

Additional payment schedule is attached.

Exhibit C-2 marked “First Amendment” is attached.

Except as specifically herein amended, the Agreement, as previously amended, will remain in full force and effect.

(Signatures contained on the following page)

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN
San Ysidro School District
AND
SBCS Corporation**

The parties have executed this Amendment as set forth below.

SBCS CORPORATION

California non-profit, public benefit corporation

By: _____ Date: _____

Kathryn Lembo
President and Chief Executive Officer
430 F Street Chula Vista, CA 91910

San Ysidro School District

By: _____ Date: _____

Name: Marilyn Adrianzen

Title: Chief Business Official

Address: 4350 Otay Mesa Road, San Ysidro, CA 92173

marilyn.adrianzen@sysdschools.org

Board approved: _____

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN
San Ysidro School District
AND
SBCS Corporation**

EXHIBIT C-2 – BUDGET ADDITION

**SBCS, Corp
December - June Budget
Therapists - 3 Days/Wk.**

PERSONNEL

	%	Salary	
Clinical Supervisor	2.00%	100,000	2,000
1 FTE Therapist (3 days/wk x 7 mths)	36.00%	80,000	28,800
			30,800
Fica			2,356
SUI			106
Pension			1,928
Health Insurance			3,078
Insurance W/Compensation			176
			7,644
			38,444

NON-PERSONNEL

Insurance @ .01% Personnel			308
Office Supplies			300
Telephone			420
			39,472
		<u>INDIRECT</u>	5,605
		<u>Total Expenses</u>	45,077

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
David Farkas, Ed.D.,
Assistant Superintendent of
Educational Leadership, Pupil Services
and Safety

Informational
 Action

AGENDA ITEM: AGREEMENT WITH THERAPY TRAVELERS LLC & 3 CHORDS INC.

BACKGROUND INFORMATION:

Therapy Travelers LLC & 3 Chords Inc. operates a supplemental staffing agency and employs licensed healthcare personnel to provide healthcare services.

Therapy Travelers will provide a Licensed Vocational Nurse on a temporary basis at an hourly rate of \$60.00 - \$70.00 per hour. Days/times will be as scheduled with the District's Special Education Department.

Term: School Year 2021-2022 (February 2022 to June 2022)

RECOMMENDATION:

Approve/Ratify the agreement with Therapy Travelers, LLC & 3 Chords Inc. to provide a Licensed Vocational Nurse for 2021-2022 School Year at a rate not to exceed \$70.00 per hour from ESSER II fund.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

\$60 - \$70
per hour

(Amount)

ESSER II Fund

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

PROFESSIONAL SERVICES AGREEMENT

This agreement is made and entered into this 11th day of March 2022, by and between the San Ysidro School District, hereinafter called the "District", and

TherapyTravelers, LLC & 3Chords Inc. dba TherapyTravelers
Company/Consultant

888-223-8002
Telephone Number

2041 Rosecrans Ave., Suite 245, El Segundo, CA 90245
Address

Therapytravelers.com
Website

hereinafter referred to as "Consultant."

1 SCOPE AND TERMS

1.1 SCOPE OF SERVICES

Scope of Services. In compliance with all terms and conditions of this Agreement, the Consultant shall provide those services specified in the Consultant Services Documentation ("attached documents") attached hereto as **Exhibit "A"** and incorporated herein by this reference, which services may be referred to herein as the "services" or "work" hereunder. As a material inducement to the District entering into this Agreement, Consultant represents and warrants that Consultant is a provider of first class work and services and Consultant is experienced in performing the work and services contemplated herein and, in light of such status and experience, Consultant covenants that it shall follow the highest professional standards in performing the work and services required hereunder and that all materials shall be of good quality, fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

Compliance with Law. All services rendered hereunder shall be provided in accordance with any and all applicable ordinances, resolutions, statutes, rules, and regulations of the District, City and any Federal, State or local governmental agency having jurisdiction in effect at the time service is rendered. Each and every provision required by law to be included in this Agreement shall be deemed to be included by this reference, and this Agreement shall be read and enforced as though they were included.

Licenses, Permits, Fees and Assessments. Consultant shall obtain at its sole cost and expense such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Consultant shall have the sole obligation to pay for any fees, assessments and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Consultant's performance of the services required by this Agreement, and shall indemnify, defend and hold harmless District against any such fees, assessments, taxes penalties or interest levied, assessed or imposed against District hereunder.

1.2 TERM

From: February 2022 To: June 2022

The Term of this Agreement as noted, unless earlier terminated as provided herein. The Parties may mutually agree to extend this term only by written amendment. Should the Parties agree to extend the term of this Agreement; the Agreement can only be extended on a year-to-year basis with written approval unless otherwise indicated in writing and in accordance with the law. Agreements are limited to a total of 5 years at which point a new Agreement will be needed.

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

2 FEES AND PAYMENTS

2.1 FEES

District shall pay Consultant for the specified services as reflected on **Exhibit A** during this contract term.

2.2 PAYMENTS

Consultant shall submit to District an invoice with supporting weekly time-logs indicating work completed. District shall review each invoice and/or receipts submitted to determine that the work performed, and expenses incurred are in compliance with the provisions of this Agreement. District shall pay Consultant within 30-days of receipt of an acceptable invoice from Consultant.

3. ADDITIONAL SERVICES.

District shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work as described herein. No such extra work may be undertaken unless a written order is first given by the District Contract Officer to the Consultant, incorporating therein any adjustment in (i) the Contract Sum, and/or (ii) the time to perform this Agreement, which said adjustments are subject to the written approval or ratification of the Contract Officer. However, any increase in compensation beyond the Contract Sum, for services beyond what is contemplated in the Contract, must be approved or ratified by the Board of Education in a signed writing prior to any payment. Additionally, any other increases, extensions or renewals must be approved in writing by the Board of Education. It is expressly understood by Consultant that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services or reasonably contemplated therein. Consultant hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Consultant anticipates and that Consultant shall not be entitled to additional compensation therefore unless specifically authorized pursuant to the terms of this section.

4 RESPONSIBILITIES OF CONSULTANT

4.1 ORGANIZATION

Consultant shall assign a Company Contact as Project Manager. The Project manager shall not be removed from the Project or reassigned without the prior written consent of District, which consent shall not be unreasonably withheld. Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff assigned to perform the services required under this Agreement.

4.2 COORDINATION OF SERVICES

Consultant agrees to work closely with the District staff in the performance of Services and shall be available to the District staff, consultants and other staff at all reasonable times.

4.3 STANDARD OF CARE:

Consultant shall perform all Services under this Agreement in a skillful, competent and timely manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants that all of Consultant's employees and subconsultants shall have sufficient skill and experience to perform the Services assigned to them. Consultant further represents that it, its employees and subconsultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, and that such licenses and approvals shall be maintained throughout the term of this Agreement. Any of Consultant's employees who are determined by District to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any of Consultant's employees who fail or refuse to perform the Services in a manner acceptable to District, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

4.4 INDEPENDENT CONSULTANT & ADDITIONAL PERSONNEL

Consultant is retained as an independent consultant and is not an agent or employee of the District. No employee or agent of Consultant shall by this Agreement become an agent or employee of the District. The work to be performed shall be in accordance with the work described herein, subject to such direction and amendments from District as herein provided. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind District to any obligation whatsoever, except as specifically provided in writing by District. Any additional personnel

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

performing the Services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law.

4.5 LAWS AND REGULATIONS

Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Service. Consultant shall be liable for all violations of such laws and regulations in connection with Services.

4.6 MAINTENANCE OF ACCOUNTING RECORDS

Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of the District during normal business hours with reasonable notice to examine, audit and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five (5) years from the date of final payment under this Agreement.

4.7 INSURANCE – Consultant shall comply with the following insurance provisions, unless one or more paragraphs are specifically waived by the District in writing.

(1) Time for Compliance. Consultant shall not commence Services under this Agreement until it has provided evidence satisfactory to District that it has secured all insurance required under this Section. In addition, Consultant shall not allow any subconsultant or employee to commence work until it has provided evidence satisfactory to the District.

(2) Minimum Requirements and Limits. Consultant shall, at its expense, procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Agreement by the consultant, its agents, representatives, and employees. Such insurance shall survive after this agreement as permitted by law.

MINIMUM SCOPE OF INSURANCE - Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury, sexual misconduct and personal & advertising injury with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be **\$2,000,000** the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), or if Consultant has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than **\$1,000,000** per accident for bodily injury and property damage.
3. **Workers' Compensation (Employer's Insurance if applicable):** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. Coverage shall include waiver of subrogation endorsement in favor of San Ysidro School District.
4. **Professional Liability (Errors and Omissions):** Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate. *(If applicable – see footnote next page)*
District waives _____
5. **Improper Sexual Conduct:** \$1,000,000 per occurrence with an aggregate of not less than \$2,000,000 for damages because of bodily injury by reason of negligent hiring and supervision. May be included under General Liability.
District waives _____
6. **Cyber Security Liability:** Coverage for both electronic and non-electronic data breach of \$2,000,000 per occurrence with an aggregate limit of not less than \$5,000,000 and shall cover all of Consultant's employees, officials and agents. Coverage shall apply to any dishonest, fraudulent, malicious or criminal use of Consultants or computer system or to obtain financial benefit for any party; to steal, take or provide unauthorized access of electronic data, including publicizing confidential electronic data or causing confidential electronic data to be accessible to unauthorized persons; transfer and for Third-Party Liability encompassing judgements or settlement and defense costs arising out of litigation due to a data breach and data breach response costs for customer notification and credit monitoring service fees.
District waives _____

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

If the Consultant maintains higher limits than the minimums shown above, the District requires and shall be entitled to coverage for the higher limits maintained by the Consultant.

Additional Insured Status - Endorsement

The San Ysidro School District, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy and Professional Liability (Errors & Omissions) with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations. The additional insured coverage must be provided in the form of an **Additional Insured Endorsement** to the Consultant's/SubConsultant's/Subcontractors' insurance. If Blanket Endorsement, it must include policy number and insured's name.

Primary Coverage

For any claims related to this contract, the **Consultant's insurance coverage shall be primary** insurance as respects the District, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the District, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation

The Provider shall file, with the District, Certificates of Insurance indicating a thirty-day (30) cancellation notice. If not stated on the Certificates of Insurance, it is understood that a 30-day cancellation notice will be provided and failure to mail such notice shall impose obligation and liability upon the company/insured, its agents or representative.

Waiver of Subrogation

Consultant/SubConsultant/Subcontractor hereby grants to the San Ysidro School District a waiver of any right to subrogation which any insurer of said Consultant may acquire against the District by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the District has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the District. The District may require the Consultant to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII, unless otherwise acceptable to the District.

Claims Made Policies (note – should be applicable only to professional liability, see below)

If any of the required policies provide claims-made coverage:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided **for at least three (3) years after completion of the contract of work.**
3. If coverage is canceled or non-renewed, and not replaced **with another claims-made policy form with a Retroactive Date prior to** the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of **three (3) years** after completion of work.

Verification of Coverage

Consultant/SubConsultant/Subcontractor shall furnish the District with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. **All certificates and endorsements are to be received and approved by the District before work/services commences.** However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The District reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

5 GENERAL PROVISIONS

5.1 DELAYS IN PERFORMANCE

(1) Neither District nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other disturbances; sabotage or judicial restraint.

(2) Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

5.2 SUSPENSION OF SERVICES

The District may, in its sole discretion, suspend all or any part of Services provided hereunder with cost to date of suspension. Consultant may not suspend its services without District's express written consent.

5.3 TERMINATION OF AGREEMENT

(1) Termination. District may, by written notice to Consultant, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Consultant of such termination, and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. Upon termination, Consultant shall be compensated only for those services which have been adequately rendered to District to date of the notice of termination and Consultant shall be entitled to no further compensation. Consultant may not terminate this Agreement except for cause.

(2) Consultant's Termination for Cause. This Agreement may be terminated by the Consultant upon thirty (30) days written notice to the District only when the District has substantially failed to perform its obligations under this Agreement. The written notice shall include a detailed description of the District's failure to perform, status of the work completed as of the date of termination together with a description and a cost estimate of the effort necessary to complete work in progress. In such event, the Consultant shall be compensated for services completed to the date of termination, together with compensation for such approved Additional Services performed after termination which are authorized by the District to conclude the work performed to the date of termination. Upon the District's request and authorization, Consultant shall perform any and all Additional Services necessary to wind up the work performed to the date of termination.

(3) Effect of Termination. If this Agreement is terminated as provided in this Section, District may require Consultant to provide all finished or unfinished documents, data, programming source code, reports or any other items prepared by Consultant in connection with the performance of Services under this Agreement. Consultant shall be required to provide such documents and other information within fifteen (15) days of the request.

(4) Terminated Services. In the event this Agreement is terminated in whole or in part as provided herein, District may procure, upon such terms and in such manner as it may determine appropriate, services similar or identical to those terminated.

5.4 OWNERSHIP OF MATERIALS AND CONFIDENTIALITY

(1) All materials and data, including but not limited to, data on electronic or magnetic media and any materials, documents and data required to be made or kept pursuant to federal, state or local laws, rules or regulations, prepared or collected by Consultant pursuant to this Agreement, shall be the sole property of the District, except that Consultant shall have the right to retain copies of all such documents and data for its records. District shall not be limited in any way in its use of such materials and data at any time, provided that any such use not within the purposes intended by this Agreement shall be at District's sole risk and provided that Consultant shall be indemnified against any damages resulting from such use, including the release of this material to third parties for a use not intended by this Agreement.

(2) All such materials and data shall be provided to the District, or such other agency or District as directed by District or required by law, rule or regulation, as they become due during the term of this Agreement as directed by District.

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

(3) The District is a California public entity subject to all state and federal laws governing education, including but not limited to California Assembly Bill 1584 (AB 1584), the California Education Code, the Children's Online Privacy and Protection Act (COPPA), the Family Educational Rights and Privacy Act (FERPA), and HIPAA Privacy regulations and any other privacy laws, policies and regulations that may apply such as American Recovery and Reinvestment Act of 2009 ("ARRA") and the Health Information Technology and Economic Clinical Health Act of 2009 ("HITECH").

AB1584 requires, in part, that any agreement entered into, renewed or amended after January 1, 2015 between a local education agency (LEA) and a third-party service provider must include certain terms; and the LEA and the Service Provider desire to have this Agreement and the services provided comply with AB1584. This includes to all forms of protected health information, including paper, oral, and electronic, etc. Furthermore, only the minimum health information necessary to conduct business is to be used or shared.

- Pupil records obtained by the Consultant/Service Provider from LEA/District continue to be the property of and under the control of the District. The Consultant will obtain information regarding disciplinary and/or behavioral events for the purpose of allowing District personnel to improve and provide services to pupils. The Consultant will not be obtaining pupil-generated content.
- In the event of an unauthorized disclosure of a pupil's records, the Consultant shall report to an affected parent, legal guardian, or eligible pupil pursuant to the following procedure; written communication to the District's Superintendent, Deputy Superintendent and/or designee.
- The Consultant shall not use any information in a pupil record for any purpose other than those required or specifically permitted by this Professional Services Agreement.
- Consultant certifies that a pupil's records shall not be retained or available to the Consultant upon completion of the terms of this Professional Services Agreement.
- District agrees to work with Consultant to ensure compliance with FERPA.
- Consultant shall not use personally identifiable information in pupil records to engage in targeted advertising.
- Pupil records include any information directly related to a pupil that is maintained by the District or acquired directly from the pupil through the use of instructional software or applications assigned to the pupil by a teacher or other District employees. Pupil records does not include/not mean de-identified information (information that cannot be used to identify an individual pupil) used by the third party to (1) improve educational products for adaptive learning purposes and for customized pupil learning; De-identified information, including aggregated de-identified information. (2) Demonstrate the effectiveness of the operator's products in the marketing of those products; or for the development and improvement of educational sites, services, or applications.

5.5 SAFETY

Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed.

5.6 PROJECT STAFFING

Consultant shall provide adequate staff and resources to facilitate all Consultant activity.

5.7 INDEMNIFICATION

Mutual Indemnification: Each party agrees that it will be responsible for its own acts and the results thereof and shall defend, indemnify and hold the other party harmless for all damages or claims to the extent arising out of their respective negligence or willful misconduct. The parties shall not be responsible for the acts of the other party and the results thereof. Each party therefore agrees that it will assume all risk and liability to itself, its agents or employees for any injury to persons or property resulting in any manner from the conduct of its own operations and the operations of its agents or employees under this Agreement, and for any loss, cost, or damage caused thereby during the performance of this Agreement.

5.8 AMENDMENTS

This Agreement may not be amended except in writing signed by both Parties.

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

5.9 SEVERABILITY

If any section, subsection, sentence, clause or phrases of this Agreement, or the application thereof to any of the Parties, is for any reason held invalid or unenforceable, the validity of the remainder of the Agreement shall not be affected thereby and may be enforced by the Parties to this Agreement.

5.10 GOVERNING LAW

This Agreement shall be governed by the laws of the State of California. Any action brought to enforce the terms of this Agreement shall be brought in a state or federal court located in the County of San Diego, State of California, but only after dispute resolution as provided herein.

5.11 CONFLICT OF INTEREST

For the term of this Agreement, no member, officer or employee of District, during the term of his or her service with District, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

5.12 SCHOOL SAFETY, FINGERPRINTING AND BACKGROUND INVESTIGATION REQUIREMENTS: Consultant agrees with the provisions of Education Code Section 45125.1 regarding the submission of fingerprints to the California Department of Justice. Consultant shall not be permitted to have any contact with District pupils until such time as Consultant has verified in writing to the District that they have complied with Educational Code Section 45125.1. **(Please complete attached School Safety Certification Form.)**

Per Ed Code 49406 and Assembly Bill 1667, the District requires for Tuberculosis (TB) Clearances to be in place by anyone coming in contact with pupils. Please submit TB Clearance to the Business Services Office. This section may be waived if the District determines that the Consultant and/or its employees will have limited contact with District pupils or if Consultant and/or its employees will be supervised at all times by District staff.

District is waiving this requirement _____ .

5.13 DRUG/ALCOHOL/TOBACCO-FREE FACILITIES:

ALL DISTRICT FACILITIES ARE DRUG AND TOBACCO-FREE FACILITIES. ANY DRUG, ALCOHOL AND/OR TOBACCO USE (SMOKED OR SMOKELESS) IS PROHIBITED AT ALL TIMES ON ALL AREAS OF THE DISTRICT FACILITIES.

5.14 NOTICES / CONTACT INFORMATION

All notices or demands to be given under this Agreement by either party to the other shall be in writing and given either by: (a) personal service, (b) email or (c) by U.S. Mail, mailed certified mail with return receipt requested, addressed to the following entities.

CONSULTANT:	TherapyTravelers, LLC & 3Chords Inc. dba TherapyTravelers	
Name:	Contracts Administration Team	
Title:		
Address:	2041 Rosecrans Ave., Suite 245	
City/State/Zip Code:	El Segundo, CA 90245	
Telephone:	(888) 223-8002	
Email:	Contracts@TherapyTravelers.com	

DISTRICT:	San Ysidro School District	
Name:	Marilyn Adrianzen	Oscar Madera
Title:	Chief Business Official	Director of Special Education
Address:	4350 Otay Mesa Road	4350 Otay Mesa Road
City/State/Zip code:	San Ysidro, CA 92173	San Ysidro, CA 92173
Telephone:	(619) 428-4476	(619) 428-4476
Email:	Marilyn.adrianzen@sysdschools.org	Oscar.madera@sysdschools.org

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

6 ENTIRE AGREEMENT

This Agreement represents the entire understanding of District and Consultant as to those matters contained herein, and supersedes and cancels any prior oral or written understanding, promises or representations with respect to those matters covered hereunder. To the extent that any provision or clause contained in an attachment to this Agreement conflicts with a provision or clause in the Agreement, the provision or clause in this Agreement shall control. This Agreement may not be modified or altered except in writing signed by both parties hereto. This is an integrated Agreement.

7 WARRANTY OF AUTHORITY:

Each of the parties signing this Agreement warrants to the other that he or she has the full authority to enter into agreement on behalf of the Party for which his or her signature is made.//

CONSULTANT

DISTRICT

TherapyTravelers

San Ysidro School District

Firm Name

Firm Name

Signature of Authorized Agent

Signature

Print Name, Title

Marilyn Adrianzen, Chief Business Official

Print Name, Title

Date:

Date

Board Approved:

Revised 08-01-2020

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

ADDENDUM

2021-22

The District will accept, on a one-time only basis, the insurance coverage limits that the Consultant currently has for Sexual Misconduct (Sexual Abuse and Molestation) in order to move forward with the services mentioned on Exhibit A. The Consultant shall provide a current Certificate of Liability indicating the specific insurance coverage limits for the Sexual Misconduct currently in place.

Consultant expressly acknowledges and agrees that its services shall not include any unsupervised one on one sessions/visits with students, and it shall be Consultant’s sole responsibility and duty to provide a signed Parental Consent Form signed by a parent or guardian of each student acknowledging and agreeing in writing that a parent or legal guardian must be present during each treatment/evaluation session conducted outside of the District’s facilities. If Consultant’s services are provided at the District's facilities, a District certified staff member/designee shall be present at all times Consultant is meeting/working with any student.

Approved by Consultant’s Authorized Representative:

Consultant: _____

Signature

Date

Name/Title (Print)

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

SCHOOL SAFETY CERTIFICATION FORM

CERTIFICATION PURSUANT TO EDUCATION CODE SECTION 45125.1 and
Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c)
Fingerprinting and Criminal Background Investigation Requirements

The San Ysidro School District (District) has determined under Education Code Section 45125.1, subdivision (c) that in performing services under this contract, **Contractor/Consultant's employees and/or Subconsultants/Subcontractors may have contact with pupils.**

_____(Initial) As required under Education Code Section 45125.1, subdivision (a), Consultant shall require their employees, including the employees of any sub-consultant and/or subcontractor, who will provide services pursuant to this contract to submit their fingerprints in a manner authorized by the Department of Justice in order to conduct a criminal background check to determine whether such employees have been convicted of or have charges pending for a felony as defined under Education Code Section 45122.1.

_____(Initial) Consultant shall not permit any employee to perform services that may come in contact with pupils under this contract until the Department of Justice has determined that the employee has not been convicted of a felony or has no criminal charges pending for a felony as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

_____(Initial) Consultant certifies that all of its employees who may come in contact with pupils have not been convicted of or have no criminal charges pending for a felony, as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

_____(Initial) Consultant shall defend, indemnify, protect and hold the District and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property which arise from or are connected with or are caused or claimed to be caused by Consultant's failure to comply with all of the requirements contained in Education Code Section 45125.1, including, but not limited to, the requirements prohibiting Consultant from using employees who may have contact with pupils who have been convicted or have charges pending for a felony in Education Code Section 45122.1.

_____(Initial) Per Ed Code 49406 and Assembly Bill 1667, the District requires for Tuberculosis (TB) Clearances to be in place by anyone coming in contact with pupils.

_____(Initial) Consultant's individuals/employees and/or Subconsultants/Subcontractors who may come in contact with pupils in the performance of services in this contract agree to provide fingerprint (DOJ/FBI) and TB Clearances (at their own expense) to be in compliance with the above-mentioned Ed Codes before commencement of any services under this contract. The District will provide LiveScan form if necessary.

- I certify to the District's Governing Board that I have read and understand the above terms and conditions and will report any changes that may affect the performance services of this contract.
- I certify to the District's Governing Board that none of the Consultant's employees/individuals and/or Subconsultants/subcontractors performing services under this agreement have been convicted of a felony as defined in Education Code Section 45122.1 and in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).
- I certify to the District's Governing Board that all of the Consultant's and Subconsultant's/Subcontractor's employees-individuals performing services under this agreement are clear of tuberculosis (TB) as defined on Education Code Section 49406 and Assembly Bill 1667.

Company Name: "TherapyTravelers, LLC" & "3Chords Inc., dba TherapyTravelers"

Name/title of authorized representative (Print) Carol Cheney, President

Signature _____ Date _____

SAN YSIDRO SCHOOL DISTRICT

4350 Otay Mesa Road, San Ysidro, CA 92173

EXHIBIT A

SCOPE OF WORK

TherapyTravelers will recruit and will provide the following staff on a temporary basis. The scope of work is per the job descriptions attached.

- Licensed Vocational Nurse
 - \$60 - \$70 per hour

Term period: School Year 2021-22 (February 2022 to June 2022)

(Days/times will be as scheduled with District's Special Education Department.)

IMPORTANT NOTICE:

The District is requesting that service providers/contractors that will be on SYSD facilities to provide proof of Covid vaccination. Proof of vaccination can be submitted to covid19vaccines@syzdschools.org. In the subject line, please put THERAPY TRAVELERS. This needs to be completed before performing services at any of our facilities.

TITLE: Licensed Vocational Nurse
DEPARTMENT: As Assigned
FLSA: Non-Exempt
REVISED: April 2016

REPORTS TO: Site Supervisor
CLASSIFICATION: Classified (10 month)
SALARY:
Board Approved: June 23, 2016

BASIC FUNCTION: Under the general direction of the assigned administrator, the Licensed Vocational Nurse (LVN) will receive technical and functional supervision by the District credentialed school nurse. The LVN provides LVN-level nursing services, including specialized health care procedures to any regular or special education students who have prescribed specialized physical health care needs, as assigned.

REPRESENTATIVE DUTIES: (Incumbents may perform any combination of the essential functions shown below. This position description is not intended to be an exhaustive list of all duties, knowledge, or abilities associated with this classification, but are intended to accurately reflect the principal job elements.)

- Implements specialized health care procedures, including but not limited to, glucose testing, catheterization, blood pressure monitoring, oral suctioning, tracheostomy care, gastrostomy tube feedings, oxygen therapy chest percussion, postural drainage, ventilator care, manual manipulation of respirator bag if needed, ileostomy and colostomy care, and seizure precautions.
- Turns medically fragile students and operates and maintains various mechanical apparatus used in caring for students, as necessary.
- Assures that all procedures are provided under specified written provisions approved by physician and requested by parent.
- Responds to medical emergencies and provides first aid to students.
- Reports adverse medical conditions of students served through coordination and consultation with the district credentialed school nurse.
- Provides assistance to the District credentialed school nurse and/or health clerk at the assigned school(s) as directed by the District credentialed school nurse or the site administrator(s) in accomplishing the computer entry of health data and other health related administrative activities.
- Records data regarding health related activities with students on District approved forms and computer programs as required and appropriate.
- Records food and fluid intake and output, as appropriate.
- Assists in training designated students in the basic academic and physical skills necessary to care for their individual health care needs as directed by the credentialed school nurse.
- Performs minor adjustments on special equipment such as wheelchairs, lifts, braces, and walkers; positions or repositions students; assists students in walking.
- Assists/trains students in hygiene, changing clothing, or putting on garments.
- Accompanies medically fragile students to their classrooms when needed; may assist medically fragile students during playground activities, bus loading and unloading, outings, and other school-related activities; assists disabled students in entering and exiting the bus or from a restricted space on the bus; may be required to accompany medically fragile students on bus.
- Reporting of suspicion of child abuse as required by California statute for mandated reporters.
- Reports required contagious diseases under California statute to the health department.
- Attends and participates in faculty/staff meetings, as needed. May participate, if required, in parent and student conferences and/or I.E.P. meetings.

- Assists in maintaining a neat, orderly, and safe learning environment.
- Attains and maintains training in exposure control and blood borne pathogen as required by OSHA and CALOSHA using the District Exposure Control and Blood Borne Pathogens manual including cleaning and disposal of contaminated supplies/equipment.
- Administers prescribed medications, as directed; maintains related records.
- Exercises professional judgment in providing daily care of students assigned.
- Establishes and maintains effective working relationships.
- Maintains confidentiality.
- Handles emergency situations calmly and effectively.
- Perform other duties as assigned.

MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE

- Licensed Vocational Nurse license issued by the State of California including authorization for administration of medications.
- Current CPR certificate.
- Graduation from High School or equivalent.
- Completion of LVN educational program and continuing education requirements for renewal of license.
- Successful completion of a proficiency test, in basic reading, writing, and mathematics skills, is required as stated in the California Education Code.
- Employment in care of patients with needs for skilled vocational nursing practices and procedures for medically fragile persons.
- Ability to apply routine record keeping principles and practices for health related activities.
- Experience in providing skilled care for medically fragile children.

DESIRED QUALIFICATIONS:

- Bilingual – English and Spanish

WORKING CONDITIONS:

Indoor and outdoor school settings which can include office and outdoor interactions.

PHYSICAL REQUIREMENTS:

- Dexterity of hands and fingers to operate standard office and classroom equipment.
- Sitting or standing for extended periods of time.
- Bending at the waist, kneeling or crouching to assist students.
- Seeing to read a variety of materials and monitoring student activities.
- Hearing and speaking to exchange information.
- Lifting and carrying students as assigned by the position.
- Pushing children in wheelchairs as needed.

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: RFQ NO. 21/22-004 FOR ARCHITECTURAL AND ENGINEERING SERVICES

BACKGROUND INFORMATION:

The Governing Board approved the 2021 Long Range Master Facilities Plan and an Implementation Plan that provides the district with information regarding current and future needs for student housing, quality of the existing facilities, and facilities renovation and expansion requirements to support the district's educational and programmatic goals. The District is preparing to move forward with the Implementation Plan for Increment One and Two.

The District published a Request for Qualifications (RFQ) for Architectural and Engineering Services. Ten statements of qualifications were received from qualified firms. After careful review of the documentation received, two (2) firms were selected based on the qualifications and the needs of the District.

The District recommends awarding the RFQ to: PBK and to Lord Architecture Inc. for the Architectural and Engineering Services to provide design and related work associated with various District projects outlined in the 2021 Long Range Master Facilities Plan and other special projects. An agreement for these services will be submitted for Governing Board approval in a future meeting.

RECOMMENDATION:

Award RFQ No. 21/22-004 to PBK and to Lord Architecture Inc. for Architectural and Engineering Services.

LCAP GOAL AND ACTION/SERVICE:

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-22 Budget?

Yes No

Requisition #

TBD

(Amount)

Various

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



San Ysidro

School District **EST - 1887**

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

**Request for Qualifications
(RFQ 21/22-004)**

ARCHITECTURAL & ENGINEERING SERVICES

**San Ysidro School District
Maintenance, Operations, Transportation and Facilities
4350 Otay Mesa Rd
San Ysidro, CA 92173
(619) 428-4476**

PART 1 - GENERAL INFORMATION

1.01 NOTICE IS HEREBY GIVEN that the San Ysidro School District (SYSD) of San Diego County, California, acting through its Governing Board of Education, hereinafter referred to as "District", is requesting a Statement of Qualifications (SOQ) that will allow the District to pre-qualify a limited number of Architectural & Engineering firms to provide design and related work associated with various District projects outlined in the 2021 Facilities Master Plan Update, 2016 Facilities Master Plan and other special projects to include, but not limited to, School Energy Efficiency Stimulus (SEES) Program, and renewable, solar energy generation and HVAC energy conservation.

1.02 Statement of Qualifications shall be submitted to:

Paulo Azevedo – Director, Maintenance, Operations, Transportation and Facilities

San Ysidro School District
4350 Otay Mesa Rd San Ysidro, CA 92173

no later than **2:00 p.m., January 5th, 2022 (Wednesday)**. Submissions received after the aforementioned date and time will not be accepted. Faxed and electronic submissions will not be accepted.

1.03 If your firm is interested in performing architectural & engineering services for various facilities improvement projects on behalf of the District, please submit to the District a Statement of Qualifications (SOQ) in accordance with this RFQ. Please take time to read all components of the RFQ.

1.04 Each organization submitting an SOQ shall submit **one (1)** original plus **four (4)** color copies and **one (1)** electronic version in PDF format on a USB Flash Drive in a sealed envelope prominently marked with the Request for Qualifications (RFQ) reference number and title, the due date and time, and the name of the organization submitting the statement.

1.05 The original SOQ shall be submitted and signed in blue ink. Submittals shall be signed by an authorized individual or officer of the firm submitting the statement.

1.06 In order to control information disseminated regarding this RFQ, organizations interested in submitting statements are directed **not** to make personal contact with members of the Governing Board or District Administration with the exception of the individual listed below. This includes unauthorized visits to District educational facilities, which may result in disqualification.

Paulo Azevedo – Director, Maintenance, Operations, Transportation and Facilities

San Ysidro School District
4350 Otay Mesa Rd San Ysidro, CA 92173

1.07 Requests for Information ("RFI") questions regarding this RFQ should be set forth in writing and sent via email to Paulo.Azevedo@SYSDSchools.org only. The subject line of each email should be specified as **"Request for Information - RFQ No. 21/22-004: Architectural & Engineering Services."**

1.08 No person other than the aforementioned is authorized to receive questions relating to this RFQ, and the District shall have no obligation to respond to questions sent to any other person or entity. In its discretion, the District may disregard the SOQ of any firm that, in

connection with this RFQ, contacts any other District representative including, without limitation, any member of the District's Board, Assistant Superintendents, Directors, Administrators, Consultants, Managers or any other District personnel.

PART 2 – PROJECT DESCRIPTION

2.01 DESCRIPTION

San Ysidro School District (District) is requesting the submission of Statement of Qualifications (SOQ) for architectural/engineering services from firms interested in providing professional architectural and engineering services to become eligible for the design and related work associated with Measure T and U projects and other projects such as: reconstruction/modernization, alterations, portable classroom additions, energy efficiency and conservation, and special projects.

Note: Projects may also be funded by other sources.

The District is a public school district located in San Ysidro, California. The District serves approximately 4,300 students at 7 campuses for grades Pre-K through 8. Learn more about our District by visiting the District website: <https://www.sysdschools.org/sanysidro>

2.03 LICENSED PROFESSIONAL

Services shall be performed by professionals with demonstrable background and experience in the services described in this RFQ. Any documentation of licensed professional shall be provided with the SOQ.

2.04 COMPLIANCE WITH APPLICABLE LAWS

Statement of Qualifications must set forth consultant's understanding of all applicable laws, guidelines, and requirements, including the Education Code, California Department of Education (CDE), Division of State Architect (DSA) and local ordinances and/or other guidelines applicable to the services undertaken, as well as Consultant's ability and methodology to comply with the same. Consultant's SOQ must confirm that the proposed services will meet all the aforementioned requirements as set by the applicable codes, regulations and guidelines.

2.05 DISABLED VETERANS BUSINESS ENTERPRISES

Section 17076.11 of the Education Code requires school districts using funds allocated pursuant to the State of California School Facility Program for the construction or modernization of school buildings to have a participation goal of at least 3 percent, per year, of overall dollar amount expended each year by the school district, for disabled veteran business enterprises ("DVBEs"). Indicate whether your firm is a DVBE or whether any of your firm's sub-consultants are DVBEs.

2.06 FINGERPRINTING REQUIREMENTS

Unless exempted, Architect shall comply with the requirements of Education Code Section 45125.1 with respect to fingerprinting of employees who may have contact with

students within the San Ysidro School District. The Architect shall also ensure that its consultants on the project also comply with the requirements of Section 45125.1.

PART 3 – DESIGN AND RELATED SCOPE OF WORK

The scope of work includes, but is not limited to, the following:

- A. Assist the District in updating the Educational Specifications as required by the California Department of Education.
- B. Assist the District with school reconstruction/modernization needs.
- C. Assist the District with new construction.
- D. Assist the District in developing design standards.
- E. Review Enrollment projections, as applicable, to analyze future facility needs.
- F. Review 2021 Facilities Master Plan (FMP).
- G. Meet and present to staff and the public regarding reconstruction/modernization and

- new construction projects.
- H. Include field inspections of District sites and describe conditions of all systems at District facilities, a thorough assessment of energy conservation opportunities.
 - I. Prepare plans and specifications for submission to the District and other agencies requiring project approval.
 - J. Prepare plans and documents required by the California Department of Education and the Office of Public School Construction.
 - K. Assist District in identifying all sources of funding that may be available from local, State or Federal agencies and any other programs that will support the implementation of the projects.
 - L. Comply with the requirements of the District standard Architectural & Engineering Services Agreement.
 - M. Conduct a field inspection of assigned school sites and/or other District facilities to report all deficiencies and requirements for upgrades and repairs, including, but not limited to, the following conditions:
 - 1. California Title 5 requirements,
 - 2. Building code deficiencies,
 - 3. ADA compliance,
 - 4. Fire & life safety,
 - 5. Playground safety,
 - 6. Building integrity (roofs, windows, exterior finishes, etc.),
 - 7. Site utilities,
 - 8. Mechanical, electrical, plumbing and structural systems

PART 4 - STATEMENT OF QUALIFICATIONS CONTENTS

4.01 The contents and sequence of the information contained in the SOQ must be as follows:

- A. **Title Page** – with Request for Qualification title and reference number **RFQ# 21/22-004**
- B. **Letter of Interest** - A dated Letter of Interest must be submitted, including the legal name of the respondent(s), address, and telephone, title and signature of the person(s) authorized to submit the proposal on behalf of the firm. The Letter of Interest should provide a brief statement of your experience indicating the unique background and qualities of the firm, its personnel, and its sub-consultants, and what will make the firm a good fit to work in the District.
- C. **Table of Contents** - A Table of Contents of the material contained in the Statement of Qualifications should follow the letter of interest.
- D. **Narrative** - Provide a comprehensive narrative of the architectural and engineering services offered by your firm. The narrative should address the following:

1. Firm Information (5 points)

- 1. Provide a brief history of your firm, and, if a joint venture, of each participating firm. Identify legal form, ownership, and senior officials of company(s).
- 2. Number of years in business and types of business conducted.
- 3. Provide information on the license(s) held, including the current status of those licenses.
- 4. Submit proof of ability to provide insurance as appropriate covering professional liability, general liability, workers compensation, etc.

2. Experience (15 points)

- 1. Describe your experience with public educational institutions within the past five (5) years. Provide additional information about the firm that may assist the evaluation team in understanding your qualifications and expertise.

2. Describe your experience developing projects within a political environment including facilitation of community involvement in the design process.
3. Describe how you assist districts in meeting established project budgets and in prioritizing project design to meet budget.
4. Discuss the firm's/team's ability to meet design schedules for comparable projects, your schedule management procedures, and how the firm has successfully handled potential DSA approval delays both for contract documents and for field changes.
5. Identify **all** K-12 projects performed by your firm(s) in the past three (3) years, and the firm's specific role in the projects; include the day-to-day contact person name, title and phone number for each project.

3. Project Team Organization (15 points)

1. Include resumes of key personnel who would be assigned to projects associated with the District. Specifically, define the role of each person and outline his or her individual experience and responsibilities. Indicate who would serve as primary contact(s) for the District. If the firm would utilize resources from more than one office, indicate office locations and how work would be coordinated.
2. Indicate if the following consultants are in-house or identify who would be the consulting engineers used by the firm in the following areas:
 - a. Structural
 - b. Mechanical
 - c. Civil
 - d. Electrical
 - e. Technology
 - f. Landscape

4. Processes and Resources (15 points)

1. Describe your philosophy and how you work with District administration officials, including assistant superintendents, facilities directors, teachers and site principals, to develop architectural design responses to unique challenges of educational program requirements.
2. Describe the team's controls to insure adequate time dedicated to this assignment in conjunction with your office workload including on-time delivery methodology.
3. Describe your philosophy specific to construction administration and how you will navigate the team, including, but not limited to, facilities staff, construction management firm, inspector and contractor, through construction effectively.

5. References (25 points)

1. Provide five (5) references from school districts where your firm completed projects within the last three years. Include name of project, project construction cost, project site change order (amount and percentage to original contracted cost), completion date and day-to-day contact person.

6. Supplemental Information (10 points)

1. Provide credit references
2. Provide an amount of error and omissions insurance.
3. Claims over the past five (5) years paid against error and omissions insurance.
4. Each Firm must disclose and list each of the following:
 - a. The Firm has filed any claims and/or lawsuits against any public agencies in connection with any contracts or projects of such public agencies and, if yes, identify the public agency and describe the nature and the outcome of such claim and lawsuit.

- b. Debarment (of either the Firm or any of its principal officers and owners) by any Federal, State, County, Municipal or other local agency.
- c. Involvement as a party in any litigation, arbitration or mediation associated with a project (not including any action filed to validate a transaction) within the past five (5) years between firms and clients.
- d. Any convictions of the Firm or any of its principal officers or owners for violation of any Federal or State antitrust law (e.g., bid rigging, collusion, or otherwise restricting competition between bidders) or other law relating to bidding or performance of public works.
- e. Determination by a governmental or public authority, which became final or un-appealable, that the firm or any of its principal offices or owners: (i) knowingly concealed any deficiency in the performance of any contract or project; (ii) falsified any information or made deceptive or fraudulent statements in connection with any contract or project; or (iii) willfully disregarded applicable laws, regulations, rules or contractual requirements in connection with any contract or project.

Failure by a Firm to disclose any such claims and/or litigation may result in a determination that the Firm is ineligible to perform any work in connection with District projects.

7. Fee Schedule (15 points)

1. Professional Fees – Provide a current fee schedule per hour by position and for the types of services that you offer.

4.02 The following is the number of pages allowed for each section denoted in item 4.01D above:

- A. TITLE OF PAGE maximum 1 page
- B. LETTER OF INTEREST maximum 2 pages
- C. TABLE OF CONTENTS maximum 1 page
- D. NARRATIVE maximum 16 pages

**Notes: (1) Tab pages without text will not count as a page
(2) Double sided pages count as two pages**

4.03 **Certification:** Complete and include the attached **Exhibit A - Certification form.**

PART 5 - PROPOSED SCHEDULE

5.01 SOQs must be at the aforementioned address and date/time recorded by the District by the time noted. SOQs may not be sent via fax machine or e-mail. Proposals arriving late for any reason may be returned unopened. All materials submitted in response to this Request for Qualifications become the property of the San Ysidro School District School District and shall be considered part of Public Record. As such, each firm shall be solely responsible for ensuring that its Response is received by the District, to the Department indicated (Facilities Planning & Construction), prior to the deadline specified in the RFQ. The District will not be required to consider any Response received by the District after the submittal deadline, as specified in this RFQ.

5.02 The selection process will include a screening review and evaluation of SOQs by staff. Candidates who best meet the requirements of the District will be invited to an interview tentatively scheduled January 10-14, 2022. The District anticipates recommending the qualified firm(s) for the Board of Education's consideration at the January 2022 Board meeting.

5.03 SCHEDULE

Request for Qualifications publish date: December 6 & 13. Last date for questions/clarifications (RFI): December 17 at 2:00 PM RFI Responses due from the District: January 3rd, 2022 Due date for Statement of Qualifications: **January 5, 2022 at 2:00PM**

(PST) Anticipated interview date: January 10-14, 2022

Note: All dates are subject to revision by the District. Nothing herein binds or shall be construed to bind the SAN YSIDRO SCHOOL DISTRICT to enter into any agreement with any party, including any Respondent hereto.

5.04 **ADDENDA**

The District in its discretion may, at any time, issue one or more addenda to this RFQ and the district will provide such addenda to each Firm that is known by the District to have received a copy of this RFQ. Each firm is solely responsible for and must, in its response, acknowledge each addendum that it has received.

5.05 **PRIVACY**

The District will open and review RFQ Responses privately to assure confidentiality and to avoid disclosure of the contents to competing Firms prior to and during the review, evaluation and negotiate process. However, District may, upon applicable request, disclose any Response to the extent it is a public record in accordance with California Law.

5.06 Ownership of documents, all Responses and other materials submitted in response to this RFQ shall become the property of the District.

PART 6 - SELECTION PROCESS

6.01 The process that will be used by the District in selecting the team to perform the services as outlined in this Request for Qualifications will be as follows:

- A. Screening Committee: A Screening Committee will be made up of District employees to review Statements of Qualifications submitted by the teams. The Screening Committee will recommend a list of teams to a Selection Committee for further review and evaluation.
- B. Selection Committee: A Selection Committee will conduct further evaluations of each firm recommended by the Screening Committee. The Selection Committee may be comprised of District and other public agency administrators selected by the District. Each firm will be reviewed based on the firm's capabilities and resources, qualification of key individuals, experience on similar projects.
- C. Finalists will be required to attend an interview at which time the team will present their proposal and qualifications. Staff who will be managing and working on the project will be expected to attend and participate in the interview. Firms selected for interviews will be advised regarding interview format at the time of notification.
- D. The Selection Committee shall interview shortlisted firms. This phase is tentatively scheduled for **January 10-14, 2022**. Following the firm interview process the Selection Committee may enter into fee negotiations with one or more firm(s) of its choice.
- E. Fee Proposal and Negotiation: Fee negotiations will be conducted on a project-by-project basis following selection. The fee negotiation process shall include discussion about the scope of services, team, deliverables, process, schedule, type of contract and other issues related to the development of a specific fee proposal.
- F. Governing Board: Following interviews and reference checks, the Selection Committee will recommend to the Governing Board a list of eligible A/E firms for District Projects.

PART 7 - EVALUATION PROCESS

7.01 All Statements of Qualifications will be evaluated to determine which teams will be able to meet the needs of the District. Evaluation will be in accordance with the criteria, but not

limited to, the list below. Criteria are not listed in order of relative importance.

- A. Compliance with format requested and completeness of submittal.
 - B. General range and level of experience in modernization projects, new construction projects, and energy efficient and conservation projects. Example of projects include, but not limited to, the following:
 - a. Reconstruction of an elementary school
 - b. Addition of a new multipurpose building on an existing campus
 - c. Addition of a new student services and library building
 - C. Experience and expertise of the team on relevant projects. The team must also demonstrate extensive experience and knowledge in dealing with the Division of State Architect (DSA), California Department of Education (CDE), Office of Public School Construction (OPSC), as well as local and responsible agencies.
 - D. Ability to keep project designs within defined budgets.
 - E. Ability to complete documents within aggressive time frames.
 - F. Ability to produce high-quality, complete and fully coordinated documents.
 - G. Ability to work within a construction management framework.
 - H. Experience and qualifications of the project team.
 - I. Client references and satisfaction on prior projects.
 - J. Demonstrated track record of consultant and sub-consultant team members' working together.
 - K. Experience and qualifications of the team identifying energy conservation opportunities and incorporating energy savings into projects.
 - L. Ability of the team to work with various project delivery methods such as Lease Lease-Back and Design-Bid-Build.
 - M. The oral interview and presentation.
 - N. Geographic location of teams.
- 7.02 The Board of Education of the San Ysidro School District reserves the right to be sole judge as to the merit, quality, and acceptability of services proposed and their compliance to the specifications which, in Board's opinion, will best serve the interest(s) of the District. Further, the Board reserves the right to reject any and all submissions, to negotiate with any or all responsible submitters, and to waive any irregularity in the Statement of Qualifications. Proposing firms are hereby made aware that the District will not reimburse any costs for the preparation or submission of the proposal to any proposing firm for any reason.
- 7.03 The District reserves the right to reject any and all Statement of Qualifications (SOQs). Acceptance by the District of any statement of qualifications submitted pursuant to this Request for Qualifications shall not constitute any implied intent to enter into a contract for architectural and engineering services. The District is not responsible for the cost associated with preparing a statement of qualification and/or participating in the interview.

7.04 The District reserves the right to negotiate the terms and conditions of any agreement for Architectural and Engineering related services that may hereafter be let by the District.

The District thanks you for your interest in providing services to the District and invites your Response herefo in accordance with the terms of this RFQ.

EXHIBIT A – CERTIFICATION FORM

*I certify that I have read and received a complete set of documents including the instructions for submitting an SOQ regarding the attached **Request for Statement of Qualifications – ARCHITECTURAL & ENGINEERING SERVICES**. I further certify that I must submit copies as required in this Request for Qualifications and that I am authorized to commit the firm to the qualifications submitted.*

I further acknowledge that no exceptions to the Agreement forms will be allowed and exceptions to Agreement forms will be deemed non-responsive.

I consent to the San Ysidro School District contacting references including but not limited to other School Districts listed in the SOQ, for the purposes of obtaining information about my firms Architectural & Engineering experience.

Signature	Typed Name
Title	Company
Street Address	City, State and Zip Code
Telephone	Email
Date	

If you are bidding as a corporation, please provide your corporate seal here:

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Information Management Systems
Todd Lewis, Director

Informational
 Action

AGENDA ITEM: RFP NO. 21/22-005 FOR 2021-22 E-RATE CATEGORY 2 EQUIPMENT

BACKGROUND INFORMATION:

Public Contract Code section 20118.1 which provides as follows: “The governing board of any school district may contract with an acceptable party who is one of the three lowest responsible bidders for the procurement or maintenance, or both, of electronic data-processing systems and supporting software in any manner the board deems appropriate.”

The District published a Requests for Proposals (RFP) No. 21/22-005 for prospective bidders for the school district to acquire E-rate Category 2 Equipment (network hardware and switches) to replace various network hardware at Vista Del Mar Middle School and the District Office. This RFP was advertised in the San Diego Daily Transcript Newspaper, Schools and Library Website and on the District’s website. Five vendors responded to the RFP. After review of the proposals, it was determined that GigaKOM was one of the three lowest bidders. Attached for your reference is the bid tabulation list of participants.

The District recommends awarding RFP No 21/22-005 for E-Rate Category 2 Equipment to GigaKOM. Documentation/Agreement is attached for approval. E-Rate’s discount is estimated at 85% of eligible equipment purchased based upon the District Free and Reduce Student Lunch program.

RECOMMENDATION:

Approve to award RFP No. 21/22-005 for the 2021-22 E-Rate Category 2 Equipment to GigaKOM and authorize staff to enter into agreement with GigaKOM in the amount of \$236,269.93 from E-rate funds.

LCAP GOAL AND ACTION/SERVICE:

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

\$236,269.93

GO Bond / E-Rate

(Amount)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

INTERNAL CONNECTIONS and/or BASIC MAINTENANCE CONTRACT ERATE 2022

THIS AGREEMENT is made and entered into this March 3rd, 2022, in the County of San Diego, State of California, by and between GigaKOM, a California corporation, with its principle place of business in San Diego, California hereafter "GigaKOM" and San Ysidro School District hereinafter called the "School".

The following recitals are made part of this Category 2 Internal Connections Contract, hereafter Agreement:

WHEREAS, the School is pursuing E-Rate discounts to help fund the Technology Project(s) identified as Attachment A and incorporated by reference herein; and

WHEREAS, the School has determined that there is a need to contract with organizations that furnish Internet products and services in technology; and

WHEREAS, GigaKOM represents that it will provide trained and experienced personnel to provide such Internet equipment and services set forth called for by this Agreement; and

WHEREAS, the School has determined that it has a need to enter into this Agreement with GigaKOM for the Internet products, services and advice described herein;

NOW THEREFORE, it is mutually agreed by the parties herein, as follows:

Article 1. Contract with GigaKOM: The School hereby contracts with GigaKOM to provide the necessary products, services and advice as hereinafter set forth contingent upon the School receiving approval of its e-Rate funding request.

Article 2. GIGAKOM's Services:

(a) GigaKOM hereby agrees to provide the following equipment and services set forth to the satisfaction of the School and described in Attachment A and Attachment B if applicable.

(b) GigaKOM warrants that the recommendations, guidance, and performance of any person assigned under this Agreement shall be in accordance with sound engineering (technical practice and/or Internet access and maintenance standards), and the requirements of this Agreement. If any portion of the services supplied fails to comply with this warranty, and GigaKOM is so notified in writing within thirty (30) days after completion of this Agreement, GigaKOM will correctly perform such portion of the services at its own expense, within ninety (90) days or refund the amount of the compensation paid for such portion.

Article 3. Time of Performance and Term of Agreement: The services called for under this agreement shall be provided by GigaKOM during the period commencing after **April 1st, 2022** and ending upon completion of the project, but in no event later than the end of the ERATE **2022** Funding Year unless otherwise agreed upon in writing, executed by both parties.

Basic Maintenance Contract can be extended by five (5) additional one (1) year contract extensions based on mutual agreement by both parties.

Internal Connection Contract can be extended by two (2) additional one (1) year contract extensions based on mutual agreement by both parties.

Article 4. GigaKOM's Fee: The School shall pay GigaKOM for the providing all equipment rates/pricing established by Attachment A. This agreement is considered to be a "fixed price" contract with any related expenses such as travel and photocopying to be billed at cost. The total estimated contract amount is based on Attachment A. Any rates and estimates should be considered to be a good faith estimates based on the information received through the date of the contract. Any additional work required will be submitted in writing for approval on a time and materials basis. Unknown factors and/or additional requirements and tasks may require pricing adjustments.

Article 5. Payments: School will be invoiced in progress invoices for equipment delivered and services rendered. All invoices are due and payable within 30 days. Payments should be remitted to:

GigaKOM
Attn: Accounting
9245 Activity Road, Suite 105
San Diego, CA 92126

GigaKOM will invoice the School's discounted amount, based on its ERATE discount. The School will be liable should the SLD deny payment on ordered items or services previously approved. A service charge of 18% per annum (1 1/2% per month) will be added monthly to all accounts more than 15 days overdue. The School will pay reasonable attorney's fees and other collections costs in the event that GigaKOM has to enforce payment.

For Basic Maintenance Contracts at the District's discretion and in accordance with the rules of the SLD for broadband managed services, the district may opt to pre-pay for this agreement. In such a case, the District and GigaKOM will monitor the hours used on the contract to ensure there is no overpayment of funds. In case of SLD denial of payment of any portion of this contract, School will be responsible for paying 100% of unpaid balance.

Article 6. Employee Benefits: GigaKOM shall be responsible for all salaries, payments, and benefits for all of its officers, agents, and employees in performing services pursuant to this Agreement as GigaKOM is a vendor to said School.

Article 7. Worker's Compensation Insurance: GigaKOM agrees to produce and maintain in full force and effect Workers' Compensation Insurance covering its employees and agents while these persons are participating in the activities hereunder. In the event a claim under the provisions of the California Workers' Compensation Act is filed against School by a bonafide employee of GigaKOM participating under this Agreement, GigaKOM agrees to defend and hold harmless the School from such claim, and pay for, or reimburse the School for, any costs incurred by the School in defending against such claims, including but not limited to all of the School's attorneys fees and any other legal costs.

Article 8. Insurance: GigaKOM shall, at its expense, carry and if required by the School, provide written proof of adequate insurance to fully protect both GigaKOM and the School from any and all claims of any nature for damage to property or for personal injury including death, which may arise while GigaKOM is traveling to or from a work-related location.

Article 9. Confidentiality and Use of Information:

- (a) GigaKOM shall hold in trust for the School, and shall not disclose to any person, any confidential information.
- (b) The School shall keep confidential information which is related to GigaKOM's research, development, trade secrets and business affairs; but does not include information which is generally known or easily ascertainable by nonparties through available public documentation.
- (c) GigaKOM shall advise School of any and all materials used, or recommended for use by GigaKOM to achieve the project goals, that are subject to any copyright restrictions or other requirements.

Article 10. Administrator of Agreement: This Agreement shall be administered on behalf of the School. Any notice desired or required to be sent to a party hereunder shall be addressed to:

For School:

For GigaKOM:
GigaKOM
Attn: Contract Department
9245 Activity Road, Suite 105
San Diego, CA 92126
Tel: 858-769-5408

Article 11. Ownership of Work-Product: All products of work performed pursuant to this Agreement will be the sole property of the School except GigaKOM's proprietary information/products.

Article 12. Termination: The School or GigaKOM may terminate this Agreement only if ERATE funding by Schools and Libraries Division is denied. Notice of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. If the Agreement is terminated by the School as provided in this section, GigaKOM shall be entitled to receive compensation for any equipment delivered and any satisfactory work completed up to the receipt by GigaKOM of notice of termination and the effective date of termination pursuant to specific request by the School for the performance of such work.

Article 13. Status of GigaKOM: It is agreed that School is interested only in the results obtained from service hereunder and that GigaKOM shall perform as a supplier/vendor with sole control of the manner and means of performing the services required under this Agreement. GigaKOM shall complete this Agreement according to its own methods of work which shall be in the exclusive charge and control of GigaKOM and which shall not be subject to control or supervision by the School except as to the results of the work. GigaKOM is, for all purposes arising out of this Agreement, a supplier/vendor, and neither GigaKOM nor its employees shall be deemed an employee of the School for any purpose. It is expressly understood and agreed that GigaKOM and its employees shall in no event be entitled to any benefits to which School employees are entitled, including, but not limited to, overtime, retirement benefits, insurance, vacation worker's compensation benefits, sick or injury leave, or other benefits.

Article 14. Attorney's Fees: If suit is brought by either party to this Agreement to enforce any of its terms, each party shall pay its own litigation expenses, including attorneys' fees, court costs, expert witness fees, and investigation expenses. The forum for any disputes hereunder shall be the Superior Court of the State of California, County of San Diego, and all interpretations of all shall be those under the laws of the State of California.

Article 15. Assignment: No portion of this Agreement or any of the work to be performed hereunder may be assigned by GigaKOM without the express written consent of School, and without such consent all services hereunder are to be performed solely by GigaKOM, its officers, agents and employees.

Article 16. Alterations or Variance: No alterations to this Agreement or variance from the provisions hereof shall be valid unless made in writing and executed by both of the parties hereto.

Article 17. A. B. 1610: If GigaKOM personnel are in contact with students on a more than limited or occasional basis as determined by the School, GigaKOM, upon written notification, agrees to provide the School with: written certification under penalty of perjury that all of its employees who may come in contact with students have been, fingerprinted and had their criminal histories checked by GigaKOM and that none of these employees have been convicted of a serious or violent felony. This contract may, at the School's discretion, be immediately terminated in the event GigaKOM fails to comply with this law.

Article 18. Contingency of ERATE Funding. GigaKOM understands that purchase of the goods and services identified in Attachment A is based upon ERATE funding being approved for the School. Should such funding be denied, the School will have no obligation to purchase any items or services listed, however GigaKOM will continue to offer the goods and services as the prices listed. School has the option to purchase 0 or more of the items listed in Attachment A based on current SLD guidelines.

Article 19. Basic Maintenance Details. The services provided under this E-Rate Contract, which include Basic Maintenance elements, shall be limited to "basic maintenance services" as defined by the FCC's current E-rate rules. In general, this service will be limited to the provision of "break/fix" and preventive hardware maintenance, and of software updates and reconfigurations for E-rate eligible equipment. Other technical support services required by the School will be covered by a separate Technical Support Contract which will include: (a) any maintenance of ineligible equipment; and (b) any technical support that is over an above E-rate defined "basic" maintenance of eligible equipment.

GENERAL EXCLUSIONS

- ② Unless identified previously within the scope of work, this proposal is not inclusive of fire penetration sleeves, conduit, concrete cores and/or roof penetrations. If required for installation, additional charges will apply.
- ② Unless identified previously within the scope of work, Gigakom will install racks in specified locations and in the appropriate manner. Additional charges will apply if the location is not structurally compliant with the installation requested and facilities work is needed.
- ② Unless identified previously within the scope of work, all existing conduit is expected to be free and clear of debris with an appropriate pull string provided. Additional charges will apply for debris removal or the fishing of conduit.
- ② Unless identified previously within the scope of work, this proposal is not inclusive of the removal and replacement of furniture during the installation, additional charges will apply, if necessary.

- Ⓜ Unless identified previously within the scope of work, this proposal is based upon normal working hours and does not include weekend or overtime. If weekend or overtime hours are required for this project, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of a Lift rental. If a Lift is required, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of additional labor time required for clean room environments. If clean room environments require special clothing, cleaning of tools, etc, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of installing horizontal cable in a “sequential-by-building” fashion. If a “sequential-by-building” installation is required, this must be identified prior to cable installation and will require additional charges.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of any voice or data cross-connects and/or patch cord installation. If cross-connects and/or patch cords are to be installed by Gigakom, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of any and all plywood backboards within each closet. If plywood backboards are required, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, cost associated with parking is not included within this proposal. If parking fees are required during the installation, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, cost associated with securing material on site is not included within this proposal. If adequate secured storage is not able to be provided by the Customer, additional charges will apply.
- Ⓜ Unless identified previously within the scope of work, this proposal is based upon utilizing onsite trash receptacles for removal of trash debris. If trash receptacles are not made available, additional charges will apply.
- Ⓜ This proposal requires a minimum 2 weeks notice of installation for any and all modular furniture installed during this project. Additional charges may apply if notice of less than 2 weeks is provided.
- Ⓜ Unless identified previously within the scope of work, this proposal is based upon the Customer providing all necessary Ring and String or Conduit necessary for each work station location. Additional charges will apply to each location requiring Gigakom to provide ring and string or conduit.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of Gigakom providing temporary power or sanitary facilities. Additional charges will apply if required.
- Ⓜ Unless identified previously within the scope of work, this proposal is not inclusive of removing any and all existing cable or cable supports. Additional charges will apply if required.
- Ⓜ Telephone Vendor will be responsible for labeling any and all patch panels related to voice circuit extensions. GigaKOM will provide said Telephone Vendor with a Cut-Sheet for each cable location.
- Ⓜ A 25% restock fee will be charged for all returned items. Special order items are non-returnable.

☐ GigaKOM has several blanket endorsements included in its insurance policies. If separate endorsements are required, additional charges may apply.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date hereinabove first written.

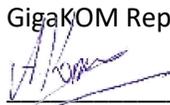
GIGAKOM

School District

Andrej Komatina

GigaKOM Representative

School Representative



Authorized Signature

Authorized Signature

3-3-2022

DATE

DATE

ATTACHMENT A

School ERATE Scope of Work

- Pricing is based on volume pricing and any changes may result in price change and additional shipping charges
- Project performance and payment bond might not be included in the price, if requested they will be added as a line item on the total awarded amount
- GigaKOM recommends 10% contingency for project for any unforeseen add, move and changes.

The items covered by this agreement are listed in the RFP, GigaKOM's Proposal and Response, Quotation and item 21.

- Please see pricing pages

ATTACHMENT B

Basic Maintenance School District ERATE Scope of Work IF APPLICABLE

The following describes the range of maintenance services to be provided by GigaKOM. The proposed services are contingent upon final approval by the District.

Basic maintenance services are “necessary” if, but for the maintenance at issue, the connection would not function and serve its intended purpose with the degree of reliability ordinarily provided in the marketplace to entities receiving such services without e-rate discounts.

Basic maintenance services do not include services that maintain equipment that is not supported or that enhance the utility of equipment beyond the transport of information, or diagnostic services in excess of those necessary to maintain the equipment’s ability to transport information.

The primary purpose of the services for which support is sought must be the delivery of services to the classrooms or other places of instruction at schools and libraries that meet the statutory definition of an eligible institution. Support for the administrative functions of library or education programs is permitted so long as the services are part of the network of shared services for learning. Support will be limited to services delivered to the onsite educational facility or facilities.

GigaKOM will provide support for all services under this contract that will provide a minimum of switched 100BT network service and T-1 Internet Access to all eligible areas of the district. This includes unanticipated component replacement and expansion of the district's network.

All services must be performed in the ERATE funding window.

Duties will be limited to only those dealing with maintenance and operation of telecommunications and internal connections as specified in FCC Document *CC Docket No. 96—45 Schools and Libraries Eligibility List*. (Attachment C). Any work not covered on the eligibility list must be covered under a separate contract or invoice.

LIST OF ELIGIBLE COMPONENTS

This list is required by the Schools and Libraries Division to identify the scope of equipment and services that are covered by this contract. Additionally, the SLD wishes to determine that no ineligible components are included for maintenance. All components must be a part of a network of shared services for learning.

The items covered by this agreement are listed in the RFP, GigaKOM’s proposal in response to the RFP and the quotation / pricing form provide

- Please see pricing pages

QTY	UNIT	DESCRIPTION	MODEL	MANUFACTURER	UNIT COST	EXTENDED COST	E-RATE ELIBIBILITY %	TOTAL E-RATE ELIGIBLE COST	TOTAL E-RATE INELEGIBLE COST
1		Meraki MS425-32 L3 Cld-Mngd 32x 10G SFP+ Switch	MS425-32-HW	Meraki	\$ 13,378.15	\$ 13,378.15	100%	\$ 13,378.15	\$ -
2		Meraki 250WAC PSU	MA-PWR-250WAC	Meraki	\$ 305.10	\$ 610.20	100%	\$ 610.20	\$ -
1		Meraki Front-to-Back Fan, 18K RPM	MA-FAN-18K	Meraki	\$ 169.50	\$ 169.50	100%	\$ 169.50	
1		Meraki MS425-32 Enterprise License and Support, 5YR	LIC-MS425-32-5YR	Meraki	\$ 2,103.47	\$ 2,103.47	100%	\$ 2,103.47	
27		10 GbE SFP+ SR fiber Multi-Mode transceiver for MS425-32HW: 100% Compatible, Lifetime warranty	MA-SFP-10GB-SR-EN	ENET	\$ 100.00	\$ 2,700.00	100%	\$ 2,700.00	
Describe Standard Manufacturer Warranty Description and any associated costs: Limited Lifetime Manufacturer Warranty					Sub Total			\$ 18,961.32	\$ -
					7.75% Sales Tax			\$ 1,306.48	\$ -
					Shipping / Handling			\$ -	\$ -
					Total Cost			\$ 20,267.80	\$ -

DELIVERY TIME 30 days
COMPANY NAME GigaKOM
ADDRESS 9245 Activity Road Suite 105 San Diego, CA, 92126
EMAIL ak@gigakom.com

PAYMENT TERMS: net 30

DATE: 14-Feb-22
E-RATE SPIN #: 143027209
REPRESENTATIVE NAME: Andrej Komatina
PHONE NUMBER: (858)769-5410

QTY	UNIT	DESCRIPTION	MODEL	MANUFACTURER	UNIT COST	EXTENDED COST	E-RATE ELIBIBILITY %	TOTAL E-RATE ELIGIBLE COST	TOTAL E-RATE INELEGIBLE COST
1		Meraki MS425-32 L3 Cld-Mngd 32x 10G SFP+ Switch	MS425-32-HW	Meraki	\$ 13,378.15	\$ 13,378.15	100%	\$ 13,378.15	\$ -
1		Meraki 250WAC PSU	MA-PWR-250WAC	Meraki	\$ 305.10	\$ 305.10	100%	\$ 305.10	\$ -
1		Meraki MS425-32 Enterprise License and Support, 5YR	LIC-MS425-32-5YR	Meraki	\$ 2,103.47	\$ 2,103.47	100%	\$ 2,103.47	
20		10 GbE SFP+ SR fiber Multi-Mode transceiver for MS425-32HW: 100% Compatible, Lifetime warranty	MA-SFP-10GB-SR-EN	ENET	\$ 100.00	\$ 2,000.00	100%	\$ 2,000.00	
Describe Standard Manufacturer Warranty Description and any associated costs: Limited Lifetime Manufacturer Warranty					Sub Total			\$ 17,786.72	\$ -
					7.75% Sales Tax			\$ 1,215.45	\$ -
					Shipping / Handling			\$ -	\$ -
					Total Cost			\$ 19,002.17	\$ -

DELIVERY TIME 30 days
COMPANY NAME GigaKOM
ADDRESS 9245 Activity Road Suite 105 San Diego, CA, 92126
EMAIL ak@gigakom.com

PAYMENT TERMS: net 30

DATE: 14-Feb-22
E-RATE SPIN #: 143027209
REPRESENTATIVE NAME: Andrej Komatina
PHONE NUMBER: (858)769-5410

QTY	UNIT	DESCRIPTION	MODEL	MANUFACTURER	UNIT COST	EXTENDED COST	E-RATE ELIBIBILITY %	TOTAL E-RATE ELIGIBLE COST	TOTAL E-RATE INELEGIBLE COST
15		Meraki MS390 48GE L3 POE+ Switch	MS390-48P-HW	Meraki	\$ 5,510.89	\$ 82,663.35	100%	\$ 82,663.35	\$ -
15		Meraki MS390 48-port Enterprise License and Support, 5 Year	LIC-MS390-48E-5Y	Meraki	\$ 1,634.54	\$ 24,518.10	100%	\$ 24,518.10	\$ -
2		Meraki Front-to-Back Fan, 18K RPM	MA-PWR-715WAC	Meraki	\$ 702.99	\$ 1,405.98	100%	\$ 1,405.98	
20		10 GbE SFP+ SR fiber Multi-Mode transceiver for MS390-48P-HW switch : 100% Compatible, Lifetime warranty	MA-SFP-10GB-SR-EN	ENET	\$ 100.00	\$ 2,000.00	100%	\$ 2,000.00	
16		Meraki MS390 4x10GE Module	MA-MOD-4X10G	Meraki	\$ 909.73	\$ 14,555.68	100%	\$ 14,555.68	
6		Meraki MS390 Power-Stack Cable, 150 centimeter	MA-CBL-SPWR-150CM	Meraki	\$ 122.15	\$ 732.90	100%	\$ 732.90	
6		Meraki MS390 120G Data-Stack Cable, 1 meter	MA-CBL-120G-1M	Meraki	\$ 135.73	\$ 814.38	100%	\$ 814.38	
2		Meraki MS390 Fan	MA-FAN-16K2	Meraki	\$ 162.88	\$ 325.76	100%	\$ 325.76	
Describe Standard Manufacturer Warranty Description and any associated costs:					Sub Total			\$ 127,016.15	\$ -
Limited Lifetime Manufacturer Warranty					7.75% Sales Tax			\$ 7,943.60	\$ -
					Shipping / Handling			\$ -	\$ -
					Total Cost			\$ 134,959.75	\$ -

DELIVERY TIME 30 days
COMPANY NAME GigaKOM
ADDRESS 9245 Activity Road Suite 105 San Diego, CA, 92126
EMAIL ak@gigakom.com

PAYMENT TERMS: net 30

DATE: 14-Feb-22
E-RATE SPIN #: 143027209
REPRESENTATIVE NAME: Andrej Komatina
PHONE NUMBER: (858)769-5410

QTY	UNIT	DESCRIPTION	MODEL	MANUFACTURER	UNIT COST	EXTENDED COST	E-RATE ELIBIBILITY %	TOTAL E-RATE ELIGIBLE COST	TOTAL E-RATE INELEGIBLE COST
36		Meraki MR46 Wi-Fi 6 Indoor AP	MR46-HW	Meraki	\$ 866.00	\$ 31,176.00	100%	\$ 31,176.00	\$ -
36		Meraki MR Enterprise License, 5YR	LIC-ENT-5YR	Meraki	\$ 243.96	\$ 8,782.56	100%	\$ 8,782.56	\$ -
36		Meraki MR Adaptor for Cisco Universal Mounts	MA-UMNT-MR-A2	Meraki	\$ 16.29	\$ 586.44	100%	\$ 586.44	
10		Meraki MR76 Wi-Fi 6 Outdoor AP	MR76-HW	Meraki	\$ 955.59	\$ 9,555.90	100%	\$ 9,555.90	
10		Meraki MR Enterprise License, 5YR	LIC-ENT-5YR	Meraki	\$ 243.96	\$ 2,439.60	100%	\$ 2,439.60	
10		Meraki Replacement Mounting Kit for MR76/MR86	MA-MNT-MR-16	Meraki	\$ 26.60	\$ 266.00	100%	\$ 266.00	
20		Meraki Dual-band Omni Antennas	MA-ANT-20	Meraki	\$ 108.05	\$ 2,161.00	100%	\$ 2,161.00	
Describe Standard Manufacturer Warranty Description and any associated costs:					Sub Total			\$ 54,967.50	\$ -
Limited Lifetime Manufacturer Warranty					7.75% Sales Tax			\$ 3,390.26	\$ -
					Shipping / Handling			\$ -	\$ -
					Total Cost			\$ 58,357.76	\$ -

DELIVERY TIME 30 days
COMPANY NAME GigaKOM
ADDRESS 9245 Activity Road Suite 105 San Diego, CA, 92126
EMAIL ak@gigakom.com

PAYMENT TERMS: net 30

DATE: 14-Feb-22
E-RATE SPIN #: 143027209
REPRESENTATIVE NAME: Andrej Komatina
PHONE NUMBER: (858)769-5410

QTY	UNIT	DESCRIPTION	MODEL	MANUFACTURER	UNIT COST	EXTENDED COST	E-RATE ELIBIBILITY %	TOTAL E-RATE ELIGIBLE COST	TOTAL E-RATE INELEGIBLE COST
8		Meraki MT10 Indoor Temperature and Humidity Sensor	MT10-HW	Meraki	\$ 114.86	\$ 918.88	100%		\$ 918.88
16		Meraki MT Enterprise License and Support, 1YR	LIC-MT-1Y	Meraki	\$ 69.11	\$ 1,105.76	100%		\$ 1,105.76
8		Meraki MT12 Indoor Water Leak Sensor	MT12-HW	Meraki	\$ 184.06	\$ 1,472.48	100%		\$ 1,472.48
Describe Standard Manufacturer Warranty Description and any associated costs: Limited Lifetime Manufacturer Warranty					Sub Total			\$ -	\$ 3,497.12
					7.75% Sales Tax				\$ 185.33
					Shipping / Handling			\$ -	\$ -
					Total Cost			\$ -	\$ 3,682.45

DELIVERY TIME 30 days
COMPANY NAME GigaKOM
ADDRESS 9245 Activity Road Suite 105 San Diego, CA, 92126
EMAIL ak@gigakom.com

PAYMENT TERMS: net 30

DATE: 14-Feb-22
E-RATE SPIN #: 143027209
REPRESENTATIVE NAME: Andrej Komatina
PHONE NUMBER: (858)769-5410

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Maintenance, Operations, Transportation & Facilities
Paulo Azevedo, Director

Informational
 Action

AGENDA ITEM: RFP NO. 21/22-006 FOR STUDENT CHARTER BUS TRANSPORTATION SERVICES

BACKGROUND INFORMATION:

Although the District maintains a bus fleet for home-to-school transportation, the needs for extracurricular student transportation far exceed what the District's fleet can provide, both in number and type of equipment needed. Therefore, the District desires to contract with one or more contractors for student charter bus services to be provided by privately owned carriers for student travel as needed. Successful contractors will be required to supply School Bus and Charter Bus equipment and drivers that meet all State and District requirements.

A Request for Proposal (RFP #21/22-006) for Student Charter Bus Transportation Services was published in the Daily Transcript and two (2) qualified companies responded. The District recommends awarding RFP No. 21/22-006 to both companies:

- Royal Lines Charters, LLC
- Sureride Charter, Inc. DBA Sun Diego Charter Co.

RECOMMENDATION:

Award RFP No. 21/22-006 and approve the agreements with Royal Lines Charters, LLC and with Sureride Charter, Inc. dba Sun Diego Charter Co. to provide student charter bus transportation services for extracurricular field trips and transportation needs.

LCAP GOAL AND ACTION/SERVICE (please indicate):

Renewal New Amendment Ratify Other

Financial Implications?

Yes No

Are funds for this item available in the 2021-2022 Budget?

Yes No

Requisition #

As needed
(Amount)

Transportation Department
(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No

Request for Proposal



RFP# 21-22/06

STUDENT CHARTER BUS TRANSPORTATION SERVICES



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All forms marked with an asterisk (*) shown above must be completed and returned by interested bidders prior to the bid deadline which is not later than 2:00 p.m. on Friday, February 25, 2022.

If any person contemplating submitting a bid for the proposed contract is in doubt as to the true meaning of any part of the specifications, or other proposed contract documents, or finds discrepancies in, or omissions from the specifications, bidder is instructed to email Paulo Azevedo, Director of Maintenance, Operations, Transportation and Facilities, at Paulo.Azevedo@SYSDSchools.org to request an interpretation or correction thereof no later than 2:00pm on February 22nd, 2022.



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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the SAN YSIDRO SCHOOL DISTRICT, acting by and through its Board of Education, hereinafter referred to as the District will receive up to, but not later than 2:00 p.m. on Friday, February 25, 2022, sealed bids for the award of contracts for the following:

RFP# 21-22 006

STUDENT CHARTER BUS TRANSPORTATION SERVICES - CHARTER SERVICES

Such bids shall be received at San Ysidro School District, Purchasing Department Office, 4350 Otay Mesa Road, San Ysidro, CA 92173 and shall be opened at the stated time and place.

Each bid must conform and be responsive to this invitation, the Information for Bidders, the Specifications, and all other documents comprising the contract documents. Copies of the Contract Documents may be obtained via email request to paulo.azevedo@syzdschools.org.

The District intends to award contracts to responsive and responsible bidder(s) for the services described above. Because it is known that the lowest bidder may not be able to meet all needs of the District on any given date/time, qualified contractors will be awarded contracts and will be given the opportunity to provide trips in the order of their ranking that will result from the bids submitted by responsive and responsible contractors.

The District reserves the right to reject any or all bids, to accept or to reject any one or more items of a bid, or to waive any irregularities or informalities in the bids or in the bidding.

No bidder may withdraw his bid for a period of sixty (60) days after the date set for the opening of bids.

Paulo Azevedo
Director of Maintenance, Operations, Transportation and Facilities
San Ysidro School District

Publication: San Diego Daily Transcript

Publication Dates: February 8, 2022 and February 15, 2022



Information for Bidders

1. Securing Documents

Specifications and other contract document forms will be available without charge, and may be secured by prospective bidders from the Purchasing Department or Transportation Department of San Ysidro School District, 4350 Otay Mesa Road, San Ysidro, California 92173.

Paulo.Azevedo@sysdschools.org - Director of MOTF

Araceli.Felix@sysdschools.org - Buyer - Purchasing Dept.

2. Proposals

Bids to receive consideration shall be made in accordance with the following instructions:

- a. Bids shall be made upon the form therefore obtained from the Purchasing Department of the San Ysidro School District properly executed. Bids shall be written in ink or by typewriter before submission. Bids are to be verified, as they cannot be corrected after bids are opened. The signature of all persons signing shall be in longhand. The completed form shall be without interlineations, alterations, or erasures. Alternative proposals will not be considered unless requested in the specifications. No oral or telegraphic modifications will be considered. Indicate "no bid" in areas that you do not intend to provide services.
- b. Before submitting a bid, bidders shall carefully examine specifications, and the forms of other documents. They shall fully inform themselves as to all existing conditions and limitations, and shall insure that unit cost and total cost is reflected in the bid. No allowance will be made because of lack of such examination or knowledge.
- c. No bid shall include California sales or use tax, or Federal excise tax.
- d. Bids shall be delivered to said San Ysidro School District or its representative, at its office on or before the day and hour set for the opening of bids in the **NOTICE TO BIDDERS** published in the San Diego Daily Transcripts. Bids shall be enclosed in a sealed envelope bearing the description of the bid call, the name of the bidder, to see that the bid is received in proper time. Any bids received after the scheduled closing time for receipt of bids shall be returned to the bidder unopened.



3. Addenda or Bulletins

Any addenda or bulletins issued by the District during the time of bidding or forming a part of the documents issued to the bidder for the preparation of the bid shall be covered in the bid and shall be made a part of the Contract.

4. Withdrawal of Bids

Any bidder may withdraw their bid, either personally or by a written request, at any time prior to the scheduled time for opening of bids, but not after.

5. Opening of Bids

Bids will be opened at the time and place scheduled in the **NOTICE TO BIDDERS** (not a public reading).

6. Award Criteria or Rejection of Bids

The District intends to award contracts to responsive and responsible bidder(s) for the services described herein. Because it is known that the lowest bidder may not be able to meet all needs of the District on any given date/time, qualified contractors will be awarded contracts and will be given opportunity to provide available trips in the order of their ranking that will result from the bids submitted by responsive and responsible contractors.

The lowest bidder will be based on only the 'Per Trip Rate' charge provided for each line item and will receive the most favored position in terms of getting the first right of refusal of the District's business.

Therefore, upon contract award, the District will offer available trips to the lowest bidder and, as the need arises, progress to the next low bidder, third lowest bidder etc., until all of the bidding Contractors are booked including the high bidder.

Vendors may provide bids on line items that include the passenger number range that matches the maximum passenger capacity of their company's buses only.



Trips will be scheduled using awarded vendor's bid pricing in any combination of buses and vendors that will result in the lowest cost for each specific trip.

The Board of Education of the San Ysidro School District, however, reserves the right to reject any or all bids, to accept or reject any one or more items of a bid, and to waive any informality in the bids or in the bidding.

7. Withdrawal of Bids After Opening

No bidder may withdraw their bid for a period of sixty (60) days after the date set for the opening thereof.

8. Agreement

The form of agreement, which the successful bidder, as Contractor, will be required to execute, is included in the contract documents and should be carefully examined by the bidder. The agreement will be executed in two (2) original counterparts. The complete contract consists of the following documents: Notice to Bidders, the Information for Bidders, the Accepted Bid, the Contract Specifications, and the Agreement, including all modifications thereof duly incorporated therein. All of the above named documents are intended to be complementary so that any instructions or requirements called for in one and not mentioned in the other, or vice versa, are to be executed the same as if mentioned in all said documents. The intention of the documents is to include all labor, materials, equipment, transportation and services necessary for the proper delivery and installation of all items called for in the Contract.

9. Interpretation of Documents

If any person contemplating submitting a bid for the proposed contract is in doubt as to the true meaning of any part of the specifications, or other proposed contract documents, or finds discrepancies in, or omissions from the specifications, bidder is instructed to contact Paulo Azevedo, Director of Transportation, San Ysidro School District to request an interpretation or correction thereof no later than 2:00 p.m. on February 17, 2022. The District requires such request be in writing, in which case the person submitting the request will be responsible for its prompt delivery. Any interpretation or correction of the proposed documents will be made only by Addendum duly issued by said bid administrator and a copy of such Addendum will be emailed to each person receiving a set of contract



documents. The District will not be responsible for any other explanation or interpretation of the proposed documents. No oral interpretation of any provision in the contract documents will be made to any bidder. Numbers spelled out in words will take precedence over numerals/figures.

10. Bidders Interested in More Than One Bid

No person, firm, or corporation shall be allowed to make or file or be interested in more than one bid for the same work, unless alternate bids are called for. A person, firm, or corporation submitting a sub-proposal to a bidder, or who has quoted prices on materials to a bidder, is not thereby disqualified from submitting a sub-proposal or quoting prices to other bidders. No person, firm or corporation shall be allowed to bid who has participated in the preparation of contract specifications; a bid by such a person, firm or corporation shall be determined to be non-responsive.

11. Assignment of Contract

No assignment by the Contractor of any contract to be entered into hereunder or any part thereof, or of funds to be received thereunder by the Contractor, will be recognized by the District unless such assignment has had the prior approval of the District.

12. Bid Securities, Performance Bonds, Payment Bonds

No bonds are required for this contract.

If any other bonds or guarantees are required by the District of the bidders or the successful bidders, those bonds or guarantees are so stated in the Specifications of these bid documents.

13. Demonstrations

If the District considers a need, bidders shall be required to arrange demonstrations of items or services bid. Failure to be able to provide such working demonstration may disqualify the bidder's bid submittal.



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Unless otherwise requested by the District, bidders shall be required to provide the requested demonstrations at the District's facility. *ALL DEMONSTRATIONS SHALL BE PROVIDED FREE OF CHARGE TO THE DISTRICT* Bidders may be required to reimburse the District for travel to demonstrations not held at the District's facility.

14. Equal Bids

When bids are equal, they shall be awarded by a drawing of lots, and shall be witnessed by three (3) impartial observers.

15. Estimated usage Quantities

This is an indefinite-quantity bid. Bidders shall not specify minimum or maximum quantities or charges for specific order types. Unlimited orders within the term of the contract shall be allowed at the prices bid.

16. Disabled Veteran Business Enterprise Requirements

This bid is not subject to DVBE 3% participation requirements.

17. Tobacco Free Schools:

State law prohibits tobacco or use of tobacco products (E-Cigarettes, Chewing Tobacco) on any District property.

18. Termination:

This Agreement may be terminated by the District without cause upon thirty (30) days written notice to the Contractor. The District's right to terminate under this paragraph shall be in addition to any other rights reserved to District under this contract.



Contract Specifications

1. Scope

The District's intent is to contract for student transportation services to augment the services the District is able to provide with its own forces.

2. Charter Bus Services

Although the District maintains a bus fleet for home-to-school transportation, the needs for extracurricular student transportation far exceed what the District's fleet can provide, both in number and type of equipment needed. Therefore, the District desires to contract with one or more contractors for student charter bus services to be provided by privately owned carriers for student travel as needed. Successful contractors will be required to supply School Bus and Charter Bus equipment and drivers that meet all State and District requirements.

3. Initial Terms

The initial agreement shall be for a period of one (1) year beginning from the date of contract commencement after award.

4. Bid Rates

The District will not accept any rate increases during the contract period.

Discount for multi-bus charters will not be considered in awarding trips. Contractors are encouraged to include any discounts into their bid price(s) at the time of bid.

Premium rates that are additional to bid prices for weekend, time of the year or special event charter will not be considered.

Per Trip Rate prices provided by bidder on the bid form in bid submission must include ALL costs and be the only cost due the vendor by the District for each trip ordered. Trip



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duration will include starting from and return to the appropriate School Site or District-designated location only.

Vendors may provide bids on line items that include the passenger number range that matches the maximum passenger capacity of their company's buses only.

Trips will be scheduled using awarded vendor's bid pricing in any combination of buses and vendors that will result in the lowest cost for each specific trip.

The District will pay \$90 per hour for any trip that exceeds the contracted trip duration unless the delay is caused by the Contractor, Contractor's employees or equipment. The District will determine the cause of the delay and whether the additional hourly expense is to be paid to the vendor. Hourly charges for overages will be billed and paid at actual quarter hour increments determined by prorating the flat rate above.

5. Contract Extension

San Ysidro School District reserves the right to extend this contract for up to four subsequent one-year periods beginning the day after the end of the initial term. In addition, the District reserves the right to further extend this contract to the full extent allowed by law. Factors that will influence the District in exercising this option will be satisfactory service being rendered by the holder(s) of the contract and that any increase in price requested for the extension be a nominal amount and not excessive as measured by local market conditions and at time of renewal. Any single line item may be re-bid without other categories being affected.

6. Extension Rates

The contract extension rates shall be subject to adjustment upward or downward once each year commencing with the beginning of the next year in the contract period. Rate increase requests shall not exceed four percent (4%). The awarded Contractor(s) must notify the District in writing of their desired price changes for the upcoming extension period no less than sixty (60) calendar days prior to the end of the current contract term. The District reserves the right to reject said price changes and not renew contract, if it is felt to be in the best interest of the District to do so. If the price increase is not accepted, the District may award the line item(s) originally awarded to a vendor to the next lowest bidder, if the bidder agrees to hold their initial bid price for that line item, or may rebid.



If the charter bus contract is extended and a price increase is agreed to, the appropriate pricing will be determined based on the trip booking date (not trip date). Trips booked prior to the end of the current contract term will be at the rate in effect for that contract term, even if the trip will be taken in the next contract term

7. Contract Requirements

The District expects that all bidders, by the act of their bidding, own or lease the equipment that will be provided to transport students and that all drivers will be employees (not subcontractor's) of the bidding company. **Bidders may NOT subcontract out any portion of the work to be provided under this contract.**

The District expects that all bidders, by the act of their bidding, shall be certified in accordance with the applicable laws of the State of California as a School Pupil Activity Bus (SPAB) <http://www.dmv.ca.gov/pubs/vctop/d01/vc546.html> and that all drivers of such vehicles will likewise have a valid SPAB license whether or not passengers are students or adults on school or District related activities utilizing either public or private funds.

All work performed and all equipment used by bidders shall meet all applicable "Regulations and Laws Relating to Pupil Transportation in California" as published by the California State Department of Education. A signed bid will be considered a declaration that the equipment to be used in the execution of the contract, if awarded, does and will continue to meet all safety regulations.

8. School Pupil Activity Bus and Driver Regulations (SPAB)

All drivers are to be fully certified school bus or SPAB operators with the necessary license and credentials. The District retains the right to inspect both driver and buses/vehicles to insure these requirements are met before leaving on any scheduled trip/route.

All buses being used under this bid are to be certified school or SPAB buses. All school buses must be manufactured after April 1, 1977.

In addition, SPAB carriers will provide a current copy of:



- A list of SPAB certified buses in the fleet (including bus number, Make, Model, Year of Mfg., VIN, license, and last inspection date by CHP on each bus), and
- A complete list of all SPAB drivers (include name, CDL number, expiration date, medical expiration date, and length of employment).
- These lists shall be updated and sent to the District's Transportation Department quarterly.
- During the contract duration, if awarded, the Contractor shall notify the District in writing within ten days of any additions or deletions of equipment and drivers.

9. Pass Through Fees

Charter Service - Parking fees, entrance fees, tolls, hotel fees, aides (as determined necessary by District Transportation Department staff), and any additional time added to the pre-trip itinerary if approved or ordered by the trip chaperon (prior to the date of event), shall be expenses of the District and will be payable to the Contractor.

If the Charter Service Contractor is required to book a driver's room, it shall be a single room at a reasonable rate. Lodging shall be at the same location trip participants are using if available. If the cost of the room is to be more than the student participation rate for said trip, prior approval must be granted by the Director of Transportation, prior to the date of the event.

Driver's meals shall be the responsibility of the Contractor. In the event of unknown conditions (drivers exceeding itinerary), the District will reimburse the Contractor at a rate not to exceed the following: Breakfast - \$8.00, Lunch - \$12.00, and Dinner - \$15.00.

10. Authorized Order Process

Vendor will deliver a requested quote for service a minimum of twenty-four (24) hours from the time request is sent so that District school sites know whether vendor can provide service and the exact cost and times of pickup and delivery on business workdays, Monday-Friday, except National holidays.

ONLY ORDERS, VERBAL OR WRITTEN, PLACED BY THE TRANSPORTATION DEPARTMENT WILL BE ACKNOWLEDGED AND AUTHORIZED BY THE DISTRICT.



11. Suspension By District

The District's Director of Transportation reserves the right to suspend a Contractor for excessive equipment failure and/or breakdowns, excessive trip refusals, and if any certifications are expired or non-existent.

12. Inspection of Contractor's Facility

The District reserves the right to visit the carrier's properties and inspect driver records, vehicle records, and vehicle shop at any time prior to award of contract or during the contract term.

13. Hold Harmless

Contractor agrees to and does hereby indemnify, hold harmless and defend the District and its officers, agents and employees from every claim or demand made and every liability, loss, damage or expense of any nature whatsoever, which may be incurred by reason of:

(a) Liability for damages for: (1) death or bodily injury to person; (2) injury to, loss or theft of property; or (3) any other loss, damage or expense arising out of (1) or (2) above, sustained by the Contractor or any person, firm or corporation employed by the Contractor, either directly or by independent contract, upon or in connection with the services called for in this Agreement, however caused, except for liability for damages referred to above which result from the sole negligence or willful misconduct of the District or its officers, employees or agents.

(b) Any injury to or death of any person, including the District or its officers, agents and employees, or damage to or loss of any property caused by any act, neglect, default, or omission of the contractor, or any person, firm or corporation employed by the Contractor, either directly or by independent contract, arising out of, or in any way connected with, the services covered by this Agreement, whether said injury or damage occurs either on or off District's property, except for liability for damages which result from the sole negligence or willful misconduct of the District or its officers, employees or agents.



(C) Any liability for damages which may arise from the furnishing or use of any copyrighted or non-copyrighted matter or patented or unpatented invention under this Agreement.

14. Liability Insurance

Contractor must carry a comprehensive general liability insurance policy with limits of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage which may arise out of this Agreement in a form mutually acceptable to both parties to protect Contractor and District against liability or claims of liability to be in effect during the term of the contract. If a form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the District, or the general aggregate shall be twice the occurrence. Contractor shall also provide liability insurance coverage specifically for the perils of molestation, sexual misconduct, or allegations of sexual abuse with minimum policy limits of One Million Dollars (\$1,000,000).

Contractor agrees to name the District and its officers, agents, employees and representatives as 'additional insured' under said policy and to provide an endorsement to this policy evidencing such.

In addition, the Contractor agrees to provide an endorsement to this policy stating, "Such insurance as is afforded by this policy shall be primary, and any insurance carried by District shall be excess and noncontributory."

Contractor will also provide automobile liability insurance with limits of Five Million Dollars (\$5,000,000) per occurrence combined single limit for bodily injury and property damage. If an annual aggregate limit is used, either the aggregate limit shall apply separately to the District, or the aggregate shall be twice the occurrence limit or Ten Million Dollars (\$10,000,000).

All policy periods shall be continuous through the term of the agreement and shall be valid and non-restrictive for interstate travel.

If awarded a contract, Contractor(s) shall provide District with certificates of insurance evidencing all coverages and endorsements required hereunder, including a thirty (30) days written notice of cancellation or reduction in coverage within ten (10) days of award notification.



15. Worker's Compensation Insurance

Contractor agrees to procure and maintain in full force and affect Worker's Compensation Insurance covering its employees and agents adequate to protect them from Claims under Workers' Compensation Laws and from claims for damages for Personal injury, including death, and damage to property, which may arise from Bidder's operations under the contract while these persons are participating in the activities hereunder. In the event a claim under the provisions of the California Workers' Compensation Act is filed against District by a bona fide employee of Consultant participating under this Agreement, Consultant agrees to defend and hold harmless the District from such claim.

16. Invoice/Billing/Trip Document

Invoice(s) will be honored only through the following procedures and are to be submitted no later than the 10th working day following the previous calendar month of service. If billing is late, for whatever reason, a two percent (2%) penalty of full billing charge will be assessed to the vendor, for each month late (not to exceed 20% of bill) and that amount is to be deducted from the invoice in the District's favor.

For charter service, a copy of the Contractor's standard trip document along with safety instructions and verification of time returned to school is to be filled out upon completion of the trip by the driver and signed by the trip chaperon. The driver of the trip must sign a trip document certifying that they have given the safety instructions to the group, prior to departure of the trip. This copy is to be sent to the Transportation Department, San Ysidro School District, 4350 Otay Mesa Road, San Ysidro, California 92173. This information may be included on the billing invoice or sent separately within 48 hours of the date of the trip. There will be no exceptions to this procedure; non-compliance may cause a delay in payment of invoice.

17. Inspection Reports

Prior to the starting date of the contract, the vendor must furnish the District proof in the form of school bus inspection reports or SPAB reports that all School buses and coaches/vehicles used to transport students have been inspected by the California Highway Patrol and meet all rules and regulations of the California Vehicle Code,



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California Education Code, and the California Department of Education for school buses if applicable. All students must be seated as provided for in the Education Code.

Vendor agrees to maintain a satisfactory Motor Carrier rating with the California Highway Patrol. Failure to maintain this rating shall be justification for immediate exclusion from the contract. Vendor must furnish proof of this rating with submission of bid documents.

Preceding paragraph does not apply to motor vehicles subject to and meeting all of the requirements of the Public Utilities Commission, operated by carriers Operating under the jurisdiction of the Public Utilities Commission as provided for In Education Code Section 39830.

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=86700219716+0+0+0&WAISection=retrieve>

District reserves the right to physically inspect carrier's vehicles, drivers, records, licenses, and carrier's terminal facilities.

18. Accident Procedures

In case of an accident, it shall be the responsibility of the vendor to first notify the California Highway Patrol and second, notify the District's Transportation Department.

Within twenty-four (24) hours after the accident, the vendor shall furnish a written report of the accident to the District's Transportation Department.

19. Submission of Documents by Successful Bidder

Ten (10) working days from the notification by the District to the awarded vendor have been allowed for successful bidder to submit additional data required in the bid documents (i.e. proof of insurance and fingerprinting certification). If the successful bidder does not comply with the requirements, consideration must be given to the next lowest bidder.

20. Disputes

Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract, which is not disposed of by agreement, shall be decided by the Superintendent or designee. This decision shall be final and conclusive unless



determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary or to grossly erroneous as necessary to imply bad faith.

In connection with any dispute pending decision under this contract, the vendor shall proceed diligently with the performance of the contract and in accordance with the decision of the Superintendent or designee.

21. Fingerprinting Requirements

The District has determined under Education Code section 45125.1 Subdivision (C) that in performing services pursuant to this Agreement, Contractor's employees may have contact with pupils. As required under Education Code Section 45125.1, subdivision (A) the Contractor shall require their employees who will provide services pursuant to the Agreement to submit their fingerprints in a manner authorized by the Department of Justice together with a fee determined by the Department of Justice together in order to conduct a criminal background check to determine whether such employees have been convicted of or have charges pending for a felony as defined under Education Code Section 45122.1.

Contractor shall not permit any employee to perform services that may come in Contact with pupils under this agreement until the Department of Justice has determined that the employee has not been convicted of a felony or has no criminal charges pending for a felony as defined in Section 45122.1.

Contractor shall certify in writing to the Board of Education of the District, to the Attention of Paulo Azevedo, Director of Transportation, 4350 Otay Mesa Road, San Ysidro, CA 92173, that all of its employees who may come in contact with pupils have not been convicted of or have no criminal charges pending for a felony as defined in Education Code section 45122.1. Contractor will provide a listing of employees who may come in contact with pupils.

Contractor shall defend, indemnify, protect and hold the District and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property which arise from or are connected with or are caused or claimed to be caused by Contractor's failure to comply with all of the requirements contained in Education Code section 45122.1, including but not limited to, the requirement prohibiting Contractor from using employees who may



have contact with pupils who have been convicted or have charges pending for a felony as defined in Education Code section 45122.1.

Fingerprints will not have to be redone for SPAB drivers as fingerprints have been submitted through DMV. Contractor shall still have to certify in writing that all employees who may come in contact with pupils have not been convicted of or have no criminal charges pending for a felony, as defined in Education Code Section 45122.1.

22. Contractor Refusal to Provide Service

Any contractor awarded a contract in accordance with the terms and conditions herein that refuses more than five percent (5%) of the jobs offered in any given month, will be considered to be out of compliance with the contract and may be put on notice and found in breach, and if not rectified immediately may subsequently be relieved of their contract with the District or be charged the difference between their bid price and the price actually paid by the District for the refused trip.

23. Multiple Bus Travel

The District requires all buses travel together whether they are the same or different carriers if trips consist of more than one bus unless directed otherwise by the trip chaperon.

24. Bus to Bus Communication

The District requires bus-to-bus communication and emergency communication. Cellular phones, while not required, are preferred.

25. Bus Driver Responsibilities

The trip chaperon and the bus driver must work in unison on any bus trip. However, when a safety or driving-related issue is concerned, the bus driver has the final authority and ultimate responsibility.

The driver will arrive at the pickup point a minimum of ten (10) minutes prior to the scheduled departure time for the loading of equipment. Pickup and discharge of students shall be made at designated points only.



Upon arrival at the trip destination, the driver will keep the trip chaperon informed as to the location of the bus and unless excused by the trip chaperon, will remain in the immediate area of the bus.

A school bus shall not be put into motion until all passengers are seated (CCR 1217E). All passengers must remain seated while the bus is in motion. Only the trip chaperon may stand or walk while the bus is in motion to supervise students. The trip chaperon must coordinate their movements on the bus with the driver to ensure his/her safety.

Drivers may be required to assist in the loading or unloading of luggage as required by the group.

Prior to departing on any trip, the Driver will review weather conditions for the proposed route. If weather conditions are deemed to be unsafe, trips will be reviewed and if needed, delayed until such time conditions improve. Trips may be cancelled due to these conditions.

In the event that a driver encounters reduced visibility during a trip that in their opinion causes it to be unsafe, the driver has the responsibility to pull the vehicle over in a safe location and wait until conditions improve. Drivers shall notify, or cause to be notified, the District Transportation Department of the delay as soon as possible. This will allow the District to notify the affected school sites or parents of the delay.

In accordance with Education Code 39831.5(4), Safety instruction is to be given to all pupils regardless of grade level prior to departure on each school activity trip. The instruction must include the location of emergency exits and location and use of emergency equipment. The driver of the trip must sign a trip document certifying that they have given the safety instructions to the group, prior to departure of the trip.

26. Charter Bus Service Cancellations

A charge of fifty percent (50%) of the contracted trip price will apply if a trip is cancelled within four hours prior to the trip departure. A charge of twenty-five percent (25%) of the contracted trip price will apply if a trip is cancelled within forty-eight (48) hours prior to the scheduled trip departure. No charge will be billed to either party if a trip is cancelled more than forty-eight (48) hours prior to the scheduled trip departure. Repeated



cancellations by the vendor or failure to complete the trip once a charter company confirms the trip may result in the District finding the company in contract default and/or trips not being offered to the company.

27. Charter Bus Service Breakdowns or Mechanical Failures

A discount on charges will be reflected on the invoice if a breakdown occurs in route or if vendor does not arrive within 30 minutes of scheduled departure time or arrival. Vendor(s) will deduct the total cost of any other vendor's chartered service or rental of other vehicles required to complete the trip or other expenses incurred to deliver or pick up passengers, whichever is less.

28. Charter Bus Service Time to Respond for Quotes for Service to Schools

Vendor agrees to deliver a requested quote for service a minimum of twenty-four (24) hours from the time request is sent so that district school sites know whether vendor can provide service and the exact cost and times of pickup and delivery on business workdays, Monday-Friday, except National holidays.

29. Attendants/Aides

The District may have a need to require that an attendant accommodate a student or students. In some cases, the awarded Contractor may be required to provide the aide/attendant. The cost will be the responsibility of the District, and the District will decide if the Contractor or District will provide the aide/attendant on a per case and availability basis. Attendants must always meet the approval of the District.

30. Filing of Bid Protests

Bidders may file a "protest" of a Bid with the District's Director of Transportation. In order for a Bidder's protest to be considered valid, the protest must:

- a. Be filed in writing within five (5) days (M-F) of notification of award recommendation;
- b. Clearly identify the specific irregularity or accusation
- c. Clearly identify the specific District staff determination or recommendation being protested



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- d. Specify, in detail, the grounds of the protest and the facts supporting the protest, and
- e. Include all relevant, supporting documentation with the protest at the time of filing.

If the protest does not comply with each of these requirements, it will be rejected as invalid.

If the protest is valid, the District's Director of Transportation, or other designated District staff member, shall review the basis of the protest and all relevant information. The Director of Transportation will provide a written decision to the protester. The protester may then appeal the decision of the Director of Transportation to the District's Chief Business Official.



Bid Form

The undersigned hereby proposes and agrees to furnish, and deliver the goods and services in accordance with the terms, conditions, specifications and prices herein quoted.

Corporate Seal
(if a corporation)

Legal name Company or Corporation

Signature of Company's Authorized Agent

Type or Print Agent's Name

Title

Address

Telephone

Date

E-Mail Address

Company Website

References: (List the name, address, phone, & email of a minimum of three (3) school districts to which the bidder currently provides similar services). Use an additional sheet of paper if necessary.

Reference 1	Reference 2	Reference 3



BID FORM (CONTINUED)

Please Note: Please read complete bid documents for all terms and conditions that will apply to contracts awarded. Included in terms and conditions are:

- Flat Trip Rate price to include ALL costs for each trip including start from and return to vendor's facility School Site.
- District to pay \$90 per additional hour, billable in at quarter hour increments, should trip exceed contracted duration
- Award will be made to responsive bidders in the order beginning with lowest cost per trip BY LINE ITEM and proceeding upward (greater cost).
- Vendors may provide bids on line items that include the passenger number range that matches the maximum passenger capacity of their company's buses only.
- Trips will be scheduled using awarded vendor's bid pricing in any combination of buses and vendors that will result in the lowest cost for each specific trip.

Item No.	52 - 84 Maximum Passenger School Bus Service	Pre Trip Rate Per Bus
1	Flat Rate for up to 2 Hours (San Diego County)	\$
2	Flat Rate for 2-6 Hours (San Diego County)	\$
3	Flat Rate for 6-12 Hours (San Diego County)	\$
4	Flat Rate for 6-12 Hours (Orange and Riverside County)	\$
5	Flat Rate for 6-12 Hours (LA County)	\$
6	Flat Rate for 6-12 Hours (Ventura County)	\$
7	Flat Rate for 12-16 Hours (San Diego County)	\$
8	Flat Rate for 12-16 Hours (Orange and Riverside Counties)	\$
9	Flat Rate for 12-16 Hours (LA County)	\$
10	Flat Rate for 12-16 Hour (Ventura County)	\$



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Item No.	52 - 84 Maximum Passenger Coach Bus Service	Pre Trip Rate Per Bus
1	Flat Rate for up to 2 Hours (San Diego County)	\$
2	Flat Rate for 2-6 Hours (San Diego County)	\$
3	Flat Rate for 6-12 Hours (San Diego County)	\$
4	Flat Rate for 6-12 Hours (Orange and Riverside County)	\$
5	Flat Rate for 6-12 Hours (LA County)	\$
6	Flat Rate for 6-12 Hours (Ventura County)	\$
7	Flat Rate for 12-16 Hours (San Diego County)	\$
8	Flat Rate for 12-16 Hours (Orange and Riverside Counties)	\$
9	Flat Rate for 12-16 Hours (LA County)	\$
10	Flat Rate for 12-16 Hour (Ventura County)	\$

Submitted by:

Legal Name of Company or Corporation

Signature of Company's Authorized Agent

Type or Print Agent's Name

Title



Amenities

All Bidders: Please note that you must submit this page with your bid

Please indicate equipment available in bidder passenger coach/school bus category (categories) by checking the appropriate boxes that follow:

Coach Bus Service Capacity (Maximum number of passengers)	High Back Seats (Yes or No)	Restroom(s) (Yes or No and indicate # of restrooms as well)	Underneath Storage Bays (Yes or No)	DVD or other Video Player (Describe type of playback system)
Coach Bus Service Capacity (Maximum number of passengers)	High Back Seats (Yes or No)	Restroom(s) (Yes or No and indicate # of restrooms as well)	Underneath Storage Bays (Yes or No)	DVD or other Video Player (Describe type of playback system)

Submitted by:

 Legal Name of Company or Corporation

 Signature of Company's Authorized Agent

 Type or Print Agent's Name

 Title



Equipment List

Please indicate any specialized equipment (buses that accommodate handicapped riders, car seats as required for small children, etc.) that your company can provide.

Vehicle No.	Year and Make/Brand	Model	VIN	License No.	Passenger Max. Capacity (Inc. Driver)	Last CHP Inspection Date

Submitted by:

Legal Name of Company or Corporation

Signature of Company's Authorized Agent

Type or Print Agent's Name

Title



Driver List

Name	California DL No.	Date Hired	License Expiration Date	Commercial Medical Certificate Expiration

Submitted by:

Legal Name of Company or Corporation

Signature of Company's Authorized Agent

Type or Print Agent's Name

Title



Certification of Criminal Records Check

To the Board of Education of the San Ysidro School District:

I, _____ (name of Contractor's authorized representative) certify that:

1. I have carefully read and understand California Education Code Section 45125.1 required by the passage of AB 1610, 1612, and 2102. See the following internet site to review code: <http://www.leginfo.ca.gov/calaw.html>
2. Due to the nature of the work _____ will be performing for the District; company employees may have contact with students of the District.
3. None of the employees who will be performing the work have been convicted of a violent or serious felony as defined in the Notice and in Penal Code Section 1192.7 and this determination was made by a fingerprint check through the Department of Justice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California on _____ (date).

Signature

Typed or Printed Name

Title

Company Name

Address

Telephone

E-Mail Address



Agreement

Student Charter Bus Transportation Services

This Agreement is entered into by and between the San Ysidro School District, hereinafter referred to as "District," and _____, hereinafter referred to as "Contractor."

In consideration of the promises and mutual covenants contained herein, it is agreed between the parties as follows:

1. Terms

The initial term of this Agreement shall be one year, beginning from the date of contract commencement after award with four additional one-year terms at the District's discretion. All indemnification provisions contained in the Agreement shall survive beyond the expiration of the Agreement.

2. Work

Contractor shall perform and render all services as prescribed and required by the Notice to Bidders, Information for Bidders, Contract Specifications, Bid Form, and all documents forming a part of the bid package and any other documents signed by both parties relating to the subject matter of the Agreement, all of which are incorporated by reference as though set forth in full herein.

3. Non-Funding

Notwithstanding any provision to the contrary, if for any fiscal year of this Agreement the Board of Trustees for any reason fails to appropriate or allocate funds for future payments under this Agreement, the District shall not be obligated to pay the balance of funds remaining unpaid beyond the fiscal period for which funds have been appropriated and allocated.



4. Termination

This Agreement may be terminated by the District without cause upon thirty (30) days written notice to the Contractor. The District's right to terminate under this paragraph shall be in addition to any other rights reserved to District under this contract.

5. Contract Documents

This Agreement shall include the terms and conditions specified in the Notice to Bidders, Information for Bidders, Contract Specifications, Bid Form, and all documents forming a part of the bid package, and any other documents signed by both parties relating to the subject matter of the Agreement, all of which are incorporated by reference as though set forth in full herein.

This document constitutes the entire agreement between the parties. There are no understandings, agreements, or representations not specified in this Agreement. Contractor, by execution of this Agreement, acknowledges Contractor has read the Agreement, understands it, and agrees to be bound by its terms and conditions.

In Witness Whereof, the parties have caused this Agreement to be executed on their behalf by their fully authorized representatives.

Contractor
 Company Name _____

San Ysidro School District

Signature _____

Signature _____

Name _____
 Typed or Printed

Name Marilyn Adrianzen

Title _____

Title Chief Business Offical

Date _____

Date _____

Email _____



Insurance

In accordance with paragraph 14 and 15, the following coverage and proof thereof must be provided prior to commencing any services.

- Commercial General Liability Insurance**
Limits of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage and:
 - Endorsement naming the District and its officers, agents and employees as additional insureds
 - Endorsement stating, "Such insurance as is afforded by this policy shall be primary, and any insurance carried by District shall be excess and noncontributory"
- Perils of molestation, sexual misconduct, or allegations of sexual abuse**
Limits of One Million Dollars (\$1,000,000) per occurrence
- Automobile liability covers "any auto" (and/or non-owned)**
Limits of Five Million Dollars (\$5,000,000) per occurrence combined single limit for bodily injury and property damage
- Worker's Compensation Insurance**

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Information Management Systems
Todd Lewis, Director

Informational
 Action

AGENDA ITEM: PURCHASE OF DELL OPTIPLEX 7490 AIO TECHNOLOGY EQUIPMENT

BACKGROUND INFORMATION:

The District currently has approximately 28 Windows computers in service that are over 10 years old, very slow and end of life. In addition, the District also has approximately 2020 Lenovo Windows computers across the District which were purchased in 2016. In order to begin a scheduled rotation of aging devices the District has requested a quote for 62 Dell OptiPlex 7490 Windows 11 Computers with 23.8" screens, and built-in speakers and web cameras to replace current devices that are in use.

RECOMMENDATION:

Approve the purchase of 62 Dell OptiPlex technology equipment in the amount of \$58,773.60 from the General Obligation Bond fund.

LCAP GOAL AND ACTION/SERVICE:

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

(Amount)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No



A quote for your consideration

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	3000112930536.1	Sales Rep	JP URQUIDEZ
Total	\$58,773.60	Phone	(800) 456-3355, 18009993355
Customer #	45568226	Email	Jp_Urquidez@Dell.com
Quoted On	Feb. 22, 2022	Billing To	ARACELI FELIX
Expires by	Mar. 24, 2022		SAN YSIDRO SCHOOL DISTRICT
Contract Name	Dell NASPO Computer Equipment PA - California		4350 OTAY MESA RD
Contract Code	C000000181156		SAN YSIDRO, CA 92173-1617
Customer Agreement #	MNWNC-108/7157034003		
Solution ID	.		
Deal ID	23496191		

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
JP URQUIDEZ

Product	Unit Price	Quantity	Subtotal
OptiPlex 7490 AIO	\$875.99	62	\$54,311.38
Subtotal:			\$54,311.38
Shipping:			\$0.00
Environmental Fee:			\$310.00
Non-Taxable Amount:			\$1,044.08
Taxable Amount:			\$53,577.30
Estimated Tax:			\$4,152.22
Total:			\$58,773.60

OptiPlex 7490 AIO	\$875.99	Quantity 62	Subtotal \$54,311.38
Estimated delivery if purchased today: Apr. 13, 2022 Contract # C000000181156 Customer Agreement # MNWNC-108/7157034003			

Description	SKU	Unit Price	Quantity	Subtotal
NO RAID	817-BBBN	-	62	-
OptiPlex 7490 All-in-One XCTO	210-AYVV	-	62	-
Intel Core i5-10505 (6 Cores/12MB/12T/3.2GHz to 4.6GHz/65W); supports Windows 10/Linux	338-BZOV	-	62	-
Windows 11 Pro, English, French, Spanish	619-AQLP	-	62	-
No Microsoft Office License Included – 30 day Trial Offer Only	658-BCSB	-	62	-
Dell Data Protection Encryption Personal Digital Delivery	421-9984	-	62	-
Dell ProSupport for Software, Dell Data Protection Encryption Personal, 1 Year	954-3455	-	62	-
8GB (1x8GB) DDR4 Non-ECC Memory	370-AFWE	-	62	-
M.2 2230 256GB PCIe NVMe Class 35 Solid State Drive	400-BEUW	-	62	-
Thermal Pad	412-AALV	-	62	-
Screw for M.2 SATA SSD	773-BBBJ	-	62	-
No Additional Hard Drive	401-AADF	-	62	-
Intel Integrated Graphics	490-BBFG	-	62	-
7490 AIO 23.8" FHD 1920x1080 WVA Non-Touch Anti-Glare, Camera, Integrated Graphics, Bronze 160w Power Supply	329-BFNP	-	62	-
System Power Cord (Philippine/TH/US)	450-AAOJ	-	62	-
Intel Wi-Fi 6 AX201, Dual-band 2x2 802.11ax with MU-MIMO + Bluetooth 5.1	555-BFQU	-	62	-
Screw for M.2 SATA SSD	555-BGOI	-	62	-
Wireless Driver, Intel AX201	555-BGOV	-	62	-
OptiPlex All-in-One DVD+/-RW enclosed in Height Adjustable Stand, All-in-One	575-BBRE	-	62	-
No Additional Cable	379-BBCY	-	62	-
No Keyboard Selected	580-AABG	-	62	-
Dell Optical Mouse - MS116 (Black)	570-ABIE	-	62	-
No Cable Cover	325-BCZQ	-	62	-
Not selected in this configuration	817-BBBC	-	62	-
SupportAssist	525-BBCL	-	62	-
Dell(TM) Digital Delivery Cirrus Client	640-BBLW	-	62	-
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	658-BBMR	-	62	-
Waves Maxx Audio	658-BBRB	-	62	-
Dell SupportAssist OS Recovery Tool	658-BEOK	-	62	-
Dell Optimizer	658-BEQP	-	62	-
Windows PKID Label	658-BFDQ	-	62	-
Non-Touch LCD, Dell OptiPlex AIO	391-BBDM	-	62	-
OS-Windows Media Not Included	620-AALW	-	62	-

ENERGY STAR Qualified	387-BBLW	-	62	-
SERI Guide (ENG/FR/Multi)	340-AGIK	-	62	-
Dell Watchdog Timer	379-BEKU	-	62	-
Quick Setup Guide 7490	340-CVFN	-	62	-
US Order	332-1286	-	62	-
No UPC Label	389-BCGW	-	62	-
Trusted Platform Module (Discrete TPM Enabled)	329-BBJL	-	62	-
Shipping Material for Badger Stand OptiPlex AIO	340-CRIE	-	62	-
Multi-Pack Ship, 4 Systems, Tower	389-BBUU	-	62	-
FCC statement label AIO	389-DVDQ	-	62	-
Regulatory Label for OptiPlex 7490 AiO integrated graphics config (FSJ)	389-DZDM	-	62	-
Intel Core i5 vPro Processor Label	340-CPOY	-	62	-
Desktop BTO Standard shipment	800-BBIO	-	62	-
No Anti-Virus Software	650-AAAM	-	62	-
Custom Configuration	817-BBBB	-	62	-
Intel vPro Technology Enabled	631-ACWB	-	62	-
No AutoPilot	340-CKSZ	-	62	-
No External ODD	429-ABGY	-	62	-
EPEAT 2018 Registered (Silver)	379-BDTO	-	62	-
Dell Limited Hardware Warranty Plus Service	997-6870	-	62	-
Onsite/In-Home Service After Remote Diagnosis 3 Years	997-6872	-	62	-

Subtotal:	\$54,311.38
Shipping:	\$0.00
Environmental Fee:	\$310.00
Estimated Tax:	\$4,152.22
Total:	\$58,773.60

Important Notes

Terms of Sale

This Quote will, if Customer issues a purchase order for the quoted items that is accepted by Supplier, constitute a contract between the entity issuing this Quote ("Supplier") and the entity to whom this Quote was issued ("Customer"). Unless otherwise stated herein, pricing is valid for thirty days from the date of this Quote. All product, pricing and other information is based on the latest information available and is subject to change. Supplier reserves the right to cancel this Quote and Customer purchase orders arising from pricing errors. Taxes and/or freight charges listed on this Quote are only estimates. The final amounts shall be stated on the relevant invoice. Additional freight charges will be applied if Customer requests expedited shipping. Please indicate any tax exemption status on your purchase order and send your tax exemption certificate to Tax_Department@dell.com or ARSalesTax@emc.com, as applicable.

Governing Terms: This Quote is subject to: (a) a separate written agreement between Customer or Customer's affiliate and Supplier or a Supplier's affiliate to the extent that it expressly applies to the products and/or services in this Quote or, to the extent there is no such agreement, to the applicable set of Dell's Terms of Sale (available at www.dell.com/terms or www.dell.com/oemterms), or for cloud/as-a-Service offerings, the applicable cloud terms of service (identified on the Offer Specific Terms referenced below); and (b) the terms referenced herein (collectively, the "Governing Terms"). Different Governing Terms may apply to different products and services on this Quote. The Governing Terms apply to the exclusion of all terms and conditions incorporated in or referred to in any documentation submitted by Customer to Supplier.

Supplier Software Licenses and Services Descriptions: Customer's use of any Supplier software is subject to the license terms accompanying the software, or in the absence of accompanying terms, the applicable terms posted on www.Dell.com/eula. Descriptions and terms for Supplier-branded standard services are stated at www.dell.com/servicecontracts/global or for certain infrastructure products at www.dellemc.com/en-us/customer-services/product-warranty-and-service-descriptions.htm.

Offer-Specific, Third Party and Program Specific Terms: Customer's use of third-party software is subject to the license terms that accompany the software. Certain Supplier-branded and third-party products and services listed on this Quote are subject to additional, specific terms stated on www.dell.com/offeringspecificterms ("Offer Specific Terms").

In case of Resale only: Should Customer procure any products or services for resale, whether on standalone basis or as part of a solution, Customer shall include the applicable software license terms, services terms, and/or offer-specific terms in a written agreement with the end-user and provide written evidence of doing so upon receipt of request from Supplier.

In case of Financing only: If Customer intends to enter into a financing arrangement ("Financing Agreement") for the products and/or services on this Quote with Dell Financial Services LLC or other funding source pre-approved by Supplier ("FS"), Customer may issue its purchase order to Supplier or to FS. If issued to FS, Supplier will fulfill and invoice FS upon confirmation that: (a) FS intends to enter into a Financing Agreement with Customer for this order; and (b) FS agrees to procure these items from Supplier. Notwithstanding the Financing Agreement, Customer's use (and Customer's resale of and the end-user's use) of these items in the order is subject to the applicable governing agreement between Customer and Supplier, except that title shall transfer from Supplier to FS instead of to Customer. If FS notifies Supplier after shipment that Customer is no longer pursuing a Financing Agreement for these items, or if Customer fails to enter into such Financing Agreement within 120 days after shipment by Supplier, Customer shall promptly pay the Supplier invoice amounts directly to Supplier.

Customer represents that this transaction does not involve: (a) use of U.S. Government funds; (b) use by or resale to the U.S. Government; or (c) maintenance and support of the product(s) listed in this document within classified spaces. Customer further represents that this transaction does not require Supplier's compliance with any statute, regulation or information technology standard applicable to a U.S. Government procurement.

For certain products shipped to end users in California, a State Environmental Fee will be applied to Customer's invoice. Supplier encourages customers to dispose of electronic equipment properly.

Electronically linked terms and descriptions are available in hard copy upon request.

**SAN YSIDRO SCHOOL DISTRICT
GOVERNING BOARD AGENDA**

TO: Governing Board

BOARD MEETING DATE: March 10, 2022

VIA: Gina A. Potter, Ed.D.
Superintendent

FROM:
Educational Services Informational
Cynthia Gonzalez, Executive Director Action

AGENDA ITEM: DISPOSAL OF RECORDS BEYOND LEGAL RETENTION PERIOD –
EDUCATIONAL SERVICES

BACKGROUND INFORMATION:

The list of documents below is considered to be Class 3 (Disposable Records – required retention period and procedures for destruction or transfer of records as specified in the California Code of Regulations Code Section 16025). These records have been retained beyond the legal period as listed on the Records Retention Manual. Also, per Education Code 60530, schools may dispose of unusable surplus or undistributed obsolete instructional materials.

There is no further need to retain these records and instructional materials for use in the district and they will be destroyed through *Corodata*. Documents listed are dated from 2011 to 2017:

- Initial Test Results Forms
- STAR State Testing Information
- Reclassification Forms
- CAASPP State Testing Information
- CELDT results
- Language Assessment Scale Tests
- Physical Fitness Test Information
- Copies of old student registration forms
- Special Education Reports/contracts
- Duplicated Sp. Ed. documents/IEPs

RECOMMENDATION:

Approve the destruction of documents related to the Educational Services Department as listed above and dated from 2011 to 2017.

LCAP GOAL AND ACTION/SERVICE:

N/A

Renewal New Amendment Ratify Other

Financial Implications?

Are funds for this item available in the 2021-2022 Budget?

Requisition #

Yes No

Yes No

(Amount)

(Name of funding source and/or location)

Recommended for: Approval Denial Certification Requested Yes No