



EdenAreaROP

GOVERNING BOARD MEETING AGENDA

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

Thursday, February 5, 2026
5:45 pm

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

Vision: Our vision is to embody our Core Values, leveraging our trained skills and knowledge to become visionary leaders in our careers and inspire social and economic growth in our communities.

Core Values: We believe in the Eden Area ROP! Equitable, Accessible, Restorative, Outcomes, Professional

GOVERNING BOARD MEMBERS

Juan Campos, President

Sara E. Raymond, Member

Zachary Borja, Member

Austin Bruckner Carrillo, Member

Jeffery Arthur, Student Board Member

Sophia Castellanos, Student Board Member

San Lorenzo Unified School District

Castro Valley Unified School District

San Leandro Unified School District

Hayward Unified School District

Eden Area ROP

Eden Area ROP



Regular Meeting of the ROP Governing Board

Date: Thursday, February 5, 2026
Time: 5:45 p.m.
In-Person (limited seating): Eden Area ROP Board Room (Building A), 26316 Hesperian Blvd., Hayward, CA 94545
Virtual via Zoom: <https://zoom.us/j/98353230547>

Public Comment Instructions:

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

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

Once called on, speakers are requested to begin by stating their name, and whether the statement is being made as an individual or as a representative of an organization.

Public Comment if attending in-person:

Individuals who would like to address the Board in person must complete a "Request to Address ROP Governing Board" card, available at the entrance to the meeting room, and submit it to the Governing Board's President prior to the start of the agenda item. Once called on, speakers are requested to go to the podium.

Public Comment if attending via Zoom (video or phone):

- **By video conference:** Use the "Raise Hand" button to request to speak when Public Comment is being taken on the eligible agenda item. Instructions on how to "Raise Your Hand" are available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>. Speakers via Zoom should also ensure that your name matches your Zoom profile name. You will be unmuted during your turn and re-muted once your comment is complete.
- **By phone:** You will be prompted to "Raise Your Hand" by pressing *9 to request to speak when Public Comment is being taken on the eligible agenda item. Instructions on how to "Raise Your Hand" by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663-Joining-a-meeting-by-phone>. You will be unmuted during your turn and re-muted once your comment is complete.

AGENDA

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

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

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

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

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

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

The Board welcomes and encourages public comment on items listed on the agenda or within the Board's jurisdiction. We ask that all speakers engage respectfully and honor one another's points of view.

Public Comment Instructions

When it is your turn to speak:

- Your name will be called.
- You will either be unmuted (if joining virtually or by phone) or asked to come forward (if attending in person).
- Please begin by stating your name and whether you are speaking as an individual or on behalf of an organization.
- Each speaker is allowed up to three (3) minutes, unless the Board decides otherwise.
- This meeting is recorded for the official minutes.

If You Are Attending in Person

- Fill out a **"Request to Address Eden Area ROP Governing Board" card** at the entrance.
- Turn it in to the Governing Board President before the agenda item begins.
- When called, please come to the podium to make your comment.

If You Are Joining by Zoom (Computer or Device)

- Use the **"Raise Hand" feature** under "Participants" when the item you wish to comment on is called.
- Please ensure that your name matches your Zoom profile name.
- After your comment, your microphone will be muted again.

If You Are Joining by Phone through Zoom

- Press ***9** on your phone keypad to "Raise Your Hand" when the agenda item is called.
- You will be unmuted when it is your turn to speak.
- After your time has ended, your line will be re-muted.

IX. Student of the Month

- A. Presentation of ROP Student of the Month Awards (page 6)

X. Consent Calendar

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

- A. Request the Governing Board approve the Minutes of the Regular Governing Board Meeting of December 11, 2025 (pages 8-17)
- B. Request the Governing Board approve the Bill Warrants (pages 18-30)
- C. Request the Governing Board approve the Personnel Action Items (pages 31-32)
- D. Request the Governing Board approve the Quarterly Report on Williams Act Complaints and Resolutions (pages 33-34)
- E. Request the Governing Board approve the Listed Donations-A Paratransit Corp (page 35)
- F. Request the Governing Board approve the Listed Donations-Ambries Pichon (page 36)
- G. Request the Governing Board approve the Listed Donations-H & J Diaz Family Foundation (page 37)
- H. Request the Governing Board approve the Budget Development Calendar for the 2026-2027 School Year (pages 38-39)
- I. Request the Governing Board approve the Receipt of the Grant Award Notifications (GAN): K12 Strong Workforce Program (SWP) Round 8 CTE Summer Summit (pages 40-41)
- J. Request the Governing Board approve the Agreement with American Fidelity to Provide Section 125 Flexible Benefit Plan Services for the 2026 Calendar Year (pages 42-77)
- K. Request the Governing Board approve the Amendment to the MOU with the Public Health Institute/FACES for the Future Coalition for Health Career Training & Work-Based Learning, Academic Support, Wellness Services, and Youth Leadership Development for the 2025-2026 School Year (pages 78-80)
- L. Request the Governing Board approve the Second Amendment Agreement with Mark Miller for Construction Manager Consultation Services from October 1, 2024 through June 30, 2026 (pages 81-86)

XI. Information Items

- A. ROP Pathway Reviews-Entrepreneurship/Self Employment and Marketing (pages 88-90)
- B. Sophomore Presentation Update (page 91)
- C. Midyear Review of the Superintendent's Goals (pages 92-93)
- D. Student Training and Employment Program (STEP) Grant Overview (page 94)
- E. First Reading of Governing Board Policies, Administrative Regulations, and Exhibits (pages 95-136)

XII. Action Items

- A. Request the Governing Board approve the Annual Independent Auditor's Report for the Fiscal Year Ending June 30, 2025 (pages 138)
- B. Request the Governing Board approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, Board Bylaws, and Exhibits (pages 139-169)
- C. Request the Governing Board approve the Adoption of Resolution 5-25/26: Career Technical Education Month (February) (pages 170-172)
- D. Request the Governing Board approve the Middle College Site Administrator Position and Job Description (pages 173-176)
- E. Request the Governing Board approve the Revised Salary Schedules (Chart 4)(pages 177-178)
- F. Request the Governing Board approve the Governing Board Reorganization (page 179)

XIII. Communications

- A. Letter from the Alameda County Office of Education regarding the First Interim (page 181)

XIV. Student Board Member Reports

XV. Superintendent's Report

XVI. Governing Board Reports

XVII. Recess to Closed Session

- A. Public Employee Discipline/Dismissal/Release
Government Code 54957

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

- A. Public Employee Discipline/Dismissal/Release
Government Code 54957

XIX. Adjournment

STUDENT OF THE MONTH



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Presentation of ROP Student of the Month Awards

BACKGROUND

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

CURRENT SITUATION

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

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

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Jonathan Olivares-Torralba	Hayward	Entrepreneurship	Goldin
Maria Del Muro	Arroyo	Marketing Economics	Charlton
Gabriela Ruiz	Tennyson	Entrepreneurship	Fuller
Adelaide Wilhelm	Castro Valley	Marketing Economics	Thompson
Daniel Vazquez	San Leandro	Marketing Economics	Jagroop
Haas'yana Johnson	Mt. Eden	Entrepreneurship	Rosas

RECOMMENDATION

Information only

CONSENT CALENDAR



**Minutes of the Regular Meeting of the ROP Governing Board
December 11, 2025**

I. Call to Order

Trustee Juan Campos, Board President, called the meeting to order at 5:48 p.m. on Thursday, December 11, 2025, in the Boardroom, at the Eden Area Regional Occupational Program located at 26316 Hesperian Blvd., Hayward, CA 94545.

II. Roll Call

Eden Area ROP Governing Board Members Present:

Juan Campos, President	San Lorenzo USD
Sara E. Raymond, Vice President	Castro Valley USD
Austin Bruckner Carrillo, Member	Hayward USD
Zachary Borja, Member	San Leandro USD

Eden Area ROP Superintendent/Clerk of the Board Present:

Blaine Torpey

Eden Area ROP Administrators Present:

Laura Guajardo	Assistant Principal (Off-Site)
Mercedes Henderson	Human Resources Administrator
Craig Lang	Director of Adult Programs and Apprenticeships
Manuschka Michaud	Principal
Anthony Oum	Fiscal Services Administrator
Michelle Stephens	Assistant Principal (On-Site)

Eden Area ROP Staff Present:

Megan Bello	Merchandising Occupations Instructor
Gabriela Juarez	Executive Assistant
Edwin Kang	Cybersecurity Instructor
Jessica Laird	Career Counselor
Todd O'Leary	Automotive Technology Instructor

Others Present:

Students of the Month and their guests	
Gavin D'souza, Project Manager	Perkins Eastman
Heidi Kovalevsky, Planner	Perkins Eastman
Jeffery Arthur	Eden Area ROP student
Sophia Castellanos	Eden Area ROP student
Juan Flores	Eden Area ROP student

III. Approval of Agenda

Superintendent Blaine Torpey requested to pull the following information item from the Agenda:

- Item D: Student Training and Employment Program (STEP) Grant Overview

Trustee Sara Raymon moved to approve the agenda with the aforementioned amendment, Trustee Zachary Borja seconded the motion. By the following vote, the agenda was approved as amended:

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

IV. Pledge of Allegiance

Anthony Oum led the Pledge of Allegiance.

V. Vision Statement

Leonardo Ortiz Montano read the Eden Area ROP Vision Statement.

VI. Mission Statement

Keara Fajardo read the Eden Area ROP Mission Statement.

VII. Core Values

Blaine Torpey read the Eden Area ROP Core Values.

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

None.

IX. Student of the Month Awards

The following students were honored by their teachers, ROP Staff and the Governing Board as students of the month for December 2025:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Leonardo Ortiz Montano	Hayward	Automotive Technology	O'Leary
Mirana Abaskharon	Castro Valley	Merchandising	Bello
Derick Cortez Menendez	San Leandro	Cybersecurity	Kang
Keara Fajardo	Hayward	ZEV Technology	Villanueva

Jessica Laird, Career Counselor, introduced the instructors, who presented their students to the Governing Board. A framed certificate of achievement was delivered to each student. Each student was given an opportunity to introduce their family and say a few words.

X. Consent Calendar

As part of the Consent Calendar approval, Trustee Austin Bruckner Carrillo requested that Consent Calendar Items C and F be pulled for separate consideration, as he had questions regarding those items. In addition, Superintendent Blaine Torpey pulled Consent Calendar Item E from consideration; therefore, Item E was not voted on.

Trustee Zachary Borja moved to approve the Consent Calendar Items as amended, excluding Items C, E, and F:

- A. Minutes of the Regular Governing Board Meeting of November 6, 2025
- B. Bill Warrants
- C. ~~Personnel Action Items~~

- D. Listed Donations-Collision Education Foundation/Hearst Corporation
- E. ~~Disposal of Obsolete or Surplus Items~~
- F. ~~MOU with the JPA Member Districts for a Career Technical Education Incentive Grant (CTEIG) Program Consortium for the 2025-2027 School Years~~

Trustee Sara Raymond seconded the motion. By the following vote, the consent calendar was approved as amended:

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

C. Request the Governing Board approve the Personnel Action Items

During consideration of Consent Calendar Item C (Personnel Action Items), Trustee Austin Bruckner Carrillo asked whether the Eden Area ROP collects information regarding employee resignations, including where departing staff may be employed next, and whether such information could be provided to the Board in a future report. Superintendent Blaine Torpey responded that the Eden Area ROP does collect this information, though it has not historically been shared with the Board, and noted that staff could consider incorporating this into practice moving forward.

Upon review of and a motion by Trustee Austin Bruckner Carrillo and a second by Sara Raymond Trustee the Governing Board approved the Personnel Action Items.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

F. Request the Governing Board approve the MOU with the JPA Member Districts for a Career Technical Education Incentive Grant (CTEIG) Program Consortium for the 2025-2027 School Years

During consideration of Consent Calendar Item F, Trustee Austin Bruckner Carrillo asked for clarification regarding the approval process for the MOU, specifically whether the Board's action authorized the Superintendent Torpey's signature and whether the agreement would then return to the partner school districts. Superintendent Blaine Torpey confirmed that Board approval authorized his signature and explained that the agreement had already been shared with the partner districts for their superintendent authorizations, codifying the Eden Area ROP's role as part of a consortium.

Upon review of and a motion by Trustee Austin Bruckner Carrillo and a second by Trustee Zachary Borja the Governing Board approved the MOU with the JPA Member Districts for a Career Technical Education Incentive Grant (CTEIG) Program Consortium for the 2025-2027 school years.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

XI. Information Items

A. Facilities Master Plan

Superintendent Blaine Torpey introduced Perkins Eastman staff Heidi Kovalevsky and Gavin D'souza, who presented the Eden Area ROP Facilities Master Plan. Superintendent Torpey explained that following the passage of Proposition 2 and the availability of Career Technical Education facilities funding, a five year facilities master plan is required for Joint Powers Authority ROPs. He noted that Eden Area ROP is ahead of schedule in completing this work and expressed appreciation for Perkins Eastman's collaborative approach.

Perkins Eastman staff provided an overview of the planning process, key findings, and recommended project priorities. The team reported that work began in June 2025 and was completed through a three phase approach that included visioning and stakeholder engagement, campus assessment, and prioritization of facility needs.

The presenters shared that engagement included workshops, leadership discussions, and surveys with strong participation, including 594 student survey responses. Key themes identified across stakeholder groups included modernization of learning environments, infrastructure needs, health and safety, campus experience and community spaces, and capacity and program support.

Perkins Eastman reported that the campus is operating at nearly full utilization, indicating demand exceeds available instructional space. An educational adequacy assessment resulted in an overall score of 41 percent, with particular deficiencies noted in the lack of assembly or large gathering space. The facilities condition analysis found many buildings and systems rated poor or deficient, with most campus structures over 60 years old and originally designed for elementary school use. Specialty program spaces were noted as often undersized for current Career Technical Education needs.

Recommendations were organized into priority areas including modernization of instructional spaces, ensuring reliable infrastructure, improving outdoor areas, enhancing safety and accessibility, and creating flexible multi use spaces. Project types were outlined as targeted repairs, modernization, new construction, and expansion or additions. Cost ranges were presented, with targeted projects estimated at approximately \$42 million, modernization at approximately \$41 million, and full new construction at approximately \$120 million. Additional considerations included coordination with the property owner, Hayward Unified School District, and the likelihood of added costs for code compliance, ADA upgrades, and structural requirements due to the age of the campus.

Trustee Austin Bruckner Carrillo asked whether expansion could include relocating to a nearby vacant school site or developing a satellite campus. Perkins Eastman responded that the master plan focused on the current leased facility and did not evaluate relocation options. Superintendent Torpey added that the master plan is intended as a first step to guide priorities at the existing site, and that off-site expansion could be considered in future planning.

Trustee Sara Raymond commended the thoroughness of the facilities assessment and noted the importance of gathering space in fostering student community and belonging.

Trustee Zachary Borja asked how the 41 percent adequacy score compares to other campuses. Perkins Eastman indicated that the score places the campus in the poor

range, with newer campuses typically scoring closer to 80 percent. Trustee Borja also discussed current maintenance funding levels and the need to plan for increasing costs as building systems age.

Trustee Juan Campos expressed appreciation for the survey participation and raised concerns about the number of facilities rated deficient. He asked whether recently upgraded spaces showed differences compared to aging buildings. Perkins Eastman explained that while upgraded program spaces include strong equipment, modernization often triggers hidden infrastructure and electrical limitations.

Trustee Carrillo asked how Hayward Unified School District could be a stronger partner in addressing facility needs. Perkins Eastman recommended more frequent coordination and structured communication between facilities teams, along with improved information sharing.

The Board thanked Perkins Eastman for the presentation and the completion of the Facilities Master Plan.

B. Fall Advisory Committee Meetings

Laura Guajardo, Assistant Principal (Off-Site), presented an overview of the Fall Advisory Committee meetings held at Eden Area ROP on November 14. She reported that the event brought together Career Technical Education instructors, community and business representatives, administrators from partner school districts, and student ambassadors.

Ms. Guajardo explained that advisory committees are organized by pathway and provide guidance and recommendations to support Eden Area ROP Career Technical Education programs. Advisory members serve as industry liaisons, helping ensure that programs align with workforce needs and that students are prepared for careers in their chosen fields. Advisory committees meet formally twice each year, in the fall and spring.

She noted that this year a new discussion topic was added related to artificial intelligence and its impact on industry sectors. Advisory participants shared both opportunities and concerns regarding AI, including its influence on critical thinking, its role in healthcare decision making, its effect on creative industries and billing practices, and the importance of accuracy in legal and public safety applications.

Ms. Guajardo reported strong participation, with more than 140 individuals in attendance, including advisors, instructors, administrators, support staff, partners from Chabot College, and student ambassadors. The meetings were held across 19 sessions representing various career pathways, with some pathways combined for discussion.

She announced that the Spring Advisory Committee meeting will be held virtually on April 22 from 5:30 p.m. to 7:00 p.m., where findings from the fall meetings will be reviewed and discussed further.

C. English Language Learner (ELL) College and Career Day

Laura Guajardo, Assistant Principal (Off-Site), presented information on the English Language Learner (ELL) College and Career Day held on November 6 in partnership with Chabot College and Eden Area ROP. Mrs. Guajardo explained that the event was designed to support and elevate English language learners across Eden Area ROP's partner districts, including Castro Valley, Hayward, San Leandro, and San Lorenzo. The

purpose of the event was to empower students, particularly newcomers, by providing meaningful opportunities to explore future college and career pathways.

Ms. Guajardo reported that this was the first event of its kind for newcomer English language learners and was developed in collaboration with Chabot College. A total of 170 students attended. The day included welcoming activities at the Chabot College Event Center, encouragement from the Chabot College ESL Department, and a student panel where college students shared their educational journeys. Students participated in guided campus tours led by Chabot student volunteers, visiting instructional areas such as child education, medical programs, and welding. Students later returned for lunch before traveling to Eden Area ROP for additional tours and interactive experiences led by student ambassadors, instructors, and current students.

Ms. Guajardo shared that participants provided feedback through surveys, with overall satisfaction ratings largely in the four to five range on a five point scale. Students indicated the experience was helpful and inspiring. Survey results showed strong ratings for communication, activities, venues, and lunch. Staff noted that improvements will be made for future events, including consideration of additional language access beyond English and Spanish.

D. Student Training and Employment Program (STEP) Grant Overview

This item was pulled from the agenda.

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

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

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

NUMBER	TYPE	TITLE	STATUS
1000	BP	Concepts and Roles	Revise
1114	BP	District-Sponsored Social Media	Revise
1114	AR	District-Sponsored Social Media	Revise
2120	BP	Superintendent Recruitment and Selection	Revise
3311.3	AR	Design-Build Contracts	Revise
4000	BP	Concepts and Roles	Revise
5000	BP	Concepts and Roles	Revise
5020	BP	Parent Rights and Responsibilities	Revise
5020	AR	Parent Rights and Responsibilities	Revise
6143	BP	Courses of Study	Revise
7000	BP	Concepts and Roles	Revise
7131	BP	Relations with Local Agencies	Revise
9310	BB	Board Policies	Revise
9321	BB	Closed Session	Revise
9321	E(1)	Closed Session	Revise
9321	E(2)	Closed Session	Revise

During discussion, Trustees requested additional review of Board Policy 6143 and related policies to ensure alignment with partner district language and consistency across Eden Area ROP's participating school districts. Trustees expressed concerns regarding recent CSBA recommended revisions and emphasized the importance of maintaining legally compliant policy language that continues to support and protect all student populations. Superintendent Torpey stated that staff would consult with partner district educational services departments, provide comparative policy language as appropriate, and return with recommendations at the second reading.

The Governing Board received the first reading and provided direction for staff to incorporate the requested review prior to the second reading.

XII. Action Items

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

Upon review of and a motion by Trustee Austin Bruckner Carrillo and a second by Trustee Sara Raymond the Governing Board approved the second reading and adoption of Governing Board Policies, Administrative Regulations, and Board Bylaw.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

B. Request the Governing Board approve the 2025-2026 First Interim Report

Upon review of and a motion by Trustee Sara Raymond and a second by Trustee Austin Bruckner Carrillo the Governing Board approved the 2025-2026 First Interim Report.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

C. Request the Governing Board approve the Student Board Member Appointments

Upon review of and a motion by Trustee Sara Raymond and a second by Trustee Zachary Borja the Governing Board approved the Student Board Member appointments.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

D. Request the Governing Board approve the Human Resources Support Technician Position and Job Description

Upon review of and a motion by Trustee Sara Raymond and a second by Trustee Zachary Borja the Governing Board approved the Human Resources Support Technician position and job description.

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)

NOES: 0
ABSTENTIONS: 0
ABSENT: 0

E. Request the Governing Board approve the Revised Salary Schedules (Chart 1)

Upon review of and a motion by Trustee Sara Raymond and a second by Trustee Zachary Borja the Governing Board approved the Revised Salary Schedules (Chart 1).

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

F. Request the Governing Board approve the Facilities Master Plan

Trustee Austin Bruckner Carrillo proposed an amendment to Action Item F to authorize the Superintendent and Board President to provide Hayward Unified School District with a short list of recommendations and requests related to partnership opportunities within the Facilities Master Plan, including exploration of potential vacant school sites to supplement future needs.

Upon review and a motion by Trustee Austin Bruckner Carrillo and a second by Trustee Sara Raymond, the Governing Board approved the Facilities Master Plan as amended.

Board Member Vote:

AYES: 4 (Campos, Borja, Bruckner Carrillo, Raymond)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Student Board Member Preferential Vote:

AYES: 3 (Arthur, Castellanos, Flores)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

XIII. Superintendent's Report

Blaine Torpey, Superintendent, provided a report on recent activities and initiatives at Eden Area ROP. Superintendent Torpey shared that the past two months have been event filled and included major highlights such as the Fall Advisory Committee meetings and the English Language Learner College and Career Day.

Superintendent Torpey reported attending the CTE JPA Coalition meeting, where he met Dr. Mindy Parsons, the new Director of the College and Career Division at the California Department of Education. He noted her strong interest in partnering with the ROPs. He also attended the California School Boards Association Superintendent of Public Instruction Candidate Forum and shared that career technical education was a prominent topic of discussion.

Superintendent Torpey provided an update on the Middle College Steering Committee, stating that significant progress has been made toward developing the program structure with an anticipated start in Fall 2027. Committee members participated in site

visits to Skyline Middle College and Las Positas Middle College, and the Eden Area ROP Coordinating Council provided feedback on key components, including addressing differences in graduation requirements and supporting students in math and science coursework.

Superintendent Torpey highlighted recent program accomplishments, including the Collision Repair Education Foundation (CREF) awarding the Eden Area ROP a \$10,000 grant for materials and supplies under the leadership of instructor, Daniel Pareja. He also shared that the Dental Assisting program instructor, Anissa Barrott, and her students, supported efforts to distribute 20,000 pounds of food to the community.

Superintendent Torpey noted several upcoming events, including the final sophomore tours, and encouraged board members to attend. He also shared updates aligned with organizational goals, including strategic partnerships, apprenticeship presentations supported by the Carpenters Union, staff training on immigration enforcement guidelines, and the submission of the CTE Facilities Program welding application. Superintendent Torpey stated that future Superintendent's Reports will include recognition of the Student of the Month.

During discussion, Trustee Austin Bruckner Carrillo suggested distributing a survey in advance of the February workshop to gather topics for board development and orientation. Superintendent Torpey shared that he is open to modifying the workshop structure to include governance review and opportunities for board members to engage in discussion on board practices.

XIV. Governing Board Reports

Sara Raymond, Castro Valley USD representative, shared remarks during the Governing Board reports. Trustee Raymond reported that she was recently appointed Board President in her home district and, as a result, will be stepping down from her role on the Eden Area ROP Governing Board. She expressed appreciation for the opportunity to serve, noted how much she has learned about Eden Area ROP, and commended the work being done to support students. Trustee Raymond shared her excitement about future initiatives, including the Facilities Master Plan, and stated she will continue to follow Eden Area ROP's progress. She also shared confidence in her successor, Dolly Adams, and thanked the Board and staff for their leadership and collaboration.

Zachary Borja, San Leandro USD representative, reported that he was appointed clerk in his home district and confirmed that he will continue serving on the Eden Area ROP Governing Board. Trustee Borja thanked Trustee Raymond for her contributions and shared appreciation for the positive and hopeful work of Eden Area ROP. He welcomed the newly appointed student board members and provided a brief update on a staff housing project underway in San Leandro Unified School District.

Austin Bruckner Carrillo, Hayward USD representative, expressed gratitude to Trustee Raymond for her service and partnership. Trustee Bruckner Carrillo shared personal appreciation for the collaborative relationship among the partner districts and noted the value Trustee Raymond has brought to the Board. He welcomed Dolly Adams as an incoming representative and highlighted the importance of continued engagement in regional governance and leadership efforts.

Juan Campos, San Lorenzo USD representative, thanked Trustee Raymond for her dedication and leadership during her time on the Board. Trustee Campos reflected on the strong partnerships among the districts and praised the day to day work of Eden Area ROP staff in transforming student outcomes. He noted the increasing demand for

Eden Area ROP programs and expressed continued support for the organization's mission and future success.

XV. Adjournment

The meeting was adjourned at 9:00 pm in memory of:

- Joseph Manuel Aguilar, brother-in-law of Jennifer Aguilar, Administrative Assistant
- Emma Margaret Lee, aunt of Mercedes Henderson, Human Resource Administrator
- Mattie Loving, mother-in-law of Michelle Stephens, Assistant Principal (On-Site)
- Milka Rodriguez, mother of Mark Villanueva, ZEV Instructor

Approved by the Eden Area ROP Governing Board _____.

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



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Sabrina Ubhoff, Accounting Technician
SUBJECT: Request the Governing Board approve the Bill Warrants

CURRENT SITUATION

The bill warrants submitted for approval are for the period of December 1, 2025 through January 23, 2026 and include test warrant numbers and voided warrants.

CONSENT CALENDAR



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mercedes Henderson, Human Resources Administrator
SUBJECT: Request the Governing Board approve the Personnel Action Items

CURRENT SITUATION

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

CONSENT CALENDAR



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Quarterly Report on Williams Act Complaints and Resolutions

BACKGROUND

Education Code 35186 (d) requires the following:

A school district shall report summarized data on the nature and resolution of all complaints concerning deficiencies related to instructional materials, emergency or urgent facilities conditions and teacher vacancy or misassignment on a quarterly basis to the county superintendent of schools and the Governing Board of the school district. The summaries shall be publicly reported at a regularly scheduled meeting of the Governing Board of the school district. The report shall include the number of complaints with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records.

CURRENT SITUATION

Attached is a report for the complaints and resolutions through January 1, 2026 as specified by Education Code 35186 (d).

CONSENT CALENDAR



26316 Hesperian Blvd. Hayward, CA 94545 • (510) 293-2943 • www.edenrop.org

QUARTERLY REPORT ON WILLIAMS ACT COMPLAINTS

[Education Code 35186 (d)]

Report through: January 1, 2026

District: Eden Area Regional Occupational Program
 Person completing this form: Blaine Torpey
 Title: Superintendent

Quarterly Report Submission (check one) →
 Date: January 1, 2026

January
 April
 July
 October

Date for information to be reported publicly at the Governing Board meeting: February 5, 2026

Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Number of Complaints	Number of Resolved Complaints	Number of Unresolved Complaints
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Mis-assignment	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

Publicly reported at the Governing Board meeting on: February 5, 2026

Blaine Torpey, Superintendent



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal (On-Site)
SUBJECT: Request the Governing Board approve the Listed Donations-
A Paratransit Corp

BACKGROUND

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

CURRENT SITUATION

On January 21, 2026, A Paratransit Corp donated a 2006 Ford TX to the Automotive Technology program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal (On-Site)
SUBJECT: Request the Governing Board approve the Listed Donations-
Ambries Pichon

BACKGROUND

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

CURRENT SITUATION

On January 21, 2026, Ambries Pichon donated a 2011 Ford TX Hybrid to the Automotive Technology program.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board approve the Listed Donations-
H & J Diaz Family Foundation

BACKGROUND

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

CURRENT SITUATION

On January 23, 2026, H & J Diaz Family Foundation made a monetary donation of \$3,000.00 to the Eden Area ROP.

A letter of acceptance will be sent to the donor.

CONSENT CALENDAR



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board approve the Budget Development Calendar for the 2026-2027 School Year

BACKGROUND

The Eden Area ROP, as with all elementary and secondary educational institutions, must abide by Education Code 42127, including the responsibility to develop a budget calendar that shall guide the District through the fiscal year.

As a requirement of all Local Educational Agencies (LEAs), Eden Area ROP must adopt a budget by July 1st of each year. Per Education Code 42127, it states that county superintendents are required to examine the adopted budget for each school district to “determine whether it complies with standards and criteria adopted by the state board [and] shall identify, if necessary, technical corrections that are required to be made to bring the budget into compliance with those standards and criteria...” and to “determine whether the adopted budget will allow the school district to meet its financial obligations during the fiscal year and is consistent with a financial plan that will enable the school district to satisfy its multiyear financial commitments.” Furthermore, it states that the “county superintendent of schools shall either conditionally approve or disapprove a budget that does not provide adequate assurance that the school district will meet its current and future obligations...”

CURRENT SITUATION

Therefore, the Eden Area ROP is using Education Code 42127, applying the State's budget cycle, to guide the Budget Development Calendar for the 2026-2027 school year.

CONSENT CALENDAR

BUDGET DEVELOPMENT CALENDAR

Preparation for FY 2026-2027 Budget (in progress during the 2025-2026 School Year)

PHASE I	
Thursday, September 4, 2025	Board approves 2024-2025 Unaudited Actuals Report
Monday, September 15, 2025	Submit 2024-2025 Unaudited Actuals Report and supplementals to ACOE
Thursday, December 11, 2025	Board approves 2025-2026 First Interim Report
Monday, December 15, 2025	Submit 2025-2026 First Interim Report and supplementals to ACOE
Tuesday, January 20, 2026	School Services of California - Governor's Budget Workshop in Sacramento
Friday, January 30, 2026	Define budget priorities
Thursday, February 5, 2026	Board approves the budget development calendar for FY 2026-2027
Monday, February 2, 2026	Intent to return letter sent to staff
Friday, February 13, 2026	Intent to return letters due back to Human Resources
Thursday, March 5, 2026	Board approves 2025-2026 Second Interim Report
Wednesday, March 11, 2026	Step & column and professional growth calculated by HR Administrator
Friday, March 13, 2026	Submit 2025-2026 Second Interim Report and supplementals to ACOE
Wednesday, March 18, 2026	2025-2026 Business Services FYE Calendar distributed
Tuesday, March 31, 2026	Administrators submit proposed budgets to Business Services
Monday, April 6, 2026	Superintendent and Fiscal Services Administrator review all budgets
Monday, April 3, 2026	Instructors' contracts distributed
Friday, April 24, 2026	Instructors' contracts returned

PHASE II	
Monday, April 13, 2026	Outside contract renewals for FY 2025-2026 may begin
Friday, May 1, 2026	Purchase Orders close out process begins for FY 2025-2026
Tuesday, May 19, 2026	Governor's May Revise Budget
Thursday, June 11, 2026 (Regular) Thursday, June 18, 2026 (Special, if necessary)	Conduct public hearing and Board approves 2026-2027 Adopted Budget Report
Tuesday, June 30, 2026	Submit 2026-2027 Adopted Budget Report and supplementals to ACOE

PHASE III	
Thursday, September 3, 2026	Board approves 2025-2026 Unaudited Actuals Report
Tuesday, September 15, 2026	Submit 2025-2026 Unaudited Actuals Report and supplementals to ACOE
Wednesday, September 16, 2026	Update beginning fund balance and prior FY carryovers

PHASE IV	
Thursday, December 10, 2026	Board approves 2026-2027 First Interim Report
Tuesday, December 15, 2026	Submit 2026-2027 First Interim Report and supplementals to ACOE
Thursday, March 4, 2027	Board approves 2026-2027 Second Interim Report
Monday, March 15, 2027	Submit 2026-2027 Second Interim Report and supplementals to ACOE



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Receipt of the Grant Award Notification (GAN): K12 Strong Workforce Program (SWP) Round 8 CTE Summer Summit

BACKGROUND

The Bay Area Community College Consortium has contracted Cabrillo Community College as the fiscal agent for the K12 Strong Workforce Program (SWP). Cabrillo Community College is responsible for distributing funds to grantees within their region. The agreement with Cabrillo Community College is for the period of January 1, 2026, and expires on June 30, 2028.

CURRENT SITUATION

The Eden Area ROP in conjunction with its district partners successfully submitted the K12 SWP grant application, CTE Summer Summit for \$715,005. The goal of CTE Summer Summit is to expand Hispanic/Latino student exposure and access to exploration CTE pathway pipelines in Middle School providing pathway on ramps beginning in 9th grade addressing industry labor market demands in the East Bay. Middle school is a formative time when students begin to connect school to future goals. CTE and the CTE Summer Summit will help students select and enter high school pathways earlier providing more connections leading to pathway completion, and Chabot Programming in the identified industry sectors.

CONSENT CALENDAR

Cabrillo Community College District, Fiscal Agent
BACCC and K12 Strong Workforce Program, Bay Region



Grant Award Notification

January 15, 2026

Grantee Name and Address

Eden Area ROP
26316 Hesperian Boulevard
Hayward, CA 94545

Attention: Blaine Torpey, btorpey@edenrop.org

We are pleased to inform you that Eden Area ROP has been awarded a Round 8 (25-26) K-12 Strong Workforce Program Pathway Improvement Grant.

Name of Grant Program

K-12 Strong Workforce Program Pathway Improvement Grant

Grant Application Title: CTE Summer Summit

Project NOVA ID: 32768
Grant Amount: \$715,005
Award Start Date: January 1, 2026
Award End Date: June 30, 2028

Resource Code: 6388
Revenue Object Code: 8590

BACCC Contracts Team

Tootsie Torres Director, Regional Fiscal Operations tootsie@baccc.net 831-477-5555	Kate Raymundo Regional Operations Manager kate@baccc.net 831-840-8512
--	--

Sylvia Delgadillo
Administrative Assistant
sylvia@baccc.net



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board approve the Agreement with American Fidelity to provide Section 125 Flexible Benefit Plan Services for the 2026 Calendar Year

BACKGROUND

The Eden Area ROP uses American Fidelity as its Section 125 Flexible Benefit Plan provider. Annually, said plan is re-serviced to comply with the Internal Revenue Service regulations because it is necessary that the information contained in the plan document be accurate.

CURRENT SITUATION

Attached is the re-serviced Section 125 Flexible Benefit Plan with an effective date of amendment of 01/01/2026.

CONSENT CALENDAR

**SAMPLE PLAN DOCUMENT
SECTION 125
FLEXIBLE BENEFIT PLAN**

The attached plan document and adoption agreement are being provided for illustrative purposes only. Because of differences in facts, circumstances, and the laws of the various states, interested parties should consult their own attorneys. This document is intended as a guide only, for use by local counsel.

**SECTION 125 FLEXIBLE BENEFIT PLAN
ADOPTION AGREEMENT**

The undersigned Employer hereby adopts the Section 125 Flexible Benefit Plan for those Employees who shall qualify as Participants hereunder. The Employer hereby selects the following Plan specifications:

A. EMPLOYER INFORMATION

Name of Employer:	Eden Area Regional Occupational Programs
Address:	26316 Hesperian Blvd HAYWARD, CA 94545
Employer Identification Number:	94-3158083
Nature of Business:	Public School
Name of Plan:	Eden Area Regional Occupational Programs Flexible Benefit Plan
Plan Number:	501
Plan Description:	All Employees

B. EFFECTIVE DATE

Original effective date of the Plan:	July 1, 1999
If Amendment to existing plan, effective date of amendment:	January 1, 2026

C. ELIGIBILITY REQUIREMENTS FOR PARTICIPATION

Eligibility requirements for each component plan under this Section 125 document will be applicable and, if different, will be listed in Item F.

Length of Service:	First day of the month following employment. Eligible employees include active employees and retired persons who receive an early retirement stipend from the District.
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Retiree Wording:	N/A
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Minimum Hours:	All employees with 7.5 hours of service or more each week. An hour of service is each hour for which an employee receives, or is entitled to receive, payment for performance of duties for the Employer.
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Age:	Minimum age of 18 years.
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D. PLAN YEAR

The current plan year will begin on January 1, 2026 and end on December 31, 2026.

Each subsequent plan year will begin on January 1 and end on December 31.

E. EMPLOYER CONTRIBUTIONS

Non-Elective Contributions:

The Employer may at its sole discretion provide a non-elective contribution to provide benefits for each Participant under the Plan. This amount will be set by the Employer each Plan Year in a uniform and non-discriminatory manner. If this non-elective contribution amount exceeds the cost of benefits elected by the Participant, excess amounts will not be paid to the Participant as taxable cash.

Elective Contributions (Salary Reduction):

The maximum amount available to each Participant for the purchase of elected benefits through salary reduction will be:

100% of compensation per entire plan year.

Each Participant may authorize the Employer to reduce his or her compensation by the amount needed for the purchase of benefits elected, less the amount of non-elective contributions. An election for salary reduction will be made on the benefit election form.

F. AVAILABLE BENEFITS: Each of the following components should be considered a plan that comprises this Plan.

1. **Group Medical Insurance** -- The terms, conditions, and limitations for the Group Medical Insurance will be as set forth in the insurance policy or policies described below: (See Section V of the Plan Document)

American Fidelity Assurance Company : Accident Only and Group Hospital Indemnity | CalPERS

Eligibility Requirements for Participation, if different than Item C.

2. **Disability Income Insurance** -- The terms, conditions, and limitations for the Disability Income Insurance will be as set forth in the insurance policy or policies described below: (See Section VI of the Plan Document)

American Fidelity Assurance Company : 017 Kind Series

Eligibility Requirements for Participation, if different than Item C.

3. **Cancer Coverage** -- The terms, conditions, and limitations for the Cancer Coverage will be as set forth in the insurance policy or policies described below: (See Section V of the Plan Document)

American Fidelity Assurance Company : C-5, C-12 daily and all subsequent plans

Eligibility Requirements for Participation, if different than Item C.

4. **Dental/Vision Insurance** -- The terms, conditions, and limitations for the Dental/Vision Insurance will be as set forth in the insurance policy or policies described below: (See Section V of the Plan Document)

Delta Dental | Vision Service Plan

Eligibility Requirements for Participation, if different than Item C.

5. **Group Life Insurance** which will be comprised of Group term life insurance and Individual term life insurance under Section 79 of the Code.

The terms, conditions, and limitations for the Group Life Insurance will be as set forth in the insurance policy or policies described below: (See Section VII of the Plan Document)

**American Fidelity Assurance Company : 5 Year Term Life Insurance
Company of the SW : Variable Annuity Life Nationwide : American Life
and Casualty U S Life : Great American Life Western-Southern Life
Assurance Company : Northern Life Insurance**

Individual life coverage under Section 79 is available as a benefit, and the face amount when combined with the group-term life, if any, may not exceed \$50,000.

Eligibility Requirements for Participation, if different than Item C.

6. **Dependent Care Assistance Plan** -- The terms, conditions, and limitations for the Dependent Care Assistance Plan will be as set forth in Section IX of the Plan Document and described below:

Minimum Contribution - **\$0.00** per Plan Year

Maximum Contribution - **\$5000.00** per Plan Year

Recordkeeper: American Fidelity Assurance Company

Eligibility Requirements for Participation, if different than Item C.

N/A

7. **Medical Expense Reimbursement Plan** (a.k.a. Healthcare Flexible Spending Account) -- The terms, conditions, and limitations for the Medical Expense Reimbursement Plan will be as set forth in Section VIII of the Plan Document and described below:

Minimum Coverage - **\$0.00** per Plan Year

Maximum Coverage - **\$3300.00** per Plan Year or a Prorated Amount for a Short Plan Year. In no event can the maximum exceed the limit as indicated by the IRS in accordance with the law.

Recordkeeper: American Fidelity Assurance Company

Restrictions: As outlined in Policy G-905/R1.

Grace Period: The Provisions in Section 8.06 of the Plan to permit a Grace Period with respect to the Medical Expense Reimbursement Plan **are not** elected.

Carryover: The Provisions in Section 8.07 of the Plan to permit a Carryover with respect to the Medical Expense Reimbursement Plan **are** elected.

Carryover Maximum: **\$660.00** per Plan Year.

HEART Act: The provisions in Section 8.08 of the Plan to permit the Qualified Reservist Distribution of the Heroes Earnings Assistance and Relief Tax Act (HEART) **are not** elected.

Eligibility Requirements for Participation, if different than Item C.

8. **Health Savings Accounts** – The Plan permits contributions to be made to a Health Savings Account on a pretax basis in accordance with Section X of the Plan and the following provisions:

HSA Trustee – **N/A**

Maximum Contribution – N/A

Limitation on Eligible Medical Expenses – For purposes of the Medical Reimbursement Plan, Eligible Medical Expenses of a Participant that is eligible for and elects to participate in a Health Savings Account shall be limited to expenses for:

Eligibility Requirements for Participation, if different than Item C.

- a. An Employee must complete a Certification of Health Savings Account Eligibility which confirms that the Participant is an eligible individual who is entitled to establish a Health Savings Account in accordance with Code Section 223(c)(1).
- b. Eligibility for the Health Savings Account shall begin on the later of (i) first day of the month coinciding with or next following the Employee's commencement of coverage under the High Deductible Health Plan, or (ii) the first day following the end of a Grace Period available to the Employee with respect to the Medical Reimbursement Accounts that are not limited to vision and dental expenses (unless the participant has a \$0.00 balance on the last day of the plan year).
- c. An Employee's eligibility for the Health Savings Account shall be determined monthly.

The Plan shall be construed, enforced, administered, and the validity determined in accordance with the applicable provisions of the Employee Retirement Income Security Act of 1974, (as amended) if applicable, the Internal Revenue Code of 1986 (as amended), and the laws of the State of California. Should any provision be determined to be void, invalid, or unenforceable by any court of competent jurisdiction, the Plan will continue to operate, and for purposes of the jurisdiction of the court only, will be deemed not to include the provision determined to be void.

This Plan is hereby adopted _____.

**Eden Area Regional Occupational Programs -
(Name of Employer)**

Signed By: _____

Title: _____

APPENDIX A

Related Employers that have adopted this Plan

Name(s):

N/A

THIS DOCUMENT IS NOT COMPLETE WITHOUT SECTIONS I THROUGH XIII
PD – 1122 SW Document ID # 177204MCP #38343 Effective Date:01/01/2026 12/9/25 6:51 AM

SECTION 125 FLEXIBLE BENEFIT PLAN

SECTION I

PURPOSE

The Employer is establishing this Flexible Benefit Plan in order to make a broader range of benefits available to its Employees and their Beneficiaries. This Plan allows Employees to choose among different types of benefits and select the combination best suited to their individual goals, desires, and needs. These choices include an option to receive certain benefits in lieu of taxable compensation.

In establishing this Plan, the Employer desires to attract, reward, and retain highly qualified, competent Employees, and believes this Plan will help achieve that goal.

It is the intent of the Employer to establish this Plan in conformity with Section 125 of the Internal Revenue Code of 1986, as amended, and in compliance with applicable rules and regulations issued by the Internal Revenue Service. This Plan will grant to eligible Employees an opportunity to purchase qualified benefits which, when purchased alone by the Employer, would not be taxable.

SECTION II

DEFINITIONS

The following words and phrases appear in this Plan and will have the meaning indicated below unless a different meaning is plainly required by the context:

2.01 **Administrator** The Employer unless another has been designated in writing by the Employer as Administrator within the meaning of Section 3(16) of ERISA (if applicable).

2.02 **Beneficiary** Any person or persons designated by a participating Employee to receive any benefit payable under the Plan on account of the Employee's death.

2.02a **Carryover** The amount equal to the lesser of (a) any unused amounts from the immediately preceding Plan Year or (b) an amount up to \$660, as indexed for inflation, paralleling the indexing applicable to the limit on salary reduction contributions under Code Section 125(i) of the Code, except that in no event may the Carryover be less than five dollars (\$5).

2.03 **Code** Internal Revenue Code of 1986, as amended.

2.04 **Dependent** Any of the following:

(a) Tax Dependent: A Dependent includes a Participant's spouse and any other person who is a Participant's dependent within the meaning of Code Section 152, provided that, with respect to any plan that provides benefits that are excluded from an Employee's income under Code Section 105, a Participant's dependent (i) is any person within the meaning of Code Section 152, determined without regard to Subsections (b)(1), (b)(2), and

(d)(1)(B) thereof, and (ii) includes any child of the Participant to whom Code Section 152(e) applies (such child will be treated as a dependent of both divorced parents).

(b) Student on a Medically Necessary Leave of Absence: With respect to any plan that is considered a group health plan under Michelle's Law (and not a HIPAA excepted benefit under Code Sections 9831(b), (c) and 9832(c)) and to the extent the Employer is required by Michelle's Law to provide continuation coverage, a Dependent includes a child who qualifies as a Tax Dependent (defined in Section 2.04(a)) because of his or her full-time student status, is enrolled in a group health plan, and is on a medically necessary leave of absence from school. The child will continue to be a Dependent if the medically necessary leave of absence commences while the child is suffering from a serious illness or injury, is medically necessary, and causes the child to lose student status for purposes of the group health plan's benefits coverage. Written physician certification that the child is suffering from a serious illness or injury and that the leave of absence is medically necessary is required at the Administrator's request. The child will no longer be considered a Dependent as of the earliest date that the child is no longer on a medically necessary leave of absence, the date that is one year after the first day of the medically necessary leave of absence, or the date benefits would otherwise terminate under either the group health plan or this Plan. Terms related to Michelle's Law, and not otherwise defined, will have the meaning provided under the Michelle's Law provisions of Code Section 9813.

(c) Adult Children: With respect to any plan that provides benefits that are excluded from an Employee's income under Code Section 105, a Dependent includes a child of a Participant who as of the end of the calendar year has not attained age 27. A 'child' for purpose of this Section 2.04(c) means an individual who is a son, daughter, stepson, or stepdaughter of the Participant, a legally adopted individual of the Participant, an individual who is lawfully placed with the Participant for legal adoption by the Participant, or an eligible foster child who is placed with the Participant by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction. An adult child described in this Section 2.04(c) is only a Dependent with respect to benefits provided after March 30, 2010 (subject to any other limitations of the Plan).

Dependent for purposes of the Dependent Care Reimbursement Plan is defined in Section 9.04(a).

2.05 **Effective Date** The effective date of this Plan as shown in Item B of the Adoption Agreement.

2.06 **Elective Contribution** The amount the Participant authorizes the Employer to reduce compensation for the purchase of benefits elected.

- 2.07 **Eligible Employee** Employee meeting the eligibility requirements for participation as shown in Item C of the Adoption Agreement.
- 2.08 **Employee** Any person employed by the Employer on or after the Effective Date.
- 2.09 **Employer** The entity shown in Item A of the Adoption Agreement, and any Related Employers authorized to participate in the Plan with the approval of the Employer. Related Employers who participate in this Plan are listed in Appendix A to the Adoption Agreement. For the purposes of Section 11.01 and 11.02, only the Employer as shown in Item A of the Adoption Agreement may amend or terminate the Plan.
- 2.10 **Employer Contributions** Amounts that have not been actually received by the Participant and are available to the Participant for the purpose of selecting benefits under the Plan. This term includes Non-Elective Contributions and Elective Contributions through salary reduction.
- 2.11 **Entry Date** The date that an Employee is eligible to participate in the Plan.
- 2.12 **ERISA** The Employee Retirement Income Security Act of 1974, Public Law 93-406 and all regulations and rulings issued thereunder, as amended (if applicable).
- 2.13 **Fiduciary** The named fiduciary shall mean the Employer, the Administrator and other parties designated as such, but only with respect to any specific duties of each for the Plan as may be set forth in a written agreement.
- 2.14 **Health Savings Account** A "health savings account" as defined in Section 223(d) of the Internal Revenue Code of 1986, as amended established by the Participant with the HSA Trustee.
- 2.15 **HSA Trustee** The Trustee of the Health Savings Account which is designated in Section F.8 of the Adoption Agreement.
- 2.16 **Highly Compensated** Any Employee who at any time during the Plan Year is a "highly compensated employee" as defined in Section 414(q) of the Code.
- 2.17 **High Deductible Health Plan** A health plan that meets the statutory requirements for annual deductibles and out-of-pocket expenses set forth in Code section 223(c)(2).
- 2.18 **HIPAA** The Health Insurance Portability and Accountability Act of 1996, as amended.

Eligible Employee may elect coverage under this Plan with respect to such Dependent. Notwithstanding the foregoing, life insurance coverage on the life of a Dependent may not be elected under this Plan.

- 3.02 ENROLLMENT: An eligible Employee may enroll (or re-enroll) in the Plan by submitting to the Employer, during an enrollment period, an Election Form which specifies his or her benefit elections for the Plan Year and which meets such standards for completeness and accuracy as the Employer may establish. A Participant's Election Form shall be completed prior to the beginning of the Plan Year, and shall not be effective prior to the date such form is submitted to the Employer. Any Election Form submitted by a Participant in accordance with this Section shall remain in effect until the earlier of the following dates: the date the Participant terminates participation in the Plan; or, the effective date of a subsequently filed Election Form.

A Participant's right to elect certain benefit coverage shall be limited hereunder to the extent such rights are limited in the Policy. Furthermore, a Participant will not be entitled to revoke an election after a period of coverage has commenced and to make a new election with respect to the remainder of the period of coverage unless both the revocation and the new election are on account of and consistent with a change in status, or other allowable events, as determined by Section 125 of the Internal Revenue Code and the regulations thereunder.

- 3.03 TERMINATION OF PARTICIPATION: A Participant shall continue to participate in the Plan until the earlier of the following dates:
- a. The date the Participant terminates employment by death, disability, retirement or other separation from service; or
 - b. The date the Participant ceases to work for the Employer as an eligible Employee; or
 - c. The date of termination of the Plan; or
 - d. The first date a Participant fails to pay required contributions while on a leave of absence.

- 3.04 SEPARATION FROM SERVICE: The existing elections of an Employee who separates from the employment service of the Employer shall be deemed to be automatically terminated and the Employee will not receive benefits for the remaining portion of the Plan Year.

- 3.05 QUALIFYING LEAVE UNDER FAMILY LEAVE ACT: Notwithstanding any provision to the contrary in this Plan, if a Participant goes on a qualifying unpaid leave under the Family and Medical Leave Act of 1993 (FMLA), to the extent required by the FMLA, the Employer will continue to maintain the Participant's existing coverage under the Plan with respect to benefits under Section V and Section VIII of the Plan on the same terms and conditions as though he were still an active Employee. If the Employee opts to continue his coverage, the Employee may pay his Elective Contribution with after-tax dollars while on leave (or pre-tax dollars to the extent he receives compensation during the leave), or the Employee may be given the option to pre-pay all or a portion of his Elective Contribution for the expected duration of the leave on a pre-tax salary reduction basis out of his pre-leave compensation (including unused sick days or vacation) by making a special election to that effect prior to the date such compensation would normally be made available to him (provided, however, that pre-tax dollars may not be utilized to fund coverage during the next plan year), or via other arrangements agreed upon between the Employee and the Administrator (e.g., the Administrator may fund coverage during the leave and withhold amounts upon the Employee's return). Upon return from such leave, the Employee will be permitted to reenter the Plan on the same basis the Employee was participating in the Plan prior to his leave, or as otherwise required by the FMLA.

SECTION IV

CONTRIBUTIONS

4.01 EMPLOYER CONTRIBUTIONS: The Employer may pay the costs of the benefits elected under the Plan with funds from the sources indicated in Item E of the Adoption Agreement. The Employer Contribution may be made up of Non-Elective Contributions and/or Elective Contributions authorized by each Participant on a salary reduction basis.

4.02 IRREVOCABILITY OF ELECTIONS: A Participant may file a written election form with the Administrator before the end of the current Plan Year revising the rate of his contributions or discontinuing such contributions effective as of the first day of the next following Plan Year. The Participant's Elective Contributions will automatically terminate as of the date his employment terminates. Except as provided in this Section 4.02 and Section 4.03, a Participant's election under the Plan is irrevocable for the duration of the plan year to which it relates. The exceptions to the irrevocability requirement which would permit a mid-year election change in benefits and the salary reduction amount elected are set out in the Treasury regulations promulgated under Code Section 125, which include the following:

(a) Change in Status. A Participant may change or revoke his election under the Plan upon the occurrence of a valid change in status, but only if such change or termination is made on account of, and is consistent with, the change in status in accordance with the Treasury regulations promulgated under Section 125. The Employer, in its sole discretion as Administrator, shall determine whether a requested change is on account of and consistent with a change in status, as follows:

- (1) Change in Employee's legal marital status, including marriage, divorce, death of spouse, legal separation, and annulment;
 - (2) Change in number of Dependents, including birth, adoption, placement for adoption, and death;
 - (3) Change in employment status, including any employment status change affecting benefit eligibility of the Employee, spouse or Dependent, such as termination or commencement of employment, change in hours, strike or lockout, a commencement or return from an unpaid leave of absence, and a change in work site. If the eligibility for either the cafeteria Plan or any underlying benefit plans of the Employer of the Employee, spouse or Dependent relies on the employment status of that individual, and there is a change in that individual's employment status resulting in gaining or losing eligibility under the Plan, this constitutes a valid change in status. This category only applies if benefit eligibility is lost or gained as a result of the event. If an Employee terminates and is rehired within 30 days, the Employee is required to step back into his previous election. If the Employee terminates and is rehired after 30 days, the Employee may either step back into the previous election or make a new election;
 - (4) Dependent satisfies, or ceases to satisfy, Dependent eligibility requirements due to attainment of age, gain or loss of student status, marriage or any similar circumstances; and
 - (5) Residence change of Employee, spouse or Dependent, affecting the Employee's eligibility for coverage.
- (b) Special Enrollment Rights. If a Participant or his or her spouse or Dependent is entitled to special enrollment rights under a group health plan (other than an excepted benefit), as required by HIPAA under Code Section 9801(f), then a Participant may revoke a prior election for group health plan coverage and make a new election, provided that the election change corresponds with such HIPAA special enrollment right. As required by HIPAA, a special enrollment right will arise in the following circumstances: (i) a Participant or his or her spouse or Dependent declined to enroll in group health plan coverage because he or she had coverage, and eligibility for such coverage is subsequently lost because the coverage was provided under COBRA and the COBRA coverage was exhausted, or the

coverage was non-COBRA coverage and the coverage terminated due to loss of eligibility for coverage or the employer contributions for the coverage were terminated; (ii) a new Dependent is acquired as a result of marriage, birth, adoption, or placement for adoption; (iii) the Participant's or his or her spouse's or Dependent's coverage under a Medicaid plan or under a children's health insurance program (CHIP) is terminated as a result of loss of eligibility for such coverage and the Participant requests coverage under the group health plan not later than 60 days after the date of termination of such coverage; or (iv) the Participant, his or her spouse or Dependent becomes eligible for a state premium assistance subsidy from a Medicaid plan or through a state children's insurance program with respect to coverage under the group health plan and the Participant requests coverage under the group health plan not later than 60 days after the date the Participant, his or her spouse or Dependent is determined to be eligible for such assistance. An election change under (iii) or (iv) of this provision must be requested within 60 days after the termination of Medicaid or state health plan coverage or the determination of eligibility for a state premium assistance subsidy, as applicable. Special enrollment rights under the health insurance plan will be determined by the terms of the health insurance plan.

- (c) Certain Judgments, Decrees or Orders. If a judgment, decree or order resulting from a divorce, legal separation, annulment or change in legal custody (including a qualified medical child support order [QMCSO]) requires accident or health coverage for a Participant's child or for a foster child who is a dependent of the Participant, the Participant may have a mid-year election change to add or drop coverage consistent with the Order.
- (d) Entitlement to Medicare or Medicaid. If a Participant, Participant's spouse or Participant's Dependent who is enrolled in an accident or health plan of the Employer becomes entitled to Medicare or Medicaid (other than coverage consisting solely of benefits under Section 1928 of the Social Security Act providing for pediatric vaccines), the Participant may cancel or reduce health coverage under the Employer's Plan. Loss of Medicare or Medicaid entitlement would allow the Participant to add health coverage under the Employer's Plan.
- (e) Family Medical Leave Act. If an Employee is taking leave under the rules of the Family Medical Leave Act, the Employee may revoke previous elections and re-elect benefits upon return to work.
- (f) COBRA Qualifying Event. If an Employee has a COBRA qualifying event (a reduction in hours of the Employee, or a Dependent ceases eligibility), the Employee may increase his pre-tax contributions for coverage under the Employer's Plan if a COBRA event occurs with respect to the Employee, the Employee's spouse or Dependent. The COBRA rule does not apply to COBRA coverage under another Employer's Plan.
- (g) Changes in Eligibility for Adult Children. To the extent the Employer amends a plan listed in Item F of the Adoption Agreement that provides benefits that are excluded from an Employee's income under Code Section 105 to provide that Adult Children (as defined in Section 2.04(c)) are eligible to receive benefits under the plan, an Eligible Employee may make or change an election under this Plan to add coverage for the Adult Child and to make any corresponding change to the Eligible Employee's coverage that is consistent with adding coverage for the Adult Child.
- (h) Cancellation due to reduction in hours of service. A Participant may cancel group health plan (as that term is defined in Code Section 9832(a)) coverage, except Health FSA coverage, under the Employer's Plan if both of the following conditions are met:
 - (i) The Participant has been in an employment status under which the Participant was reasonably expected to average at least 30 hours of service per week and there is a change

in that Participant's status so that the Participant will reasonably be expected to average less than 30 hours of service per week after the change, even if that reduction does not result in the Participant ceasing to be eligible under the group health plan; and

- (ii) The cancellation of the election of coverage under the Employer's group health plan coverage corresponds to the intended enrollment of the Participant, and any related individuals who cease coverage due to the cancellation, in another plan that provides minimum essential coverage with the new coverage effective no later than the first day of the second month following the month that includes the date the original coverage is cancelled.
- (i) Cancellation due to enrollment in a Qualified Health Plan. A participant may cancel group health plan (as that term is defined in Code Section 9832(a)) coverage, except Health FSA coverage, under the Employer's Plan if both of the following conditions are met:
- (i) The Participant is eligible for a Special Enrollment Period (as defined in Code Section 9801(f)) to enroll in a Qualified Health Plan (as described in section 1311 of the Patient Protection and Affordable Care Act (PPACA)) through a competitive marketplace established under section 1311(c) of PPACA (Marketplace), pursuant to guidance issued by the Department of Health and Human Services and any other applicable guidance, or the Participant seeks to enroll in a Qualified Health Plan through a Marketplace during the Marketplace's annual open enrollment period; and
 - (ii) The cancellation of the election of coverage under the Employer's group health plan coverage corresponds to the intended enrollment of the Participant and any related individuals who cease coverage due to the cancellation in a Qualified Health Plan through a Marketplace for new coverage that is effective beginning no later than the day immediately following the last day of the original coverage that is cancelled.
- (j) Cancellation due to related individuals' enrollment in a Qualified Health Plan. For elections effective on or after January 1, 2023, a participant may cancel an election of family coverage under a group health plan (as that term is defined in Code Section 9832(a)), except Health FSA coverage, under the Employer's Plan if both of the following conditions are met:
- (i) One or more related individuals are eligible for a Special Enrollment Period (as defined in Code Section 9801(f)) to enroll in a Qualified Health Plan (as described in section 1311 of the Patient Protection and Affordable Care Act (PPACA)) through a competitive marketplace established under section 1311(c) of PPACA (Marketplace), pursuant to guidance issued by the Department of Health and Human Services and any other applicable guidance, or one or more already-covered related individuals seeks to enroll in a Qualified Health Plan through a Marketplace during the Marketplace's annual open enrollment period; and
 - (ii) The cancellation of the election of coverage under the Employer's group health plan coverage corresponds to the intended enrollment of the related individual or related individuals who cease coverage due to the cancellation in a Qualified Health Plan through a Marketplace for new coverage that is effective beginning no later than the day

immediately following the last day of the original coverage that is cancelled. If the employee does not enroll in a Qualified Health Plan through an Exchange as set forth in Notice 2014-55, the employee must elect self-only coverage (or family coverage including one or more already-covered related individuals) under the group health plan.

Notwithstanding anything to the contrary in this Section 4.02, the change in election rules in this Section 4.02 do not apply to the Medical Expense Reimbursement Plan, or may not be modified with respect to the Medical Expense Reimbursement Plan if the Plan is being administered by a Recordkeeper other than the Employer, unless the Employer and the Recordkeeper otherwise agree in writing.

4.03 OTHER EXCEPTIONS TO IRREVOCABILITY OF ELECTIONS. Other exceptions to the irrevocability of election requirement permit mid-year election changes and apply to all qualified benefits except for Medical Expense Reimbursement Plans, as follows:

- (a) Change in Cost. If the cost of a benefit package option under the Plan significantly increases during the plan year, Participants may (i) make a corresponding increase in their salary reduction amount, (ii) revoke their elections and make a prospective election under another benefit option offering similar coverage, or (iii) revoke election completely if no similar coverage is available, including in spouse or dependent's plan. If the cost significantly decreases, employees may elect coverage even if they had not previously participated and may drop their previous election for a similar coverage option in order to elect the benefit package option that has decreased in cost during the year. If the increased or decreased cost of a benefit package option under the Plan is insignificant, the participant's salary reduction amount shall be automatically adjusted.
- (b) Significant curtailment of coverage.
 - (i) With no loss of coverage. If the coverage under a benefit package option is significantly curtailed or ceases during the Plan Year, affected Participants may revoke their elections for the curtailed coverage and make a new prospective election for coverage under another benefit package option providing similar coverage.
 - (ii) With loss of coverage. If there is a significant curtailment of coverage with loss of coverage, affected Participants may revoke election for curtailed coverage and make a new prospective election for coverage under another benefit package option providing similar coverage, or drop coverage if no similar benefit package option is available.
- (c) Addition or Significant Improvement of Benefit Package Option. If during the Plan Year a new benefit package option is added or significantly improved, eligible employees, whether currently participating or not, may revoke their existing election and elect the newly added or newly improved option.
- (d) Change in Coverage of a Spouse or Dependent Under Another Employer's Plan. If there is a change in coverage of a spouse, former spouse, or Dependent under another employer's plan, a Participant may make a prospective election change that is on account of and corresponds with a change made under the plan of the spouse or Dependent. This rule applies if (1) mandatory changes in coverage are initiated by either the insurer of spouse's plan or by the spouse's employer, or (2) optional changes are initiated by the spouse's employer or by the spouse through open enrollment.
- (e) Loss of coverage under other group health coverage. If during the Plan Year coverage is lost under any group health coverage sponsored by a governmental or educational institution, a Participant may

prospectively change his or her election to add group health coverage for the affected Participant or his or her spouse or dependent.

- 4.04 CASH BENEFIT: Available amounts not used for the purchase of benefits under this Plan may be considered a cash benefit under the Plan payable to the Participant as taxable income to the extent indicated in Item E of the Adoption Agreement.
- 4.05 PAYMENT FROM EMPLOYER'S GENERAL ASSETS: Payment of benefits under this Plan shall be made by the Employer from Elective Contributions which shall be held as a part of its general assets.
- 4.06 EMPLOYER MAY HOLD ELECTIVE CONTRIBUTIONS: Pending payment of benefits in accordance with the terms of this Plan, Elective Contributions may be retained by the Employer in a separate account or, if elected by the Employer and as permitted or required by regulations of the Internal Revenue Service, Department of Labor or other governmental agency, such amounts of Elective Contributions may be held in a trust pending payment.
- 4.07 MAXIMUM EMPLOYER CONTRIBUTIONS: With respect to each Participant, the maximum amount made available to pay benefits for any Plan Year shall not exceed the Employer's Contribution specified in the Adoption Agreement and as provided in this Plan.

SECTION V

GROUP MEDICAL INSURANCE BENEFIT PLAN

- 5.01 PURPOSE: These benefits provide the group medical insurance benefits to Participants.
- 5.02 ELIGIBILITY: Eligibility will be as required in Items F(1), F(3), and F(4) of the Adoption Agreement.
- 5.03 DESCRIPTION OF BENEFITS: The benefits available under this Plan will be as defined in Items F(1), F(3), and F(4) of the Adoption Agreement.
- 5.04 TERMS, CONDITIONS AND LIMITATIONS: The terms, conditions and limitations of the benefits offered shall be as specifically described in the Policy identified in the Adoption Agreement.
- 5.05 COBRA: To the extent required by Section 4980B of the Code and Sections 601 through 607 of ERISA, Participants and Dependents shall be entitled to continued participation in this Group Medical Insurance Benefit Plan by contributing monthly (from their personal assets previously subject to taxation) 102% of the amount of the premium for the desired benefit during the period that such individual is entitled to elect continuation coverage, provided, however, in the event the continuation period is extended to 29 months due to disability, the premium to be paid for continuation coverage for the 11 month extension period shall be 150% of the applicable premium.
- 5.06 SECTION 105 AND 106 PLAN: It is the intention of the Employer that these benefits shall be eligible for exclusion from the gross income of the Participants covered by this benefit plan, as provided in Code Sections 105 and 106, and all provisions of this benefit plan shall be construed in a manner consistent with that intention. It is also the intention of the Employer to comply with the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 as outlined in the policies identified in the Adoption Agreement.
- 5.07 CONTRIBUTIONS: Contributions for these benefits will be provided by the Employer on behalf of a Participant as provided for in Item E of the Adoption Agreement.
- 5.08 UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT: Notwithstanding anything to the contrary herein, the Group Medical Insurance Benefit Plan shall comply with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103-353).

SECTION VI

DISABILITY INCOME BENEFIT PLAN

- 6.01 PURPOSE: This benefit provides disability insurance designated to provide income to Participants during periods of absence from employment because of disability.
- 6.02 ELIGIBILITY: Eligibility will be as required in Item F(2) of the Adoption Agreement.
- 6.03 DESCRIPTION OF BENEFITS: The benefits available under this Plan will be as defined in Item F(2) of the Adoption Agreement.

- 6.04 TERMS, CONDITIONS AND LIMITATIONS: The terms, conditions and limitations of the Disability Income Benefits offered shall be as specifically described in the Policy identified in the Adoption Agreement.
- 6.05 SECTION 104 AND 106 PLAN: It is the intention of the Employer that the premiums paid for these benefits shall be eligible for exclusion from the gross income of the Participants covered by this benefit plan, as provided in Code Sections 104 and 106, and all provisions of this benefit plan shall be construed in a manner consistent with that intention.
- 6.06 CONTRIBUTIONS: Contributions for this benefit will be provided by the Employer on behalf of a Participant as provided for in Item E of the Adoption Agreement.

SECTION VII

GROUP AND INDIVIDUAL LIFE INSURANCE PLAN

- 7.01 PURPOSE: This benefit provides group life insurance benefits to Participants and may provide certain individual policies as provided for in Item F(5) of the Adoption Agreement.
- 7.02 ELIGIBILITY: Eligibility will be as required in Item F(5) of the Adoption Agreement.
- 7.03 DESCRIPTION OF BENEFITS: The benefits available under this Plan will be as defined in Item F(5) of the Adoption Agreement.
- 7.04 TERMS, CONDITIONS, AND LIMITATIONS: The terms, conditions, and limitations of the group life insurance are specifically described in the Policy identified in the Adoption Agreement.
- 7.05 SECTION 79 PLAN: It is the intention of the Employer that the premiums paid for the benefits described in Item F(5) of the Adoption Agreement shall be eligible for exclusion from the gross income of the Participants covered by this benefit plan to the extent provided in Code Section 79, and all provisions of this benefit plan shall be construed in a manner consistent with that intention.
- 7.06 CONTRIBUTIONS: Contributions for this benefit will be provided by the Employer on behalf of a Participant as provided for in Item E of the Adoption Agreement. Any individual policies purchased by the Employer for the Participant will be owned by the Participant.

SECTION VIII

MEDICAL EXPENSE REIMBURSEMENT PLAN

- 8.01 PURPOSE: The Medical Expense Reimbursement Plan is designed to provide for reimbursement of Eligible Medical Expenses (as defined in Section 8.04) that are not reimbursed under an insurance plan, through damages, or from any other source. It is the intention of the Employer that amounts allocated for this benefit shall be eligible for exclusion from gross income, as provided in Code Sections 105 and 106, for Participants who elect this benefit and all provisions of this Section VIII shall be construed in a manner consistent with that intention.
- 8.02 ELIGIBILITY: The eligibility provisions are set forth in Item F(7) of the Adoption Agreement.

8.03 TERMS, CONDITIONS, AND LIMITATIONS:

- a. Accounts. The Reimbursement Recordkeeper shall establish a recordkeeping account for each Participant. The Reimbursement Recordkeeper shall maintain a record of each account on an on-going basis, increasing the balances as contributions are credited during the year and decreasing the balances as Eligible Medical Expenses are reimbursed. No interest shall be payable on amounts recorded in any Participant's account.
- b. Maximum benefit. The maximum amount of reimbursement for each Participant shall be limited to the amount of the Participant's Elective Contribution allocated to the program during the Plan Year, not to exceed the maximum amount set forth in Item F(7) of the Adoption Agreement.
- c. Claim Procedure. In order to be reimbursed for any medical expenses incurred during the Plan Year, the Participant shall complete the form(s) provided for such purpose by the Reimbursement Recordkeeper. The Participant shall submit the completed form to the Reimbursement Recordkeeper with an original bill or other proof of the expense acceptable to the Reimbursement Recordkeeper. No reimbursement shall be made on the basis of an incomplete form or inadequate evidence of expense as determined by the Reimbursement Recordkeeper. Forms for reimbursement of Eligible Medical Expenses must be submitted no later than the last day of the third month following the last day of the Plan Year during which the Eligible Medical Expenses were incurred. Reimbursement payments shall only be made to the Participant, or the Participant's legal representative in the event of incapacity or death of the Participant. Forms for reimbursement shall be reviewed in accordance with the claims procedure set forth in Section XII.
- d. Funding. The funding of the Medical Reimbursement Plan shall be through contributions by the Employer from its general assets to the extent of Elective Contributions directed by Participants. Such contributions shall be made by the Employer when benefit payments and account administrative expenses become due and payable under this Medical Expense Reimbursement Plan.
- e. Forfeiture. Subject to Section 8.06 and 8.07, any amounts remaining to the credit of the Participant at the end of the Plan Year and not used for Eligible Medical Expenses incurred during the Participant's participation during the Plan Year shall be forfeited and shall remain assets of the Plan. With respect to a Participant who terminates employment with the Employer and who has not elected to continue coverage under this Plan pursuant to COBRA rights referenced under Section 8.03(f) herein, such Participant shall not be entitled to reimbursement for Eligible Medical Expenses incurred after his termination date regardless if such Participant has any amounts of Employer Contributions remaining to his credit. Upon the death of any Participant who has any amounts of Employer Contributions remaining to his credit, a dependent of the Participant may elect to continue to claim reimbursement for Eligible Medical Expenses in the same manner as the Participant could have for the balance of the Plan Year.
- f. COBRA. To the extent required by Section 4980B of the Code and Sections 601 through 607 of ERISA ("COBRA"), a Participant and a Participant's Dependents shall be entitled to elect continued participation in this Medical Expense Reimbursement Plan only through the end of the plan year in which the qualifying event occurs, by contributing monthly (from their personal assets previously subject to taxation) to the Employer/Administrator, 102% of the amount of desired reimbursement through the end of the Plan Year in which the qualifying event occurs. Specifically, such individuals will be eligible for COBRA continuation coverage only if they have a positive Medical Expense Reimbursement Account balance on the date of the qualifying event. Participants who have a deficit balance in their Medical Expense Reimbursement Account on the

date of their qualifying event shall not be entitled to elect COBRA coverage. In lieu of COBRA, Participants may continue their coverage through the end of the current Plan Year by paying those premiums out of their last paycheck on a pre-tax basis.

- g. Nondiscrimination. Benefits provided under this Medical Expense Reimbursement Plan shall not be provided in a manner that discriminates in favor of Employees or Dependents who are highly compensated individuals, as provided under Section 105(h) of the Code and regulations promulgated thereunder.
- h. Uniform Coverage Rule. Notwithstanding that a Participant has not had withheld and credited to his account all of his contributions elected with respect to a particular Plan Year, the entire aggregate annual amount elected with respect to this Medical Expense Reimbursement Plan (increased by any Carryover to the Plan Year), shall be available at all times during such Plan Year to reimburse the participant for Eligible Medical Expenses with respect to this Medical Expense Reimbursement Plan. To the extent contributions with respect to this Medical Expense Reimbursement Plan are insufficient to pay such Eligible Medical Expenses, it shall be the Employer's obligation to provide adequate funds to cover any short fall for such Eligible Medical Expenses for a Participant; provided subsequent contributions with respect to this Medical Expense Reimbursement Plan by the Participant shall be available to reimburse the Employer for funds advanced to cover a previous short fall.
- i. Uniformed Services Employment and Reemployment Rights Act. Notwithstanding anything to the contrary herein, this Medical Expense Reimbursement Plan shall comply with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103-353).
- j. Proration of Limit. In the event that the Employer has purchased a uniform coverage risk policy from the Recordkeeper, then the Maximum Coverage amount specified in Section F.7 of the Adoption Agreement shall be pro rated with respect to (i) an Employee who becomes a Participant and enters the Plan during the Plan Year, and (ii) short plan years initiated by the Employer. Such Maximum Coverage amount will be pro rated by dividing the annual Maximum Coverage amount by 12, and multiplying the quotient by the number of remaining months in the Plan Year for the new Participant or the number of months in the short Plan Year, as applicable.
- k. Continuation Coverage for Certain Dependent Children. In the event that benefits under the Medical Expense Reimbursement Plan does not qualify for the exception from the portability rules of HIPAA, then, effective for Plan Years beginning on or after October 9, 2009, notwithstanding the foregoing provisions, coverage for a Dependent child who is enrolled in the Medical Expense Reimbursement Plan as a student at a post-secondary educational institution will not terminate due to a medically necessary leave of absence before a date that is the earlier of:
 - the date that is one year after the first day of the medically necessary leave of absence; or
 - the date on which such coverage would otherwise terminate under the terms of the Plan.

For purposes of this paragraph, “medically necessary leave of absence” means a leave of absence of the child from a post-secondary educational institution, or any other change in enrollment of the child at the institution, that: (i) commences while the child is suffering from a serious illness or injury; (ii) is medically necessary; and (iii) causes the child to lose student status for purposes of coverage under the terms of the Plan. A written certification must be provided by a treating physician of the dependent child to the Plan in order for the continuation coverage requirement to

apply. The physician's certification must state that the child is suffering from a serious illness or injury and that the leave of absence (or other change in enrollment) is medically necessary.

8.04 ELIGIBLE MEDICAL EXPENSES:

- a. Eligible Medical Expense in General. The phrase 'Eligible Medical Expense' means any expense incurred by a Participant or any of his Dependents (subject to the restrictions in Sections 8.04(b) and (c)) during a Plan Year that (i) qualifies as an expense incurred by the Participant or Dependents for medical care as defined in Code Section 213(d) and meets the requirements outlined in Code Section 125, (ii) is excluded from gross income of the Participant under Code Section 105(b), and (iii) has not been and will not be paid or reimbursed by any other insurance plan, through damages, or from any other source. Notwithstanding the above, capital expenditures are not Eligible Medical Expenses under this Plan.
- b. Expenses Incurred After Commencement of Participation. Only medical care expenses incurred by a Participant or the Participant's Dependent(s) on or after the date such Participant commenced participation in the Medical Expense Reimbursement Plan shall constitute an Eligible Medical Expense.
- c. Eligible Expenses Incurred by Dependents. For purposes of this Section, Eligible Medical Expenses incurred by Dependents defined in Section 2.04(c) are eligible for reimbursement if incurred after March 30, 2010; Eligible Medical Expenses incurred by Dependents defined in Sections 2.04(a) and (b) are eligible for reimbursement if incurred either before or after March 30, 2010 (subject to the restrictions of Section 8.04(b)).
- d. Health Savings Accounts. If the Employer has elected in Item F.8 of the Adoption Agreement to allow Eligible Employees to contribute to Health Savings Accounts under the Plan, then for a Participant who is eligible for and elects to contribute to a Health Savings Accounts, Eligible Medical Expenses shall be limited as set forth in Item F.8 of the Adoption Agreement.

8.05 USE OF DEBIT CARD: In the event that the Employer elects to allow the use of debit cards ("Debit Cards") for reimbursement of Eligible Medical Expenses under the Medical Expense Reimbursement Plan, the provisions described in this Section shall apply.

- a. Substantiation. The following procedures shall be applied for purposes of substantiating claimed Eligible Medical Expenses after the use of a Debit Card to pay the claimed Eligible Medical Expense:
 - (i) If the dollar amount of the transaction at a health care provider equals the dollar amount of the co-payment for that service under the Employer's major medical plan of the specific employee-cardholder, the charge is fully substantiated without the need for submission of a receipt or further review.
 - (ii) If the merchant, service provider, or other independent third-party (e.g., pharmacy benefit manager), at the time and point of sale, provides information to verify to the Recordkeeper (including electronically by e-mail, the internet, intranet, or telephone) that the charge is for a medical expense, the charge is fully substantiated without the need for submission of a receipt or further review.

- b. Status of Charges. All charges to a Debit Card, other than co-payments and real-time substantiation as described in Subsection (a) above, are treated as conditional pending confirmation of the charge, and additional third-party information, such as merchant or service provider receipts, describing the service or product, the date of the service or sale, and the amount, must be submitted for review and substantiation.
- c. Correction Procedures for Improper Payments. In the event that a claim has been reimbursed and is subsequently identified as not qualifying for reimbursement, one or all of the following procedures shall apply:
- (i) First, upon the Recordkeeper's identification of the improper payment, the Eligible Employee will be required to pay back to the Plan an amount equal to the improper payment.
 - (ii) Second, where the Eligible Employee does not pay back to the Plan the amount of the improper payment, the Employer will have the amount of the improper payment withheld from the Eligible Employee's wages or other compensation to the extent consistent with applicable law.
 - (iii) Third, if the improper payment still remains outstanding, the Plan may utilize a claim substitution or offset approach to resolve improper claims payments.
 - (iv) If the above correction efforts prove unsuccessful, or are otherwise unavailable, the Eligible Employee will remain indebted to the Employer for the amount of the improper payment. In that event and consistent with its business practices, the Employer may treat the payment as it would any other business indebtedness.
 - (v) In addition to the above, the Employer and the Plan may take other actions they may deem necessary, in their sole discretion, to ensure that further violations of the terms of the Debit Card do not occur, including, but not limited to, denial of access to the Debit Card until the indebtedness is repaid by the Eligible Employee.
- d. Intent to Comply with Rev. Rul. 2003-43. It is the Employer's intent that any use of Debit Cards to pay Eligible Medical Expenses shall comply with the guidelines for use of such cards set forth in Rev. Rul. 2003-43, and this Section 8.05 shall be construed and interpreted in a manner necessary to comply with such guidelines.

8.06 GRACE PERIOD: If the Employer elects in Section F.7 of the Adoption Agreement to permit a Grace Period with respect to the Medical Reimbursement Plan, the provisions of this Section 8.06 shall apply. Notwithstanding anything to the contrary herein and in accordance with Internal Revenue Service Notice 2005-42, a Participant who has unused contributions relating to the Medical Reimbursement Plan from the immediately preceding Plan Year, and who incurs Eligible Medical Expenses for such qualified benefit during the Grace Period, may be paid or reimbursed for those Eligible Medical Expenses from the unused contributions as if the expenses had been incurred in the immediately preceding Plan Year. For purposes of this Section, 'Grace Period' shall mean the period extending to the 15th day of the third calendar month after the end of the immediately preceding Plan Year to which it relates. Eligible Medical Expenses incurred during the Grace Period shall be reimbursed first from unused contributions allocated to the Medical Reimbursement Plan for the prior Plan Year, and then from unused contributions for the current Plan Year, if participant is enrolled in current Plan Year.

8.07 CARRYOVER: If the Employer elects in Section F.7 of the Adoption Agreement to permit a Carryover with respect to the Medical Reimbursement Plan, the provisions of this Section 8.07 shall apply.

Notwithstanding anything to the contrary herein and in accordance with Internal Revenue Service Notice 2013-71, the Carryover for a Participant who has an amount remaining unused as of the end of the run-off period for the Plan Year, may be used to pay or reimburse Eligible Medical Expenses during the following entire Plan Year. The Carryover does not count against or otherwise affect the Maximum benefit set forth in Section 8.03 (b). Eligible Medical Expenses incurred during a Plan Year shall be reimbursed first from unused contributions for the current Plan Year, and then from any Carryover carried over from the preceding Plan Year. Any unused amounts from the prior Plan Year that are used to reimburse a current Plan Year expense (a) reduce the amounts available to pay prior Plan Year expenses during the run-off period, (b) must be counted against any Carryover amount from the prior Plan Year, and (c) cannot exceed the maximum Carryover from the prior Plan Year. If the Employer elects to apply Section 8.06 in Section F.7 of the Adoption Agreement, this Section 8.07 shall not apply.

- 8.08 QUALIFIED RESERVIST DISTRIBUTIONS: Notwithstanding anything in the Plan to the contrary, an individual who, by reason of being a member of a reserve component (as defined in 37 U.S.C. § 101), is ordered or called to active duty for a period in excess of 179 days or for an indefinite period may elect to receive a distribution of all or a portion of the unused Elective Contributions in his or her Account relating to the Medical Expense Reimbursement Plan if the distribution is made during the period beginning on the date of such order or call and ending on the last date that reimbursements could otherwise be made under the Plan for the Plan Year that includes the date of such order or call. If the distribution is for the entire amount of unused Elective Contributions available in the Medical Expense Reimbursement Plan, then no additional reimbursement requests will be processed for the remainder of the Plan Year.

SECTION IX

DEPENDENT CARE REIMBURSEMENT PLAN

- 9.01 PURPOSE: The Dependent Care Reimbursement Plan is designed to provide for reimbursement of certain employment-related dependent care expenses of the Participant. It is the intention of the Employer that amounts allocated for this benefit shall be eligible for exclusion from gross income, as provided in Code Section 129, for Participants who elect this benefit, and all provisions of this Section IX shall be construed in a manner consistent with that intention.
- 9.02 ELIGIBILITY: The eligibility provisions are set forth in Item F(6) of the Adoption Agreement.
- 9.03 TERMS, CONDITIONS, AND LIMITATIONS:
- a. Accounts. The Reimbursement Recordkeeper shall establish a recordkeeping account for each Participant. The Reimbursement Recordkeeper shall maintain a record of each account on an on-going basis, increasing the balances as contributions are credited during the year and decreasing the balances as Eligible Dependent Care Expenses are reimbursed. No interest shall be payable on amounts recorded in any Participant's account.
 - b. Maximum Benefit. The maximum amount of reimbursement for each Participant shall be limited to the amount of the Participant's allocation to the program during the Plan Year not to exceed the maximum amount set forth in Item F(6) of the adoption agreement.

For purpose of this Section IX, the phrase "earned income" shall mean wages, salaries, tips and other employee compensation, but only if such amounts are includible in gross income for the taxable year. A Participant's spouse who is physically or mentally incapable of self-care as described in Section 9.04(a)(ii) or a spouse who is a full-time student within the meaning of Code Section 21(e)(7) shall be deemed to have earned income for each month in which such spouse is so disabled (or a full-time student). The amount of such deemed earned income shall be \$250 per month in the case of one Dependent and \$500 per month in the case of two or more Dependents.

- c. Claim Procedure. In order to be reimbursed for any dependent care expenses incurred during the Plan Year, the Participant shall complete the form(s) provided for such purpose by the Reimbursement Recordkeeper. The Participant shall submit the completed form to the Reimbursement Recordkeeper with an original bill or other proof of the expense from an independent third party acceptable to the Reimbursement Recordkeeper. No reimbursement shall be made on the basis of an incomplete form or inadequate evidence of the expense as determined by the Reimbursement Recordkeeper. Claims for reimbursement of Eligible Dependent Care Expenses must be submitted no later than the last day of the third month following the last day of the Plan Year during which the Eligible Dependent Care Expenses were incurred. Reimbursement payments shall only be made to the Participant, or the Participant's legal representative in the event of the incapacity or death of the Participant. Forms for reimbursement shall be reviewed in accordance with the claims procedure set forth in Section XII.
- d. Funding. The funding of the Dependent Care Reimbursement Plan shall be through contributions by the Employer from its general assets to the extent of Elective Contributions directed by Participants. Such contributions shall be made by the Employer when benefit payments and account administration expenses become due and payable under this Dependent Care Expense Reimbursement Plan.
- e. Forfeiture. Any amounts remaining to the credit of the Participant at the end of the Plan Year and not used for Eligible Dependent Care Expenses incurred during the Plan Year shall be forfeited and remain assets of the Plan.
- f. Nondiscrimination. Benefits provided under this Dependent Care Reimbursement Plan shall not be provided in a manner that discriminates in favor of Highly Compensated Employees (as defined in Code Section 414(q)) or their dependents, as provided in Code Section 129. In addition, no more than 25 percent of the aggregate Eligible Dependent Care Expenses shall be reimbursed during a Plan Year to five percent owners, as provided in Code Section 129.

9.04 DEFINITIONS:

- a. "Dependent" (for purposes of this Section IX) means any individual who is:
 - (i) a Participant's qualifying child (as defined in Code Section 152 (c)) who has not attained the age of 13; or
 - (ii) a dependent (qualifying child or qualifying relative, as defined in Code Section 152 (c) and (d), respectively) or the spouse of a Participant who is physically or mentally incapable of self-care, and who has the same principal place of abode as the taxpayer for more than half of the taxable year. For purposes of this Dependent Care Reimbursement Plan, an individual shall be considered physically or mentally incapable of self-care if, as a result of a physical or mental defect, the individual is incapable of caring for his or her hygienic or nutritional needs, or requires full-time attention of another person for his or her own safety or the safety of others.

- b. "Dependent Care Center" (for purposes of this Section IX) shall be a facility which:
- (i) provides care for more than six individuals (other than individuals who reside at the facility);
 - (ii) receives a fee, payment, or grant for providing services for any of the individuals (regardless of whether such facility is operated for profit); and
 - (iii) satisfies all applicable laws and regulations of a state or unit of local government.
- c. "Eligible Dependent Care Expenses" (for purposes of this Section IX) shall mean expenses incurred by a Participant which are:
- (i) incurred for the care of a Dependent of the Participant or for related household services;
 - (ii) paid or payable to a Dependent Care Service Provider; and
 - (iii) incurred to enable the Participant to be gainfully employed for any period for which there are one or more Dependents with respect to the Participant.
- "Eligible Dependent Care Expenses" shall not include expenses incurred for services outside the Participant's household for the care of a Dependent unless such Dependent is (i) a qualifying child (as defined in Code Section 152 (c)) under the age of 13, or (ii) a dependent (qualifying child or qualifying relative, as defined in Code Section 152 (c) and (d), respectively)), who is physically or mentally incapable of self-care, and who has the same principal place of abode as the Participant for more than half of the taxable year, or (iii) the spouse of a Participant who is physically or mentally incapable of self-care, and who has the same principal place of abode as the Participant for more than half of the taxable year. Eligible Dependent Care Expenses shall be deemed to be incurred at the time the services to which the expenses relate are rendered.
- d. "Dependent Care Service Provider" (for purposes of this Section IX) means:
- (i) a Dependent Care Center, or
 - (ii) a person who provides care or other services described in Section 9.04(b) and who is not a related individual described in Section 129(c) of the Code.

SECTION X

HEALTH SAVINGS ACCOUNTS

- 10.01 PURPOSE: If elected by the Employer in Section F.8 of the Adoption Agreement, the Plan will permit pre-tax contributions to the Health Savings Account, and the provisions of this Article X shall apply.
- 10.02 BENEFITS: A Participant can elect benefits under the Health Savings Accounts portion of this Plan by electing to pay his or her Health Savings Account contributions on a pre-tax salary reduction basis. In addition, the Employer may make contributions to the Health Savings Account for the benefit of the Participant.
- 10.03 TERMS, CONDITIONS AND LIMITATION:
- a. Maximum Benefit. The maximum annual contributions that may be made to a Participant's Health Savings Account under this Plan is set forth in Section F.8 of the Adoption Agreement.

- b. Mid-Year Election Changes. Notwithstanding any to the contrary herein, a Participant election with respect to contributions for the Health Savings Account shall be revocable during the duration of the Plan Year to which the election relates. Consequently, a Participant may change his or her election with respect to contributions for the Health Savings Account at any time.

10.04 RESTRICTIONS ON MEDICAL REIMBURSEMENT PLAN: If the Employer has elected in Section F.8 of the Adoption Agreement both Health Savings Accounts under this Plan and the Medical Expense Reimbursement Plan, then the Eligible Medical Expenses that may be reimbursed under the Medical Reimbursement Plan for Participants who are eligible for and elect to participate in Health Savings Accounts shall be limited as set forth in Section F.8 of the Adoption Agreement.

10.05 NO ESTABLISHMENT OF ERISA PLAN: It is the intent of the Employer that the establishment of Health Savings Accounts are completely voluntary on the part of Participants, and that, in accordance with Department of Labor Field Assistance Bulletin 2004-1, the Health Savings Accounts are not “employee welfare benefit plans” for purposes of Title I of ERISA.

SECTION XI

AMENDMENT AND TERMINATION

11.01 AMENDMENT: The Employer shall have the right at any time, and from time to time, to amend, in whole or in part, any or all of the provisions of this Plan, provided that no such amendment shall change the terms and conditions of payment of any benefits to which Participants and covered dependents otherwise have become entitled to under the provisions of the Plan, unless such amendment is made to comply with federal or local laws or regulations. The Employer also shall have the right to make any amendment retroactively which is necessary to bring the Plan into conformity with the Code. In addition, the Employer may amend any provisions or any supplements to the Plan and may merge or combine supplements or add additional supplements to the Plan, or separate existing supplements into an additional number of supplements.

11.02 TERMINATION: The Employer shall have the right at any time to terminate this Plan, provided that such termination shall not eliminate any obligations of the Employer which therefore have arisen under the Plan.

SECTION XII

ADMINISTRATION

12.01 NAMED FIDUCIARIES: The Administrator shall be the fiduciary of the Plan.

12.02 APPOINTMENT OF RECORDKEEPER: The Employer may appoint a Reimbursement Recordkeeper which shall have the power and responsibility of performing recordkeeping and other ministerial duties arising under the Medical Expense Reimbursement Plan and the Dependent Care Reimbursement Plan provisions of this Plan. The Reimbursement Recordkeeper shall serve at the pleasure of, and may be removed by, the Employer without cause. The Recordkeeper shall receive reasonable compensation for its services as shall be agreed upon from time to time between the Administrator and the Recordkeeper.

12.03 POWERS AND RESPONSIBILITIES OF ADMINISTRATOR:

- a. General. The Administrator shall be vested with all powers and authority necessary in order to amend and administer the Plan, and is authorized to make such rules and regulations as it may deem necessary to carry out the provisions of the Plan. The Administrator shall determine any questions arising in the administration (including all questions of eligibility and determination of amount, time and manner of payments of benefits), construction, interpretation and application of the Plan, and the decision of the Administrator shall be final and binding on all persons.
- b. Recordkeeping. The Administrator shall keep full and complete records of the administration of the Plan. The Administrator shall prepare such reports and such information concerning the Plan and the administration thereof by the Administrator as may be required under the Code or ERISA and the regulations promulgated thereunder.
- c. Inspection of Records. The Administrator shall, during normal business hours, make available to each Participant for examination by the Participant at the principal office of the Administrator a copy of the Plan and such records of the Administrator as may pertain to such Participant. No Participant shall have the right to inquire as to or inspect the accounts or records with respect to other Participants.

12.04 COMPENSATION AND EXPENSES OF ADMINISTRATOR: The Administrator shall serve without compensation for services as such. All expenses of the Administrator shall be paid by the Employer. Such expenses shall include any expense incident to the functioning of the Plan, including, but not limited to, attorneys' fees, accounting and clerical charges, actuary fees and other costs of administering the Plan.

12.05 LIABILITY OF ADMINISTRATOR: Except as prohibited by law, the Administrator shall not be liable personally for any loss or damage or depreciation which may result in connection with the exercise of duties or of discretion hereunder or upon any other act or omission hereunder except when due to willful misconduct. In the event the Administrator is not covered by fiduciary liability insurance or similar insurance arrangements, the Employer shall indemnify and hold harmless the Administrator from any and all claims, losses, damages, expenses (including reasonable counsel fees approved by the Administrator) and liability (including any reasonable amounts paid in settlement with the Employer's approval) arising from any act or omission of the Administrator, except when the same is determined to be due to the willful misconduct of the Administrator by a court of competent jurisdiction.

12.06 DELEGATIONS OF RESPONSIBILITY: The Administrator shall have the authority to delegate, from time to time, all or any part of its responsibilities under the Plan to such person or persons as it may deem advisable and in the same manner to revoke any such delegation of responsibilities which shall have the same force and effect for all purposes hereunder as if such action had been taken by the Administrator. The Administrator shall not be liable for any acts or omissions of any such delegate. The delegate shall report periodically to the Administrator concerning the discharge of the delegated responsibilities.

12.07 RIGHT TO RECEIVE AND RELEASE NECESSARY INFORMATION: The Administrator may release or obtain any information necessary for the application, implementation and determination of this Plan or other Plans without consent or notice to any person. This information may be released to or obtained from any insurance company, organization, or person subject to applicable law. Any individual claiming benefits under this Plan shall furnish to the Administrator such information as may be necessary to implement this provision.

12.08 CLAIM FOR BENEFITS: To obtain payment of any benefits under the Plan a Participant must comply with the rules and procedures of the particular benefit program elected pursuant to this Plan under which the Participant claims a benefit.

12.09 GENERAL CLAIMS REVIEW PROCEDURE: This provision shall apply only to the extent that a claim for benefits is not governed by a similar provision of a benefit program available under this Plan or is not governed by Section 12.10.

- a. Initial Claim for Benefits. Each Participant may submit a claim for benefits to the Administrator as provided in Section 12.08. A Participant shall have no right to seek review of a denial of benefits, or to bring any action in any court to enforce a claim for benefits prior to his filing a claim for benefits and exhausting his rights to review under this section.

When a claim for benefits has been filed properly, such claim for benefits shall be evaluated and the claimant shall be notified of the approval or the denial within (90) days after the receipt of such claim unless special circumstances require an extension of time for processing the claim. If such an extension of time for processing is required, written notice of the extension shall be furnished to the claimant prior to the termination of the initial ninety (90) day period which shall specify the special circumstances requiring an extension and the date by which a final decision will be reached (which date shall not be later than one hundred and eighty (180) days after the date on which the claim was filed.) A claimant shall be given a written notice in which the claimant shall be advised as to whether the claim is granted or denied, in whole or in part. If a claim is denied, in whole or in part, the claimant shall be given written notice which shall contain (a) the specific reasons for the denial, (b) references to pertinent plan provisions upon which the denial is based, (c) a description of any additional material or information necessary to perfect the claim and an explanation of why such material or information is necessary, and (d) the claimant's rights to seek review of the denial.

- b. Review of Claim Denial. If a claim is denied, in whole or in part, the claimant shall have the right to request that the Administrator review the denial, provided that the claimant files a written request for review with the Administrator within sixty (60) days after the date on which the claimant received written notification of the denial. A claimant (or his duly authorized representative) may review pertinent documents and submit issues and comments in writing to the Administrator. Within sixty (60) days after a request is received, the review shall be made and the claimant shall be advised in writing of the decision on review, unless special circumstances require an extension of time for processing the review, in which case the claimant shall be given a written notification within such initial sixty (60) day period specifying the reasons for the extension and when such review shall be completed (provided that such review shall be completed within one hundred and twenty (120) days after the date on which the request for review was filed.) The decision on review shall be forwarded to the claimant in writing and shall include specific reasons for the decision and references to plan provisions upon which the decision is based. A decision on review shall be final and binding on all persons.
- c. Exhaustion of Remedies. If a claimant fails to file a request for review in accordance with the procedures herein outlined, such claimant shall have no rights to review and shall have no right to bring action in any court and the denial of the claim shall become final and binding on all persons for all purposes.

12.10 SPECIAL CLAIMS REVIEW PROCEDURE: The provisions of this Section 12.10 shall be applicable to claims under the Medical Expense Reimbursement Plan and the Group Medical Insurance Plan, effective on the first day of the first Plan Year beginning on or after July 1, 2002, but in no event later than January 1, 2003, provided such plans are subject to ERISA.

- a. Benefit Denials: The Administrator is responsible for evaluating all claims for reimbursement under the Medical Expense Reimbursement Plan and the Group Medical Insurance Plan.

The Administrator will decide a Participant's claim within a reasonable time not longer than 30 days after it is received. This time period may be extended for an additional 15 days for matters beyond the control of the Administrator, including in cases where a claim is incomplete. The Participant will receive written notice of any extension, including the reasons for the extension and information on the date by which a decision by the Administrator is expected to be made. The Participant will be given 45 days in which to complete an incomplete claim. The Administrator may secure independent medical or other advice and require such other evidence as it deems necessary to decide the claim.

If the Administrator denies the claim, in whole or in part, the Participant will be furnished with a written notice of adverse benefit determination setting forth:

1. the specific reason or reasons for the denial;
 2. reference to the specific Plan provision on which the denial is issued;
 3. a description of any additional material or information necessary for the Participant to complete his claim and an explanation of why such material or information is necessary, and
 4. appropriate information as to the steps to be taken if the Participant wishes to appeal the Administrator's determination, including the participant's right to submit written comments and have them considered, his right to review (on request and at no charge) relevant documents and other information, and his right to file suit under ERISA with respect to any adverse determination after appeal of his claim.
- b. Appealing Denied Claims: If the Participant's claim is denied in whole or in part, he may appeal to the Administrator for a review of the denied claim. The appeal must be made in writing within 180 days of the Administrator's initial notice of adverse benefit determination, or else the participant will lose the right to appeal the denial. If the Participant does not appeal on time, he will also lose his right to file suit in court, as he will have failed to exhaust his internal administrative appeal rights, which is generally a prerequisite to bringing suit.

A Participant's written appeal should state the reasons that he feels his claim should not have been denied. It should include any additional facts and/or documents that the Participant feels support his claim. The Participant may also ask additional questions and make written comments, and may review (on request and at no charge) documents and other information relevant to his appeal. The Administrator will review all written comment the Participant submits with his appeal.

- c. Review of Appeal: The Administrator will review and decide the Participant's appeal within a reasonable time not longer than 60 days after it is submitted and will notify the Participant of its decision in writing. The individual who decides the appeal will not be the same individual who decided the initial claim denial and will not be that individual's subordinate. The Administrator may secure independent medical or other advice and require such other evidence as it deems necessary to decide the appeal, except that any medical expert consulted in connection with the appeal will be different from any expert consulted in connection with the initial claim. (The identity of a medical expert consulted in connection with the Participant's appeal will be provided.) If the decision on appeal affirms the initial denial of the Participant's claim, the Participant will be furnished with a notice of adverse benefit determination on review setting forth:

1. The specific reason(s) for the denial,
2. The specific Plan provision(s) on which the decision is based,
3. A statement of the Participant's right to review (on request and at no charge) relevant documents and other information,
4. If the Administrator relied on an "internal rule, guideline, protocol, or other similar criterion" in making the decision, a description of the specific rule, guideline, protocol, or other similar criterion or a statement that such a rule, guideline, protocol, or other similar criterion was relied on and that a copy of such rule, guideline, protocol, or other criterion will be provided free of charge to the Participant upon request," and
5. A statement of the Participant's right to bring suit under ERISA § 502(a).

12.11 PAYMENT TO REPRESENTATIVE: In the event that a guardian, conservator or other legal representative has been duly appointed for a Participant entitled to any payment under the Plan, any such payment due may be made to the legal representative making claim therefor, and such payment so made shall be in complete discharge of the liabilities of the Plan therefor and the obligations of the Administrator and the Employer.

12.12 PROTECTED HEALTH INFORMATION. The provisions of this Section will apply only to those portions of the Plan that are considered a group health plan for purposes of 45 CFR Parts 160 and 164. The Plan may disclose PHI to employees of the Employer, or to other persons, only to the extent such disclosure is required or permitted pursuant to 45 CFR Parts 160 and 164. The Plan has implemented administrative, physical, and technical safeguards to reasonably and appropriately protect, and restrict access to and use of, electronic PHI, in accordance with Subpart C of 45 CFR Part 164. The applicable claims procedures under the Plan shall be used to resolve any issues of non-compliance by such individuals. The Employer will:

- not use or disclose PHI other than as permitted or required by the plan documents and permitted or required by law;
- reasonably and appropriately safeguard electronic PHI created, received, maintained, or transmitted to or by the it on behalf of the Plan, in accordance with Subpart C of 45 CFR Part 164;
- implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the electronic PHI that it creates, receives, maintains, or transmits on behalf of the Plan;
- ensure that any agents including a subcontractors to whom it provides PHI received from the Plan agree to the same restrictions and conditions that apply to the Employer with respect to such information;
- not use or disclose PHI for employment-related actions and decisions or in connection with any other employee benefit plan of the Employer;
- report to the Plan any use or disclosure of the information that is inconsistent with the permitted uses or disclosures provided for of which it becomes aware;
- make available PHI in accordance with 45 CFR Section 164.524;
- make available PHI for amendment and incorporate any amendments to PHI in accordance with 45 CFR Section 164.526;

- make available the information required to provide an accounting of disclosures in accordance with 45 CFR Section 164.528;
- make its internal practices, books, and records relating to the use and disclosure of PHI received from the Plan available to the Secretary of Health and Human Services or his designee upon request for purposes of determining compliance with 45 CFR Section 164.504(f);
- if feasible, return or destroy all PHI received from the Plan that the Employer still maintains in any form and retain no copies of such information when no longer needed for the purposes for which disclosure was made, except that, if such return or destruction is not feasible, limit further uses and disclosures to those purposes that make the return or destruction of the information infeasible; and,
- ensure that the adequate separation required in paragraph (f)(2)(iii) of 45 CFR Section 164.504 is established.

For purposes of this Section, “PHI” is “Protected Health Information” as defined in 45 CFR Section 160.103, which means individually identifiable health information, except as provided in paragraph (2) of the definition of “Protected Health Information” in 45 CFR Section 160.103, that is transmitted by electronic media; maintained in electronic media; or transmitted or maintained in any other form or medium by a covered entity, as defined in 45 CFR Section 164.104.

SECTION XIII

MISCELLANEOUS PROVISIONS

- 13.01 INABILITY TO LOCATE PAYEE: If the Plan Administrator is unable to make payment to any Participant or other person to whom a payment is due under the Plan because it cannot ascertain the identity or whereabouts of such Participant or other person after reasonable efforts have been made to identify or locate such person, then such payment and all subsequent payments otherwise due to such Participant or other person shall be forfeited following a reasonable time after the date any such payment first became due.
- 13.02 FORMS AND PROOFS: Each Participant or Participant's Beneficiary eligible to receive any benefit hereunder shall complete such forms and furnish such proofs, receipts, and releases as shall be required by the Administrator.
- 13.03 NO GUARANTEE OF TAX CONSEQUENCES: Neither the Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant or a Dependent under the Plan will be excludable from the Participant's or Dependent's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any Participant or Dependent.
- 13.04 PLAN NOT CONTRACT OF EMPLOYMENT: The Plan will not be deemed to constitute a contract of employment between the Employer and any Participant nor will the Plan be considered an inducement for the employment of any Participant or employee. Nothing contained in the Plan will be deemed to give any Participant or employee the right to be retained in the service of the Employer nor to interfere with the right of the Employer to discharge any Participant or employee at any time regardless of the effect such discharge may have upon that individual as a Participant in the Plan.
- 13.05 NON-ASSIGNABILITY: No benefit under the Plan shall be liable for any debt, liability, contract, engagement or tort of any Participant or his Beneficiary, nor be subject to charge, anticipation, sale, assignment, transfer, encumbrance, pledge, attachment, garnishment, execution or other voluntary or involuntary alienation or other legal or equitable process, nor transferability by operation of law.

13.06 SEVERABILITY: If any provision of the Plan will be held by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions hereof will continue to be fully effective.

13.07 CONSTRUCTION:

- a. Words used herein in the masculine or feminine gender shall be construed as the feminine or masculine gender, respectively where appropriate.
- b. Words used herein in the singular or plural shall be construed as the plural or singular, respectively, where appropriate.

13.08 NONDISCRIMINATION: In accordance with Code Section 125(b)(1), (2), and (3), this Plan is intended not to discriminate in favor of Highly Compensated Participants (as defined in Code Section 125(e)(1)) as to contributions and benefits nor to provide more than 25% of all qualified benefits to Key Employees. If, in the judgment of the Administrator, more than 25% of the total nontaxable benefits are provided to Key Employees, or the Plan discriminates in any other manner (or is at risk of possible discrimination), then, notwithstanding any other provision contained herein to the contrary, and, in accordance with the applicable provisions of the Code, the Administrator shall, after written notification to affected Participants, reduce or adjust such contributions and benefits under the Plan as shall be necessary to insure that, in the judgment of the Administrator, the Plan shall not be discriminatory.

13.09 ERISA. The Plan shall be construed, enforced, and administered and the validity determined in accordance with the applicable provisions of the Employee Retirement Income Security Act of 1974 (as amended), the Internal Revenue Code of 1986 (as amended), and the laws of the State indicated in the Adoption Agreement. Notwithstanding anything to the contrary herein, the provisions of ERISA will not apply to this Plan if the Plan is exempt from coverage under ERISA. Should any provisions be determined to be void, invalid, or unenforceable by any court of competent jurisdiction, the Plan will continue to operate, and for purposes of the jurisdiction of the court only will be deemed not to include the provision determined to be void.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: Request the Governing Board approve the Amendment to the MOU with the Public Health Institute/FACES for the Future Coalition for Health Career Training & Work-Based Learning, Academic Support, Wellness Services, and Youth Leadership Development for the 2025-2026 School Year

BACKGROUND

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

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

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

CURRENT SITUATION

This amendment to the MOU approved by the Governing Board on November 6, 2025, includes the addition of a second scope of work. Using Golden State Pathway Program funding, the Eden Area ROP, FACES for the Future and the Davis Street Clinic in San Leandro will work collaboratively to build community classroom internship opportunities for Eden Area ROP Medical II students.

The Public Health Institute/FACES for the Future Coalition will work with the Davis Street Clinic to build the infrastructure for ongoing EAROP Medical II internships with the goal of providing 10 placements by May 2029.

Fiscal Impact: The Eden Area ROP will be contracting for these services for \$19,000 a year.

CONSENT CALENDAR

December 11, 2025

FACES For the Future Coalition (FACES)

555 12th Street, Suite 600
Oakland, CA 94607

Eden Area Regional Occupational Program (EAROP)

26316 Hesperian Blvd.
Hayward, CA 94545

Amendment to the Original Contract July 1, 2025

This amendment incorporates an additional Scope of Work and additional funding of \$19,000 (see additional Scope of Work Exhibit B), increasing the total contract funding to support the added Scope of Work to \$29,000. All other terms and conditions of the original agreement remain unchanged.

**Rebecca
Silva** Digitally signed by
Rebecca Silva
Date: 2025.12.11
17:10:55 -08'00'

Rebecca Silva
Public Health Institute, fiscal
sponsor for FACES for the Future



Blaine C. Torpey
Superintendent
Eden Area ROP

____ 12/11/25 _____

Date

____ 12/11/25 _____

Date

**FACES for the Future Coalition
2025-26 Scope of Work for EAROP, Exhibit B**

Drafted by: Amy Spade, FACES Deputy Director (10/1/25)
Location: Eden Area ROP
Focus: Workforce Development Programs
Project Period: 8/1/25 – 6/30/26
Total Funding: \$19,000



Medical II Clinical Placement Support: \$19,000

FACES for the Future Coalition programs support youth in health education, work-based learning, and public health advocacy. New in 2025-26, FACES will place the first Medical II students—preferably alumni of the Medical I Health Scholars program—in a pilot clinical placement internship with Davis Street Clinic. Over the next 3 school years, through May of 2029, FACES will thoughtfully build the capacity of Davis Street Clinic as a clinical placement provider to accept 10 students per year.

FACES for the Future Coalition will:

- Work with EAROP staff to design a new, pilot clinical placement internship at Davis Street Clinic for a minimum of two and up to five Medical II students, as the new relationship with Davis Street allows in its first year
- Work with Davis Street Clinic to build its internal infrastructure to be able to accept more students as interns each year, building to 10 students by the 2028-2029 school year
- Work to grow relationships with area health industry partners to create more placement opportunities and to ease pressure on Davis Street as the sole provider
- Coordinate with Davis Street Clinic to fill as many Medical II clinical placement slots as can be realistically and maximally offered (with potentially a.m. and p.m. cohorts)
- Coordinate with Davis Street Clinic to provide a semester-long, on-site, medical setting placement for each student that is aligned with Certified Nurse Assistant requirements
- Coordinate with students, families, and hospital staff to complete health clearance and other placement paperwork requirements
- Collect, evaluate and report data student demographics, activities, and measurable impacts of the project

FACES for the Future Coalition is a fiscally sponsored project of Public Health Institute, EIN 94-1646278.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board to approve the Second Amendment Agreement with Mark Miller for Construction Manager Consultation Services from October 1, 2024 through June 30, 2026

BACKGROUND

Business Services has a need for a construction manager consultant to facilitate a multitude of capital outlay projects throughout campus.

California Government Code 53060 states that "The legislative body of any ... district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required."

CURRENT SITUATION

At the April 10, 2025 board meeting, the Board approved Consent Item F, an amendment agreement with independent contractor, Mark Miller, from October 1, 2024 through December 31, 2025, to provide construction manager consulting services. Mr. Miller has since been assigned several more capital outlay projects thereby bringing forth this amendment agreement from October 1, 2024 through June 30, 2026.

CONSENT CALENDAR



AGREEMENT FOR SERVICE

26316 Hesperian Blvd., Hayward, CA 94545 | P: (510) 293-2905 | F: P: (510) 293-2927 | www.edenrop.org

This agreement for service (this "Agreement") is between the Eden Area ROP (the "Customer") and Mark A. Miller (the "Service Provider") between October 1, 2024 through ~~September 1, 2025~~ December 31, 2025 As

Background: June 30, 2026 As

- A. The Customer is of the opinion that the Service Provider has the necessary qualifications, experience and abilities to provide services to the Customer.
- B. The Service Provider is agreeable to providing such services to the Customer on the terms and conditions set out in this Agreement.
- C. Mark A. Miller has a background in assessment, procurement, budgeting and construction, working with owners to develop project scope, planning execution approaches, coordinating with affected public agencies, and working with owners, design teams, vendors and suppliers and with construction of projects, and is willing to provide services to Eden Area ROP based on this background.

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

Services Provided

- 1. The Customer hereby agrees to engage the Service Provider to provide the Customer with services (the "Services") consisting of, but not limited to, Exhibit A.

Term of Agreement

- 2. The term of this Agreement will be from October 1, 2024 and will remain in full force and effect until ~~September 1, 2025~~ December 31, 2025 As and not to exceed ~~560~~ 785 total hours, ~~085~~ As subject to earlier termination as provided in this Agreement, with the said term being capable of extension by mutual written agreement of the parties.

~~December 31, 2025~~ As

June 30, 2026 As

Performance

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

Compensation

- \$175.00 effective 02/01/2025
- Eden Area ROP will pay a fee to Mark A. Miller for the services based on ~~\$135.00~~ per hour with a not to exceed of ~~\$75,600.00~~. This fee shall be payable monthly, at Net 30, upon invoicing of services. ~~\$118,000.00~~ \$135,500.00
 - Service Provider shall submit an itemized invoice to Business Services which includes: dates, time and type of worked accomplished.

Confidentiality

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

Non-Competition

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

Ownership of Materials

- All materials developed, produced, or in the process of being so under this Agreement will be the property of the Customer. The use of the mentioned materials by the Customer will not be restricted in any manner.
- The Service Provider may retain use of the said materials and will not be responsible for damages resulting from their use for work other than services contracted for in this Agreement.

Return of Property

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

Assignment

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

Capacity/Independent Contractor

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

Modification of Agreement

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

Notice

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

Costs and Legal Expenses

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

Time of the Essence

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

Entire Agreement

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

Limitation of Liability

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

Indemnification

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

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

Inurement

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

Currency

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

Titles/Headings

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

Gender

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

Governing Law

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

Severability

25. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

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

Additional Provisions

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

Mark A. Miller, Service Provider

Date

Anthony Oum, Eden Area ROP
Fiscal Services Administrator

Date

INFORMATION ITEMS



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Manuschka Michaud, Principal
SUBJECT: ROP Pathway Reviews-Entrepreneurship/Self Employment and Marketing

BACKGROUND

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

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

CURRENT SITUATION

The Entrepreneurship/Self Employment and Marketing pathway is under the Marketing, Sales, and Services sector.

The Entrepreneurship/Self Employment pathway will help students develop knowledge and skills common to entrepreneurs and entrepreneurship, including the human characteristics vital for entrepreneurial thinking in a twenty-first-century global world. Entrepreneurial thinking may be applied to all industry sectors. The performance indicators provide business knowledge and skills required for entrepreneurs and intangible skills and knowledge such as creativity and innovation skills.

The Marketing pathway will help students use both creative and systems processes, develop marketing concepts and principles, and their practical application in marketing and management. Subject matter includes market research, economics, marketing budgets, creative development and design, and marketing foundations/functions with emphasis on public relations, advertising, branding, promotion, product/service management, pricing and distribution. Specialized programs of study in this field may include sports marketing, hospitality marketing, advertising or market research

The attached pathway reviews are for the following program(s): Entrepreneurship IP/IIP and Marketing Economics.

RECOMMENDATION

Information only

SCHOOL DISTRICT:	EDEN AREA ROP	LOCATION:	Hayward, Mt. Eden, San Leandro, Tennyson
PATHWAY:	Entrepreneurship/Self Employment	INSTRUCTORS:	Charles, Fuller, Jagroop, Rosas
Course Name	Enrollment as of 24-25 Year to Date	Enrollment as of 23-24 Year to Date	Enrollment as of 22-23 Year to Date
Entrepreneurship IP	336	439	415
Entrepreneurship IIP	31	40	27

Comments:

- Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing.
 YES NO
- Retention rate (Active Enrollment divided by Year-to-date Enrollment):

Text Book: Business Economics & Entrepreneurship II, Entrepreneurship Owning your Future, Entrepreneurship **Edition:** 3rd

NO.	YES	NO									
1.	X		ENROLLMENT – Course meets current or future labor market news. <table border="1"> <tr> <td>CLASS SCHEDULE: AM/PM</td> <td>SECTIONS PER YEAR:</td> <td>MINS PER SECTION:</td> <td>EXPECTED MINIMUM STUDENTS PER SECTION:</td> </tr> <tr> <td>Varies (Site)</td> <td>Varies</td> <td>60-90 Min</td> <td>25+</td> </tr> </table>	CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:	Varies (Site)	Varies	60-90 Min	25+
CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:								
Varies (Site)	Varies	60-90 Min	25+								
2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.								
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.								
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.								
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.								
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. <input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP <input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.								
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.								
8.	X		WORK BASED LEARNING – Course incorporates work-based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)								
9.	X		COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)								
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.								
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION <input checked="" type="checkbox"/> District will provide a facility which adequately accommodates the program. <input type="checkbox"/> EAROP will provide a facility which adequately accommodates the program. <input type="checkbox"/> District shares cost of equipment if program is cross utilized.								

OTHER CONSIDERATIONS:

<input checked="" type="checkbox"/> A-G Credit for UC	<input type="checkbox"/> State and National Licensing or Certification
<input checked="" type="checkbox"/> Community College Articulation	<input checked="" type="checkbox"/> Strong Business or Industry Partnership
<input type="checkbox"/> Dual Enrollment	<input checked="" type="checkbox"/> Emerging Technologies

COMPLIANCE CATEGORIES

<input checked="" type="checkbox"/> R – Retain Program: Program meets all criteria.	<input type="checkbox"/> W - Watch Program: All criteria not met. See areas that need to be complied with.	<input type="checkbox"/> P - Probation: Criteria is not being met. Program in danger of suspension.	<input type="checkbox"/> R – Reduce Program: Downsizing program.	<input type="checkbox"/> S/T - Suspend/ Terminate program.
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SCHOOL DISTRICT:		EDEN AREA ROP		LOCATION:		Arroyo, Castro Valley, San Leandro	
PATHWAY:		Marketing		INSTRUCTORS:		Charlton, Thompson, Jagroop	
Course Name		Enrollment as of 24-25 Year to Date		Enrollment as of 23-24 Year to Date		Enrollment as of 22-23 Year to Date	
Marketing Economics IP		158		208		231	
Comments:							
<ul style="list-style-type: none"> Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Retention rate (Active Enrollment divided by Year-to-date Enrollment): 							
Text Book: Marketing Dynamics						Edition: 4th	
NO.	YES	NO					
1.	X		ENROLLMENT – Course meets current or future labor market news.				
			CLASS SCHEDULE: AM/PM	SECTIONS PER YEAR:	MINS PER SECTION:	EXPECTED MINIMUM STUDENTS PER SECTION:	
			Varies (Site)	Varies	60-90 Min	25+	
2.	X		AVAILABILITY OF QUALIFIED INSTRUCTOR – Qualified/ Credentialed Instructor teaching course.				
3.	X		LEADERSHIP – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.				
4.	X		CURRICULUM and INSTRUCTION – Students are provided with a strong experience in and understanding of all aspects of industry.				
5.	X		SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT – Course is designed as part of a sequence of courses, career pathways, etc.				
6.	X		ADVISORY COMMITTEE – The course has been reviewed and recommended by a pre-established committee. <input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP <input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance.				
7.	X		LABOR MARKET NEEDS – Course meets current or future labor market needs.				
8.	X		WORK BASED LEARNING – Course incorporates work-based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)				
9.	X		COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing)				
10.	X		JOB PLACEMENT/FURTHER EDUCATION OPTIONS – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.				
11.	X		FACILITIES AND EQUIPMENT ACCOMMODATION <input checked="" type="checkbox"/> District will provide a facility which adequately accommodates the program. <input type="checkbox"/> EAROP will provide a facility which adequately accommodates the program. <input type="checkbox"/> District shares cost of equipment if program is cross utilized.				
OTHER CONSIDERATIONS:							
<input checked="" type="checkbox"/> A-G Credit for UC				<input type="checkbox"/> State and National Licensing or Certification			
<input checked="" type="checkbox"/> Community College Articulation				<input checked="" type="checkbox"/> Strong Business or Industry Partnership			
<input type="checkbox"/> Dual Enrollment				<input checked="" type="checkbox"/> Emerging Technologies -			
COMPLIANCE CATEGORIES							
<input checked="" type="checkbox"/> R – Retain Program: Program meets all criteria.		<input type="checkbox"/> W - Watch Program: All criteria not met. See areas that need to be complied with.		<input type="checkbox"/> P - Probation: Criteria is not being met. Program in danger of suspension.		<input type="checkbox"/> R – Reduce Program: Downsizing program.	
<input type="checkbox"/> S/T - Suspend/ Terminate program.							



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal (On-Site)
SUBJECT: Sophomore Presentation Update

BACKGROUND

Every year, the Eden Area ROP hosts a series of tours for sophomores from the partner school districts. These sophomore tours promote awareness of the Eden Area ROP programs and career opportunities available to students. The Eden Area ROP collaborates with each partner high school to design, organize and facilitate this field trip to the Hayward Center for all interested sophomores.

Before sophomores visit the Eden Area ROP, the Public Relations and Student Activities Specialist visits each of the four partner district high schools to present information about Eden Area ROP courses.

CURRENT SITUATION

The Public Relations and Student Activities Specialist, along with student ambassadors, visited partner high schools in the following four districts: Castro Valley USD, Hayward USD, San Leandro USD, and San Lorenzo USD. During these visits, they highlight all courses, so sophomores gain an understanding of what each program offers. This allows students to become familiar with the courses before seeing the programs in action.

RECOMMENDATION

Information only



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Midyear Review of the Superintendent's Goals

BACKGROUND

Each year the Governing Board develops goals for the Superintendent. The goals are designed to set a path for moving the organization forward and serve as the basis for the Superintendent's evaluation at the end of the school year.

CURRENT SITUATION

The Superintendent will provide an update on the progress and status of the goals identified for this school year.

RECOMMENDATION

Information only

EdenAreaROP SUPERINTENDENT'S GOALS 2025-2026

Strengthen EAROP Culture, Climate and Communication

- Continue to refine a comprehensive strategic plan that is guided by the Vision Statement, Mission Statement, EAROP Core Values, Student Learning Outcomes, Governing Board, and stakeholder input to allow for priority-driven and balance-informed decision making.
- Expand the sense of belonging for students, families, staff with a continued focus on anti-racism, anti-discrimination, and anti-bias.
- Develop high-impact strategic partnerships that enhance student learning and student outcomes.
- Manage organizational changes and refine as necessary to maximize program efficacy, staff effectiveness, and student achievement while maintaining a balance between program growth, program efficacy, and organizational capacity.

Enhance High-Quality CTE Programming and Systems to Support All Students

- Refine current high-quality CTE programs through a systemic profile analysis with a concerted focus on instructional practices and student outcomes.
- Increase student voice and input by building systems and infrastructure to support students' social-emotional learning and wellbeing.
- Continue to codify and enhance data collection with a focus on systems, student demographics, student achievement, and assessment inventory.
- Build a sustainable a long-range plan for the development and implementation of EAROP Apprenticeship programs and educational option partnerships.

Guide and Support the Development of EAROP Staff

- Develop systems and practices to recruit, hire, retain, and mentor dedicated, experienced, and highly effective staff members.
- Engage and enrich the experience of Classified and Certificated staff through professional development and comprehensive staff feedback.
- Enhance a restorative approach to building a community of adults who are connected and focused on student outcomes with an emphasis on the development and integration of new staff.
- Ensure that EAROP Staff are fluent in EAROP policies, procedures, and practices for the benefit of their professional wellness and organizational health.

Fiscal, Resource, and Operational Leadership

- Continue local, regional, and statewide advocacy to ensure CTE and ROP remains at the forefront of educational discussions, initiatives, and policy development.
- In collaboration with HUSD, the EAROP Coordinating Council, and the Governance Team, develop and implement a long-term facilities plan.
- Assess operations, site safety, resource management, and technology plan to ensure fidelity to the EAROP Vision, Mission, and Core Values.
- Implement and manage new and renewed grants ensuring that programs effectuate positive student outcomes and EAROP fiscal stability.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal (On-Site)
SUBJECT: Student Training and Employment Program (STEP) Grant Overview

BACKGROUND

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

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

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

The Eden Area ROP was awarded a three-year Student Training and Employment Program (STEP) grant and is currently in the third year of the grant.

CURRENT SITUATION

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

The three main objectives of the grant are as follows:

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

The Eden Area ROP is currently completing Round 2 of the STEP Forward Program and transitioning to Round 3.

RECOMMENDATION

Information only



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: First Reading of Governing Board Policies, Administrative Regulations, and Exhibit

BACKGROUND

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date. The last thorough review of all of the Eden Area ROP Governing Board policies and administrative regulations occurred in the 2019-2020 school year.

Since then, the Eden Area ROP has contracted with California School Boards Association (CSBA) to receive regular updates and suggested policy language for any additions, changes, or modifications to educational code that impacts policy. Staff regularly review these updates and bring relevant changes to the board for their consideration throughout the year.

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

CURRENT SITUATION

What follows is the first reading of updated board policies, administrative regulations, and exhibit to reflect current law and regulations provided in CSBA's quarterly update.

NUMBER	TYPE	TITLE	STATUS
0450	BP	Comprehensive Safety Plan	Revise
0450	AR	Comprehensive Safety Plan	Revise
1340	BP	Access to District Records	Revise
1340	AR	Access to District Records	Revise
1445	BP	Response To Immigration Enforcement	New
1445	AR	Response To Immigration Enforcement	New
5125	BP	Student Records	Revise
5125	AR	Student Records	Revise
5125.1	BP	Release of Directory Information	Revise
5125.1	AR	Release of Directory Information	Revise
5125.1	E(1)	Release of Directory Information	Revise
5145.13	BP	Response To Immigration Enforcement	Rescind
5145.13	AR	Response To Immigration Enforcement	Rescind

RECOMMENDATION

Information only



EdenAreaROP SUPERINTENDENT'S MEMO

To: Eden Area ROP Governing Board
From: Blaine Torpey, Superintendent
Date: February 5, 2026
Re: First Reading of Board Policies, Administrative Regulations, Bylaws and Exhibits

Listed below is a summary of the changes being recommended to Board Policies (BP), Administrative Regulations (AR), and Exhibits (E) for the consideration of the Board.

Number	Type	Title	Explanation of Change	Status
0450	BP	Comprehensive Safety Plan	Policy updated in conjunction with the accompanying administrative regulation.	Revise
0450	AR	Comprehensive Safety Plan	Regulation updated to reflect NEW LAW (SB 848, 2025) which (1) expands the list of persons who may cooperate in the review of the comprehensive school safety plan (CSSP) to include the district's public entity risk pool joint powers authority or insurance provider, (2) adds child neglect to the reporting procedures required to be included in the CSSP, (3) requires, when the CSSP is next reviewed and updated, or by no later than July 1, 2026, that the CSSP includes procedures specifically designed to address the supervision and protection of children from child abuse or neglect or sex offenses, (4) adds a sex offense that has occurred on campus to acts that the principal is authorized to notify parents/guardians and employees of, and (5) expands the definition of "violent crime." Additionally, regulation updated to reflect NEW LAW (SB 98, 2025) , which requires, when a CSPP is next reviewed and updated, but no later than March 1, 2026, to include procedures specifically designed to notify parents/guardians and district staff when the school confirms the presence of immigration enforcement on a school site. In addition, regulation updated to reflect NEW LAW (AB 962, 2025) which authorizes districts to prohibit a student from possessing or using a smartphone in the case of an emergency or in response to a perceived threat of danger, if the prohibition is explicitly addressed in the district's CSSP.	Revise
1340	BP	Access to District Records	Policy reviewed in conjunction with the accompanying administrative regulation.	Revise
1340	AR	Access to District Records	Regulation updated to reflect NEW LAW (AB 1004, 2025) which provides that any record that contains financial information provided by an Indian tribe to a public agency as a condition of or requirement for receiving financial assistance is confidential, not considered to be a public record, and not be open to public inspection. Additionally, regulation updated to provide that an individual's immigration status may only be disclosed in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement. In addition, regulation updated to reflect NEW LAW (AB 370, 2025) which includes, in the definition of "unusual circumstances" whereby the Superintendent or designee	Revise

Number	Type	Title	Explanation of Change	Status
			<p>may extend the 10-day limit to initially respond to a request for public records, (1) the inability to access electronic servers or systems due to a cyberattack, but only until the district regains its ability to search for and obtain electronic records, and (2) the need to search for, collect, and examine records when a state of emergency, in addition to currently affecting the district's ability to timely respond, directly affects this ability.</p>	
1445	BP	Response To Immigration Enforcement	<p>NEW policy includes a significant amount of material that was formerly in Board Policy/Administrative Regulation 5145.13 - Response to Immigration Enforcement, and addresses a district's response to immigration enforcement including NEW LAW (AB 495, 2025) which requires districts to update their policies by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes." Additionally, new policy includes list of actions that district staff are prohibited from undertaking, unless an exception applies, related to (1) citizenship or immigration status of a student or the student's family members, (2) education records of or any information about a student or a student's family or household, (3) personnel records, personal information, or any other confidential information of an employee, and (4) permission to an officer or employee of an agency conducting immigration enforcement to enter a school bus or other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring. In addition, new policy reiterates the prohibition against obstructing, interfering with, or otherwise impeding an officer or employee of an agency conducting immigration enforcement who nonetheless enters district-provided transportation, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring. New policy also includes that (1) the Superintendent or designee is required to report to the Governing Board any requests by an officer or employee of an agency conducting certain immigration enforcement actions, (2) students may not be denied equal rights and opportunities, or be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status, (3) resources and data collected by the district are prohibited from being used to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination, and (4) the</p>	New

Number	Type	Title	Explanation of Change	Status
			Superintendent or designee is required to provide parents/guardians with specified information and notifications related to immigration status or religious beliefs and their rights related to immigration enforcement. Additionally, new policy provides that complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status be filed in accordance with Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures and that the Superintendent or designee provide to the California Department of Education copies of this policy, any associated administrative regulation, and any other Board policies and administrative regulations required by Education Code 234.7.	
1445	AR	Response To Immigration Enforcement	NEW regulation includes a significant amount of material that was formerly in Board Policy/Administrative Regulation 5145.13 - Response to Immigration Enforcement, and addresses a district's response to immigration enforcement including NEW LAW (AB 495, 2025) which requires districts to update their policies by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes." Additionally, new regulation provides direction on responding to (1) requests by an officer or employee of an agency conducting immigration enforcement for information about a student, a student's family or household, or a district employee, (2) requests by an officer or employee of an agency conducting immigration enforcement for access to a student or permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring, (3) immigration enforcement when any officer or employee of an agency conducting immigration enforcement is actually or imminently present on district property, and (4) instances when a student's parent/guardian has been detained by an agency conducting immigration enforcement or deported.	New
5125	BP	Student Records	Policy updated to provide that an individual's immigration status may only be disclosed in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement, with applicable material from this policy moved to/already contained within Board Policy/Administrative Regulation 1445.	Revise
5125	AR	Student Records	Regulation updated to define "district officials and employees," and, for accuracy, to use this term, rather than "school officials and employees." Additionally, regulation updated to reference NEW LAW (AB 495, 2025) which (1) requires districts to update their policies	Revise

Number	Type	Title	Explanation of Change	Status
			by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes," and (2) changes the definition of "relative", for purposes of a Caregiver's Authorization Affidavit, to include any adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including all stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand." In addition, regulation updated to (1) add that a request for student records by an officer or employee of an agency conducting immigration enforcement be denied except in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement, and (2) clarify that the annual parent/guardian notification includes a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will only be released in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.	
5125.1	BP	Release of Directory Information	Policy reviewed due to NEW LAW (AB 495, 2025) which requires districts to update their policies by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes."	Revise
5125.1	AR	Release of Directory Information	Regulation reviewed due to NEW LAW (AB 495, 2025) which requires districts to update their policies by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes." Additionally, regulation updated to reflect NEW LAW (AB 677, 2025) which provides an exception to the consent requirement for release of directory information for a student experiencing homelessness by authorizing disclosure to facilitate an eye examination by a nonprofit eye examination provider or a free oral health assessment hosted by a school, unless consent is not given to the physical examination.	Revise
5125.1	E(1)	Release of Directory Information	Exhibit updated due to NEW LAW (AB 495, 2025) which requires districts to update their policies by March 1, 2026, with language that is equivalent to the model policy language developed by the California Attorney General in, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's	Revise

Number	Type	Title	Explanation of Change	Status
			K-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes."	
5145.13	BP	Response to Immigration Enforcement	Policy deleted , as being too narrowly focused on students given NEW LAW (AB 495, 2025) which expands requirement to develop policies in response to immigration enforce to encompass protections for staff, with significant amount of material added to new Board Policy 1445 - Response to Immigration Enforcement.	Rescind
5145.13	AR	Response to Immigration Enforcement	Regulation deleted , as being too narrowly focused on students given NEW LAW (AB 495, 2025) which expands requirement to develop policies in response to immigration enforce to encompass protections for staff, with significant amount of material added to new Administrative Regulation 1445 - Response to Immigration Enforcement.	Rescind

Policy 0450: Comprehensive Safety Plan

Status: DRAFT

Original Adopted Date: 03/05/2020 | Last Revised Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for staff and student conduct, responsible behavior, and respect for others.

The Eden Area ROP shall develop a comprehensive school safety plan (CSPP) relevant to the needs and resources of that particular school. New school campuses shall develop a CSPP within one year of initiating operations. (Education Code 32281, 32286)

The CSPP shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the school site.

The CSPP(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review and approve the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

As necessary, the Superintendent or designee shall provide **CSPP** training **on the CSPP** to all school staff.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

However, those portions of the CSPP that include tactical responses to criminal incidents need not be publicly disclosed.

The Superintendent or designee shall share the CSPPs and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

The Additionally, the Superintendent or designee shall **also** provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

Regulation 0450: Comprehensive Safety Plan

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

Content of the Comprehensive Safety Plan

Each comprehensive school safety plan (CSSP) shall include an assessment of the current status of school crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, data on reports of law enforcement school crime data, suspension rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including the following that apply: (Education Code 32282)

1. Child abuse or neglect reporting procedures consistent with Penal Code 11164-11174.3, including procedures specifically designed to address the supervision and protection of children from child abuse or neglect or sex offenses
2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973
 - b. An earthquake emergency procedure systems as specified
3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which would lead to suspension
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4
6. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
7. A safe and orderly school environment conducive to learning
8. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
9. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions
10. If procedures to prepare for active shooters or other armed assailants by conducting a drill are included in the CSSP, the CSSP shall specify that:
 - a. The school will not conduct a high-intensity drill, as defined in Education Code 32282
 - b. Real weapons, gunfire blanks, or explosions will not be used in the conducting of the drill
 - c. A trauma-informed approach as specified in Education Code 32282 will be used in the design and execution of any drill
11. Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school
12. Procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency while on school grounds

13. Procedures specifically designed to notify parents/guardians and Eden Area Regional Occupational Program (Eden Area ROP) staff when the school confirms that an officer or employee of an agency conducting immigration enforcement is on school grounds as specified in Education Code 32282
14. For schools that serve students in any of grades 7-12, a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose
15. An instructional continuity plan to establish communication with students and their families and provide instruction to students when in-person instruction is disrupted due to an emergency, as specified in Education Code 32282

Among the strategies for providing a safe environment, the CSSP may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution
2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations
3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence
4. Parent/guardian and community involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules
5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction
7. Eden Area ROP policy related to prohibiting the possession of firearms and ammunition on school grounds
8. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school
9. Procedures for receiving verification from law enforcement that a violent crime or sex offense has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
10. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus
11. Strategies for suicide prevention and intervention
12. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff
13. Crisis prevention and intervention strategies, which may include the following:
 - a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
 - b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

- c. Assignment of staff members responsible for each identified task and procedure
 - d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
 - e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
 - f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders
 - g. Development of a method for the reporting of violent incidents
 - h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
14. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques
- Such training shall include preparation to implement the elements of the CSSP
15. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants
16. Continuity of operations procedures to ensure that the Eden Area ROP's essential functions are not disrupted during an emergency, to the extent possible
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Policy 1340: Access To District Records

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Revised Date:** 05/01/2025 | **Last Reviewed Date:** 05/01/2025

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

The Governing Board recognizes the right of citizens to have access to public records of the Eden Area Regional Occupational Program (Eden Area ROP). The Board intends to provide any ~~person~~ **member of the public** reasonable access to the public records of the Eden Area ROP during normal business hours and within the requirements of law. Public access shall not be given to records ~~listed as that are~~ **exempt from public disclosure** ~~in~~ **pursuant to** the California Public Records Act ~~and/or~~ other state or federal law.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through an Eden Area ROP-provided device or account or through an employee's or Board member's personal device or account.

The Eden Area ROP may charge for copies of public records or other materials requested by individuals or groups, in accordance with law and as specified in the accompanying administrative regulation.

In order to help maintain the security of Eden Area ROP records, members of the public granted access shall examine records in the presence of an Eden Area ROP staff member.

Regulation 1340: Access To District Records

Status: DRAFT

Original Adopted Date: 03/05/2020 | Last Revised Date: 05/01/2025 | Last Reviewed Date: 05/01/2025

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

This administrative regulation is a non-exhaustive list of records that may be defined as either public or exempt and/or confidential. Other records which fall into these definitions may exist and may be identified in the future.

Definitions

Public records include any writing containing information relating to the conduct of the Eden Area ROP business prepared, owned, used, or retained by the Eden Area ROP regardless of physical form or characteristics. (Government Code 7920.530)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 7920.545)

Member of the public means any person, except a member, agent, officer, or employee of the Eden Area ROP or a federal, state, or other local agency acting within the scope of such membership, agency, office, or employment. (Government Code 7920.515)

Public Records

Unless otherwise exempt from disclosure, public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved Eden Area ROP budgets and annual audits (Education Code 41020, 42103)
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)
6. Meeting agendas (Government Code 54957.5)
7. Official communications between the Eden Area ROP and other government agencies
8. Eden Area ROP and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law
9. Initial proposals of exclusive employee representatives and of the Eden Area ROP, once presented at an Eden Area ROP Governing Board meeting (Government Code 3547)
10. Records pertaining to claims and litigation against the Eden Area ROP which have been adjudicated or settled (Government Code 7927.200, 7927.205)
11. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)
12. Documents containing names, salaries, and pension benefits of Eden Area ROP employees
13. Employment contracts and settlement agreements (Government Code 53262)
14. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)
15. Executed contracts for the purchase of goods or services, even if the contract contains provisions specifying

that the contract is confidential or a proprietary record of the vendor (Government Code 7928.801)

Access to public records of the Eden Area ROP shall be granted to Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 7921.305, 7921.310)

Exempt and Confidential Public Records

Records exempt from disclosure under the California Public Records Act (CPRA) include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that are not retained by the Eden Area ROP in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 7927.500)
2. Records specifically generated in connection with or prepared for use in litigation to which the Eden Area ROP is a party or to respond to claims made against the Eden Area ROP pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 7927.200, 7927.205)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 7927.700)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees shall only be disclosed as follows: (Government Code 7928.300)

- a. To an agent or a family member of the employee
 - b. To an officer or employee of a state agency or county office of education when necessary for the performance of official duties
 - c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed
 - d. Upon written request of any employee, the Eden Area ROP shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the Eden Area ROP shall remove this information from any mailing list of the Eden Area ROP except a list used exclusively to contact the employee.
 - e. To an agent or employee of a health benefit plan providing health services or administering claims for health services to Eden Area ROP employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
4. The home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official posted by the Eden Area ROP online without first obtaining the written permission of that individual (Government Code 7928.205)
 5. Student records, except directory information and other records to the extent permitted by law and Eden Area ROP policy (Education Code 49073, 49076; 20 USC 1232g; 34 CFR 99.1-99.8)
 6. Test questions, scoring keys, and other examination data except as provided by law (Government Code 7929.605)
 7. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the Eden Area ROP relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 7928.705)
 8. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in an unfair competitive

disadvantage to the person supplying the information (Government Code 7925.000)

9. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting within the scope of their duties in the administration of the library, to persons authorized in writing by the individual to whom the records pertain, or by court order (Government Code 7927.100, 7927.105)
10. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 7927.705)
11. Documents prepared by or for the Eden Area ROP to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt Eden Area ROP operations and that are for distribution or consideration in closed session (Government Code 7929.200)
12. Information security record if disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of the Eden Area ROP (Government Code 7929.210)
13. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the Eden Area ROP (Government Code 7924.110)
14. Minutes of Board meetings held in closed session (Government Code 54957.2)
15. Computer software developed by the Eden Area ROP (Government Code 7922.585)
16. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 7926.400, 7930.000-7930.215)
17. Tribal financial information as a condition of or requirement for receiving financial assistance (Government Code 7930.205, 8450)
18. Any other records listed as exempt from public disclosure in the CPRA or other statutes
19. Any other records for which the Eden Area ROP can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 62557922.000)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 7922.200, 7928.300)

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed. (Education Code 234.7; Government Code 8310.3)

Additionally, an individual's immigration status shall only be disclosed in accordance with Board Policy/Administrative Regulation 1445 – Response to Immigration Enforcement.

Inspection of Records, Requests for Copies, and Recovery of Costs

Any person may request a copy or inspection of any Eden Area ROP record that is open to the public and not exempt from disclosure. (Government Code 7922.530)

Within 10 days of receiving any request to inspect or copy an Eden Area ROP record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the Eden Area ROP's possession. The Superintendent or designee shall promptly inform the person making the request of the determination and the reasons for the decision. (Government Code 7922.535)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing

written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 7922.535)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., such as a state agency or city), having a substantial interest in the determination of the request or among two or more components of the Eden Area ROP (e.g., such as two different school sites), with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data
5. In the case of electronic records, the inability to access its electronic servers or systems due to a cyberattack in order to search for and obtain a record that the Eden Area ROP believes is responsive to a request and is maintained on the servers or systems in an electronic format, and only until the Eden Area ROP regains its ability to access its electronic servers or systems and search for and obtain electronic records that may be responsive to a request
6. The need to search for, collect, and appropriately examine records during a state of emergency proclaimed by the Governor pursuant to the California Emergency Services Act in the jurisdiction where the Eden Area ROP is located when the state of emergency currently and directly affects, due to the state of emergency, the Eden Area ROP's ability to timely respond to staffing shortages or closure of facilities where the requested records are located (Government Code 8567)

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 7922.535)

Public records shall be open to inspection at all times during Eden Area ROP office hours. If a portion of the requested record(s) is exempt from disclosure, any non-exempt, reasonably segregable portion of the record shall be made available for inspection after deletion of the portions exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable, non-exempt record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 7922.530)

If only a portion of the identified record is exempt from disclosure, the record's exempt material shall be redacted prior to disclosure.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication in accordance with law. Written requests to waive the fee shall be submitted to the Superintendent or designee.

In addition to maintaining public records for public inspection during Eden Area ROP office hours, the Eden Area ROP may comply with public records requests by posting any public record on the Eden Area ROP's website and, in response to a public records request, directing the member of the public to the location on the website where the record can be found. However, if the member of the public is unable to access or reproduce the record from the website, the Eden Area ROP shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 7922.545)

If any person requests that a public record be provided in an electronic format, the Eden Area ROP shall make that record available in any electronic format in which it holds the information. The Eden Area ROP shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the Eden Area ROP to create copies for its own use or for use by other agencies. (Government Code 7922.570)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 7922.575)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, the requester shall be assisted in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 7922.600)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the CPRA shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 7922.500, 7922.540)

Policy 1445: Response To Immigration Enforcement

Status: DRAFT

Original Adopted Date: Pending

The Governing Board is committed to the success of all students and to providing a safe and welcoming place for students, their families, and staff irrespective of their citizenship or immigration status.

Unless required by state or federal law, required to administer a state or federally supported educational program, or presented with a valid judicial subpoena, judicial warrant, or court order, Eden Area Regional Occupational Program (Eden Area ROP) staff shall not do any of the following:

1. Solicit or collect information or documents regarding the citizenship or immigration status of a student or the student's family members (Education Code 234.7)
2. Seek or require information or documents, to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members (Education Code 234.7)
3. To the extent practicable, disclose or provide in writing, verbally, or in any other manner to an officer or employee of an agency conducting immigration enforcement:
 - a. The education records of or any information about a student or a student's family or household such as personal information as defined in Civil Code 1798.3, information about a student's home, or information about a student's travel schedule without parent/guardian written consent (Education Code 234.7)
 - b. The personnel records of any Eden Area ROP employee, personal information of any Eden Area ROP employee as defined in Civil Code 1798.3, or any other confidential employee information (Education Code 234.7; Government Code 7285.2)
4. Grant permission to an officer or employee of an agency conducting immigration enforcement to enter a school bus, any other transportation provided by the Eden Area ROP, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring (Education Code 234.7; Government Code 7285.1)

However, Eden Area ROP staff shall not obstruct, interfere with, or otherwise impede an officer or employee of an agency conducting immigration enforcement who nonetheless enters Eden Area ROP-provided transportation, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring.

The Superintendent or designee shall report to the Board in a timely manner any requests by an officer or employee of an agency conducting immigration enforcement for any of the following: (Education Code 234.7)

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any Eden Area ROP employee, personal information of any Eden Area ROP employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the Eden Area ROP, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring

Such reports shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

In accordance with law, Board Policy 0410 - Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the Eden Area ROP's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by the Eden Area ROP shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual

characteristics protected against unlawful discrimination. (Government Code 8310.3)

The Superintendent or designee shall provide parents/guardians with information and notifications as specified in Education Code 234.7, including information regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement.

The Superintendent or designee shall develop procedures for, and may provide training to staff on, interactions with an officer or employee of an agency conducting immigration enforcement, including a request for any of the following:

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any Eden Area ROP employee, personal information of any Eden Area ROP employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the Eden Area ROP, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring

Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall provide to the California Department of Education, upon request and in the manner requested, copies of this policy, any associated administrative regulation, and any other Board policies and administrative regulations required by Education Code 234.7.

Regulation 1445: Response To Immigration Enforcement

Status: DRAFT

Original Adopted Date: Pending

Responding to Requests for Information or Documents

Upon receiving any request by an officer or employee of an agency conducting immigration enforcement for information about a student, a student's family or household, or Eden Area Regional Occupational Program (Eden Area ROP) employee as described in the accompanying Board policy, Eden Area ROP staff shall deny the request, to the extent practicable, unless any of the following apply: (Education Code 234.7; 34 CFR 99.30, 34 CFR 99.31)

1. The request is for student directory information

Eden Area ROP staff shall respond to the request in accordance with Board Policy/Administrative Regulation 5125.1 - Release of Directory Information.

2. The Eden Area ROP is required to release the records or information by state or federal law, in order to administer a state or federally supported educational program, or due to a valid judicial subpoena, judicial warrant, or court order
3. For records or information about a student or a student's family or household, the parent/guardian has provided written consent unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency or, if the student is at least 18 years age, the student has provided written consent

Such written consent shall include all of the following: (34 CFR 99.30)

- a. The signature and signature date of the parent/guardian, or student if the student is at least 18 years of age
 - b. A description of the records to be disclosed
 - c. The reason for the release of information
 - d. The parties or class of parties receiving the information
 - e. A copy of the records to be released, if requested by the parent/guardian or student
4. For records or information about an Eden Area ROP employee, the employee has provided written consent and the Eden Area ROP's human resource department or equivalent has been consulted

Such written consent shall include all of the following:

- a. The signature and signature date of the employee
- b. A description of the records to be disclosed
- c. The reason for the release of information
- d. The parties or class of parties receiving the information
- e. A copy of the records to be released, if requested by the employee

Regardless of whether the Eden Area ROP discloses the requested records or information, Eden Area ROP staff shall do all of the following when such a request has been received:

1. Make a copy of the request and notify the Superintendent or designee
2. For requests regarding student information, provide the student's parent/guardian, or the student, if the student is at least 18 years of age, with notice, a description of the request, and any documentation provided to the Eden Area ROP describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency

3. For requests regarding Eden Area ROP employee information, provide the employee with notice, a description of the request, and any documentation provided to the Eden Area ROP describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order

In accordance with law and Board Policy 5125 - Student Records, the Superintendent or designee shall annually notify parents/guardians that the Eden Area ROP will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a valid judicial subpoena, judicial warrant or court order.

Responding to Requests for Access to Students or for Access to Eden Area ROP-Provided Transportation, Nonpublic Area of Eden Area ROP Property or Facility, or Nonpublic Area in which Eden Area ROP-Sponsored Activity is Occurring

If an officer or employee of an agency conducting immigration enforcement requests access to a student, such as for purposes of interviewing, searching, or detaining the student, or permission to enter a school bus, any other transportation provided by the Eden Area ROP, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring, Eden Area ROP staff shall take the following actions:

1. Advise the officer or employee that before Eden Area ROP staff can respond to the request, they must first receive notification and direction from the Superintendent, principal, or designee
2. Request to see and record or otherwise document the officer's or employee's valid identification, including the officer's or employee's name and, if applicable, badge number, the phone number of the officer's or employee's supervisor
3. Request that the officer or employee produce any documentation that authorizes the officer's or employee's request, make copies of all such documentation, and retain at least one copy for Eden Area ROP records
4. Contact and consult with the Eden Area ROP's legal counsel or Superintendent or designee
5. Follow the direction from the Eden Area ROP's legal counsel or Superintendent or designee

For a request to access a student, the Eden Area ROP shall deny the request unless any of the following apply: (Education Code 234.7)

1. The officer or employee provides a valid judicial warrant or court order
2. Eden Area ROP staff receives parent/guardian consent or, if the student is at least 18 years of age, the student's consent, unless the officer or employee presents a valid judicial warrant or court order that authorizes and directs the Eden Area ROP to give such permission without parent/guardian consent or, if the student is at least 18 years of age, the student's consent

Regardless of whether the officer or employee is given access to the student, the student's parent/guardian shall be immediately notified, unless prohibited by a valid judicial warrant or court order, or in cases involving investigations of child abuse, neglect, or dependency. (Education Code 48906)

Additionally, Eden Area ROP staff shall notify the Superintendent or designee as early as possible of any request by an officer or employee of an agency conducting immigration enforcement for access to a student. (Education Code 234.7)

For a request for permission to enter a school bus, any other transportation provided by the Eden Area ROP, a nonpublic area of any Eden Area ROP property or facility, or a nonpublic area where any Eden Area ROP-sponsored program or activity is occurring, the Eden Area ROP shall deny the request unless any of the following apply: (Education 234.7)

1. The officer or employee provides a valid judicial warrant or court order
2. Permission is required to be granted by state or federal law or in order to administer a state or federally supported educational program

3. The officer or employee is a sworn law enforcement officer, declares that exigent circumstances exist, and demands immediate access

In this situation, Eden Area ROP staff shall comply with the officer's or employee's orders and immediately contact the Superintendent or designee and then the Eden Area ROP's legal counsel.

An officer or employee of an agency conducting immigration enforcement who, pursuant to this administrative regulation, is granted permission to enter Eden Area ROP property or facilities which are not open to all visitors shall first register in accordance with Board Policy 1250 - Visitors/Outsiders, except in cases where the officer or employee is a sworn law enforcement officer and states that exigent circumstances exist. (Penal Code 627.2, 627.3)

The Superintendent or designee shall email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a student or a school site for immigration enforcement purposes.

Responding to Immigration Enforcement Activity on Eden Area ROP Property

When any officer or employee of an agency conducting immigration enforcement is actually or imminently present on Eden Area ROP property, Eden Area ROP staff shall notify staff working at the property and, if the Eden Area ROP property is a school, the parents/guardians of students at the school in accordance with Board Policy/Administrative Regulation 0450 - Comprehensive Safety Plan.

Eden Area ROP staff shall report the presence of any officer or employee of an agency conducting immigration enforcement on Eden Area ROP property to Eden Area ROP police and other appropriate administrators.

Eden Area ROP staff shall not obstruct, interfere with, or otherwise impede, or attempt to obstruct, interfere with, or otherwise impede, any officer or employee of an agency conducting immigration enforcement, even if the officer or employee appears to be acting outside the law or in excess of the stated or documented authorization. If such an officer or employee enters the premises without consent, Eden Area ROP staff shall document their actions but only to the extent that documentation does not impede their actions and shall, at all times, obey any direction from such officers or employees.

After all officers and employees of an agency conducting immigration enforcement leave, each Eden Area ROP staff member who observed or interacted with them shall promptly provide the following to the Eden Area ROP's legal counsel or other Eden Area ROP official designated by the Superintendent:

1. Copies of any information and documents collected from the officers or employees such as valid identification, name, badge number, phone number of the officer's or employee's supervisor, and documentation that authorizes the officer's or employee's request
2. The identity of all other Eden Area ROP staff known to have communicated with the officers or employee
3. A description of all requests and activities by the officers and employees
4. The type of documentation, such as a warrant or subpoena, that authorized the officer's or employee's request or actions
5. Eden Area ROP staff's response to the officer's or employee's request
6. Written notes of any other actions taken by and any other interactions with any officer or employee

Responding to the Detention or Deportation of Student's Parent/Guardian

The Superintendent or designee shall encourage parents/guardians to update their emergency contact information as needed at any time. The Superintendent or designee shall notify parents/guardians that the Eden Area ROP will only use information provided on the emergency cards in response to specific emergency situations and not for any other purpose. (Education Code 234.7)

Additionally, the Superintendent or designee may encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a student's parent/guardian is detained or

deported.

In the event that a student's parent/guardian is detained or deported, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if Eden Area ROP personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit. (Education Code 234.7)

In an instance where a student's parent/guardian was detained or deported, the Superintendent or designee shall notify the student, as well as the individuals designated in the student's emergency contact information and any individual who presented a caregiver's authorization affidavit on behalf of the student, that the student continues to meet the residency requirements for attendance in the Eden Area ROP if the student and the student's parent/guardian who was detained or deported satisfy the conditions as specified in Education Code 48204.4.

The Superintendent or designee may refer a student or the student's family members to other resources for assistance, including, but not limited to, an U.S. Immigrant and Customs Enforcement detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

Policy 5125: Student Records

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Revised Date:** 05/01/2025 | **Last Reviewed Date:** 05/01/2025

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, disclosure, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records in accordance with state and federal law.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the Eden Area Regional Occupational Program (Eden Area ROP). The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

If student records containing covered information which is not subject to the California Consumer Privacy Act are under the control of the operator of a website, online service or application, or mobile application, and the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records, the Superintendent or designee shall provide documentation to the operator that the student has not been enrolled at the Eden Area ROP for at least 60 days. (Business and Professions Code 22584)

All appropriate personnel shall receive training regarding Eden Area ROP policies and procedures for gathering and handling sensitive student information, including which information should not be solicited.

The Eden Area ROP shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. In accordance with Board Policy 5145.13 – Response to Immigrant Enforcement, the Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena/warrant. If an Eden Area ROP employee receives such a request, the employee shall respond in accordance with Board Policy 5145.13 – Response to Immigrant Enforcement. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The immigration or citizenship status of a student or a student's family member may only be collected and disclosed in accordance with Board Policy/Administrative Regulation 1445 – Response to Immigration Enforcement.

The Eden Area ROP or any Eden Area ROP employee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, or disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. This prohibition does not apply to information that is aggregated and is not personally identifiable. (Government Code 8310.3)

The Superintendent or designee shall develop protocols to comply with a court's restraining order that prohibits a party from accessing specified records and information pertaining to a student. (Family Code 6323.5)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any Eden Area ROP student, provided that the Eden Area ROP first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Retention, Disclosure, and Security of Student Records

The Superintendent or designee shall ensure the confidentiality of student records as required by law and shall establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft, which may be caused by the use of technology, including artificial intelligence and breaches to the Eden Area ROP's

digital infrastructure, in the retention or disclosure of student records. Additionally, in accordance with Board Policy 5145.13 – Response to Immigration Enforcement, all Eden Area ROP staff shall avoid the disclosure of information that may indicate a student’s or family’s citizenship or immigration status if the disclosure is not authorized by law.

The Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the Eden Area ROP’s digital infrastructure.

If the Eden Area ROP experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center. (Education Code 35266)

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

Regulation 5125: Student Records

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 05/01/2025 | Last Reviewed Date: 05/01/2025

Definitions

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)

Adult student is a person who is or was enrolled in school in the Eden Area ROP and who is at least 18 years of age. (5 CCR 430)

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)

Contractor or consultant is anyone with a formal written agreement or contract with the Eden Area Regional Occupational Program (Eden Area ROP) regarding the provision of services or functions outsourced by the Eden Area ROP. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Custodian of records is the employee responsible for the security of student records maintained by the Eden Area ROP and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

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)

District officials and employees are officials or employees, including teachers, whose duties and responsibilities to the Eden Area ROP, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Legitimate educational interest is an interest held by any school Eden Area ROP official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the Eden Area ROP, whether routine or as a result of special circumstances, require access to information contained in student records.

Mandatory interim student records are those records which the schools are Eden Area ROP is 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)

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have the Eden Area ROP has been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

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 Eden Area ROP reasonably believes knows the identity of the student to whom the student record relates

School officials and employees are officials or employees, including teachers, whose duties and responsibilities to the Eden Area ROP, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Student means any individual who is or has been in attendance at the Eden Area ROP and regarding whom the Eden Area ROP maintains student records. (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 Eden Area ROP that are directly related to an identifiable student and maintained by the Eden Area ROP, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the Eden Area ROP. 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 Eden Area ROP official 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 created or received by the Eden Area ROP after an individual is no longer a student and that are not directly related to the individual's attendance as a student
4. Grades on peer-graded papers before they are collected and recorded by a teacher

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 of age, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025)

However, the Eden Area ROP shall not disclose student records to a party, including a parent/guardian, who is legally prohibited from accessing records and information of a student pursuant to a restraining order. (Family Code 6323.5)

2. An adult student, or a student under the age of 18 years of age, 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 exceptional needs who is age 18 years of age 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 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 16 years of age or older or who have completed the 10th grade (Education Code 49076)
3. School Eden Area ROP officials and employees, consistent with the definition provided in "Definitions," above (Education Code 49076; 34 CFR 99.31)
4. 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)
5. 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 #4 above (Education Code 49076)
6. 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)

7. Any Eden Area ROP 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)
8. An Eden Area ROP attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
9. Any probation officer, Eden Area ROP 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)

10. 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)

11. 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 the Eden Area ROP for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the Eden Area ROP. (Education Code 49069.3)

12. A student age 14 years of age or older who is an unaccompanied minor experiencing homelessness as defined

in 42 USC 11434a (Education Code 49076)

13. 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)
14. 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 1232g)
15. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the Eden Area ROP provide special education and disciplinary records of a student with exceptional needs 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 #13 above. (Education Code 49076)

16. Designated peace officers or law enforcement agencies in cases where the Eden Area ROP is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent by a parent/guardian, lawfully issued subpoena, or court order is submitted to the Eden Area ROP, 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 (FERPA). (Education Code 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

In addition, Additionally, 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 Eden Area ROP, 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 connection with an emergency if the knowledge of the information is necessary to protect the health or safety of the student or other persons (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)

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. 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 Eden Area ROP enters into a written agreement with the organization that complies with 34 CFR 99.31
4. 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)
5. 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 Eden Area ROP, excluding volunteers or other parties (Education Code 49076)
6. 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 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)
7. 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)

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 FERPA. (Education Code 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

Persons Generally Denied Access

A request for student records by an officer or employee of an agency conducting immigration enforcement shall be denied except in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

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 49069.7; 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 Eden Area ROP officials and employees obtain access to only those student records in which they have legitimate educational interests. (Education Code 49076; 5 CCR 431; 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.

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 49069.7; 5 CCR 431)

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the Eden Area ROP discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The Eden Area ROP'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 Eden Area ROP 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.

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069.7)

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)

Additionally, 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.

The log shall need not include requests for access to records by: (Education Code 49064)

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 Eden Area ROP-approved directory information
4. Parties who provide have received written parental consent by a parent/guardian and have provided it to the Eden Area ROP, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School Eden Area ROP officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking immigration-related information

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 Eden Area ROP 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 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)

No addition 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 49070; 5 CCR 437)

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 Education Code 49070 and the process specified in Administrative Regulation 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 Eden Area ROP, 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 Eden Area ROP. 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/Parent/guardian 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. Routine discipline data
3. Verified reports of relevant behavioral patterns
4. All disciplinary notices
5. 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)

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 Eden Area ROP speak a single primary language other than English, then the Eden Area ROP shall provide these notices in that language. Otherwise, the Eden Area ROP shall provide these notices in the student's home language insofar as practicable. The Eden Area ROP shall effectively notify parents/guardians or eligible students with exceptional needs. (Education Code 48985, 49063; 5 CCR 431; 34 CFR 99.7)

The notice shall include: (Education Code 49063, 60900.5; 34 CFR 99.7, 99.34)

1. The types of student records kept by the Eden Area ROP 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. Eden Area ROP criteria for defining school/Eden Area ROP officials and employees and for determining legitimate educational interest
5. Eden Area ROP 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 Eden Area ROP to comply with 20 USC 1232g
13. A statement that the Eden Area ROP 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

In addition, the annual parental/parent/guardian 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 only be released in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Updating Name and/or Gender of Former Students

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 Eden Area ROP shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, the Eden Area ROP 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. (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 Administrative Regulation 5125.3 - Challenging Student Records. (Education Code 49062.5)

Policy 5125.1: Release Of Directory Information

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information, ~~only including to news media or nonprofit organizations~~, in accordance with law, Board policy, and administrative regulation.

~~The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with law, Board policy and administrative regulation.~~

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on a determination of the best interests of Eden Area Regional Occupational Program (Eden Area ROP) students. (Education Code 49073)

A student's directory information shall only be included in the minutes of the Board's meeting in accordance with Board Bylaw 9324 – Minutes and Recordings.

Colleges and prospective employers, including military recruiters, shall have access to a student's name, address, email address, and telephone number, unless the student's parent/guardian, or the student, if the student is 18 years of age or older, has ~~specified requested~~ that ~~the such~~ information not be released. (10 USC 503, 20 USC 7908)

Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and ~~employers, including~~ prospective employers, in accordance with law, Board policy, and administrative regulation. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled, provided that they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)

Regulation 5125.1: Release Of Directory Information

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

Definition

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (Education Code 49061; 20 USC 1232g; 34 CFR 99.3)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation record in officially recognized activities
8. Dates of attendance
9. Degrees and awards received
10. Most recent previous school attended

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

Directory information does not include the citizenship status, immigration status, place of birth, or any other information indicating national origin of a student or the student's family member.

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the Eden Area Regional Occupational Program (Eden Area ROP) plans to release and the recipients of the information. ~~The~~ Additionally, the notification shall also inform parents/guardians of their right to refuse to let the Eden Area ROP designate any or all types of information about their student as directory information, how to refuse release of directory information about their student, and the period of time within which a parent/guardian must notify the Eden Area ROP in writing that the parent/guardian does not want a certain category of information about their student designated as directory information. (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

~~Additionally~~ In addition, the annual ~~parental~~ parent/guardian notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that the Eden Area ROP will not release such information without parent/guardian consent or a court order.

The Superintendent or designee shall notify parents/guardians that they may request that the Eden Area ROP not release the name, address, email address, and telephone number of their child to military recruiters, Immigration and Customs Enforcement (ICE), employers, or institutions of higher education without prior written consent. (10 USC 503, 20 USC 7908)

Parent/Guardian Consent

A student's directory information shall not be released if the student's parent/guardian has notified the ~~district~~ Eden

Area ROP in writing that such information shall not be disclosed. (Education Code 49073; 20 USC 1232g, 7908)

The directory information of a student identified as a student experiencing homelessness shall not be released, unless the student's parent/guardian, or the student is 18 years of age or older, has provided written consent that directory information may be released. (~~Education Code 49073; 20 USC 1232g, 7908~~) However, the directory information of a student experiencing homelessness may be disclosed for the purpose of facilitating an eye examination by a nonprofit eye examination provider or a free oral health assessment hosted by a district school, unless the student's parent/guardian, or student accorded parental rights, has provided written notice to the school that consent to such exam(s) is not given. (Education Code 49073; 20 USC 1232g, 7908; 42 USC 11434a)

For a former student, the Eden Area ROP shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the Eden Area ROP, unless the opt-out request has been rescinded. (34 CFR 99.37)

Exhibit 5125.1-E(1): Release Of Directory Information

Status: DRAFT

Original Adopted Date: 10/02/2025 | Last Reviewed Date: 10/02/2025

**PARENT/GUARDIAN NOTICE
RELEASE OF DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Eden Area Regional Occupational Program (Eden Area ROP), with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Eden Area ROP may disclose appropriately designated "directory information" without written consent, unless you have advised the Eden Area ROP to the contrary in accordance with Eden Area ROP procedures. The primary purpose of directory information is to allow the Eden Area ROP to include information from your child's education records in certain school and/or Eden Area ROP publications. Examples include:

- a playbill, showing your child's role in a drama production
- the annual yearbook
- honor roll or other recognition lists
- graduation programs
- ~~sports activity sheets, such as for wrestling, showing weight and height of team members~~

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. ~~In addition~~ Additionally, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), as amended, to provide military recruiters, upon request, with students' names, addresses, and telephone listings, unless parents/guardians have advised the Eden Area ROP that they do not want their child's information disclosed without their prior written consent.

If you do not want the Eden Area ROP to disclose any or all of the information designated below as directory information from your child's education records without your prior written consent, you must notify the Eden Area ROP in writing by _____ (insert date). ~~Notifying the Eden Area ROP by this date is the only way to prevent the release of directory information.~~ The Eden Area ROP has designated the following information as directory information:

1. Student's name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation in officially recognized activities
8. Dates of attendance
9. Degrees and awards received
10. Most recent previous school attended

Additionally, the Eden Area ROP may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

In addition, the Eden Area ROP may disclose a student identification number or other unique personal identifier that is displayed on a student identification badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

The Eden Area ROP may not disclose a student's Social Security number. Directory information does not include your child's citizenship status, immigration status, place of birth, or any other information indicating national origin.

Policy 5145.13: Response To Immigration Enforcement

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 05/01/2025 | Last Reviewed Date: 05/01/2025

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

Eden Area Regional Occupational Program (Eden Area ROP) staff shall not solicit or collect information or documents, and shall not seek or require information or documents to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members. (Education Code 234.7)

In accordance with law, Board Policy 0410 – Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 – Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the Eden Area ROP's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by the Eden Area ROP shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

The Superintendent or designee shall notify parents/guardians regarding their student's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

The Superintendent or designee shall develop procedures for addressing any immigration-related requests by a law enforcement officer for access to Eden Area ROP records, sites, or students.

The Superintendent or designee may provide training to staff regarding immigration issues, including information on responding to a request from a law enforcement officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by a law enforcement officer for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

Regulation 5145.13: Response To Immigration Enforcement

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 05/01/2025 | Last Reviewed Date: 05/01/2025

Responding to Requests for Immigration-Related Information or Documents

Upon receiving any verbal or written request for information or documents related to a student's or family's immigration or citizenship status, Eden Area Regional Occupational Program (Eden Area ROP) staff shall:

1. Record or otherwise document the request and notify the Superintendent or designee about the request
2. Provide the student's parent/guardian or, if the student is at least 18 years old, the student, with notice, a description of the request, and any documentation provided to the Eden Area ROP describing the request, unless prohibited by a court order, judicial subpoena/warrant, or in cases involving investigation of child abuse, neglect, or dependency

Information or documents related to a student's immigration or citizenship status shall not be disclosed to a law enforcement officer without consent by the parent/guardian or, if the student is at least 18 years old, by the student, a court order, or judicial subpoena/warrant. To obtain written consent, the release of student information shall include the following information:

1. The signature and signature date of the parent/guardian, or student if the student is at least 18 years old
2. A description of the records to be disclosed
3. The reason for the release of information
4. The parties or class of parties receiving the information
5. A copy of the records to be released, if requested by the parent/guardian or student

In accordance with law and Board Policy 5125 – Student Records, the Superintendent or designee shall annually notify parents/guardians that the Eden Area ROP will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena/warrant.

Responding to Requests for Access to Students or School Grounds

Eden Area ROP staff shall receive parent/guardian consent or, if the student is at least 18 years old, the student's consent, before the student is interviewed or searched by any law enforcement officer for immigration enforcement purposes, unless the officer presents a court order or a judicial warrant.

A student's parent/guardian shall be immediately notified when a law enforcement officer requests or is able to interview, search, detain, or otherwise interact with the student for immigration enforcement purposes, unless prohibited by a court order or a judicial warrant, or in cases involving investigations of child abuse, neglect, or dependency. (Education Code 48906)

A law enforcement officer who requests to enter Eden Area ROP property which is not open to all visitors shall register in accordance with Board Policy 1250 – Visitors/Outsiders, except in cases where the officer states that exigent circumstances exist or as stated in a court order or judicial warrant. (Penal Code 627.2, 627.3)

As early as possible, Eden Area ROP staff shall notify the Superintendent or designee of any immigration enforcement-related request by a law enforcement officer for access to a student or to Eden Area ROP property, including service of lawful warrants, subpoenas, petitions, complaints, or other similar documents.

Responding to Law Enforcement Officers on Eden Area ROP Property

Eden Area ROP staff shall report the presence of any law enforcement officer on Eden Area ROP property for immigration enforcement purposes to the appropriate administrators.

Unless a law enforcement officer declares that exigent circumstances exist and demands immediate access to the campus, Eden Area ROP staff shall take the following actions when such an officer is actually or imminently present

on Eden Area ROP property for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent, principal, or designee, except under exigent circumstances that necessitate immediate action
2. Request to see and record or otherwise document the officer's credentials, including the officer's name and badge number, and the phone number of the officer's supervisor, and note or make a copy of all such information
3. Ask the officer for, and then record or otherwise document, the officer's reason for being on Eden Area ROP property
4. Request that the officer produce any documentation that authorizes the officer's school access, make copies of all such documentation, and retain at least one copy for Eden Area ROP records
5. Contact and consult with the Eden Area ROP's legal counsel or Superintendent or designee
6. Follow the direction from the Eden Area ROP's legal counsel or Superintendent or designee

If the officer declares that exigent circumstances exist and demands immediate access to the campus, Eden Area ROP staff shall comply with the officer's orders and immediately contact the Superintendent or designee and then the Eden Area ROP's legal counsel.

Regardless of whether the officer declares that exigent circumstances exist, Eden Area ROP staff shall not attempt to physically impede the officer, even if the officer appears to be acting outside the law or in excess of the officer's stated or documented authorization. If an officer enters the premises without consent, Eden Area ROP staff shall document the officer's actions while on campus but only to the extent that it does not impede the officer's actions.

After the officer leaves Eden Area ROP property, Eden Area ROP staff shall promptly make written notes of all interactions with the officer, including:

1. A list or copy of the officer's credentials and contact information, if known
2. The identity of other Eden Area ROP staff known to have communicated with the officer
3. A description of the officer's request and activities
4. The type of documentation, such as a warrant or subpoena, that authorized the officer's request or actions, what was requested by the documentation, and whether the documentation was signed by a judge
5. Eden Area ROP staff's response to the officer's request
6. Any further action taken by the officer
7. Copies of any documents presented by the officer

Eden Area ROP staff shall promptly provide a copy of these notes and any associated documents Eden Area ROP staff has collected from the officer to the Eden Area ROP's legal counsel or other Eden Area ROP official designated by the Superintendent.

The Eden Area ROP's legal counsel or the Superintendent or designee shall submit a timely report to the Governing Board regarding the officer's requests and actions and the Eden Area ROP's response. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a school site or a student for immigration enforcement purposes.

Responding to the Detention or Deportation of Student's Parent/Guardian

The Superintendent or designee shall encourage parents/guardians to update their emergency contact information as needed at any time. The Superintendent or designee shall notify parents/guardians that the Eden Area ROP will only use information provided on the emergency cards in response to specific emergency situations and not for any

other purpose:

In the event that a student's parent/guardian is detained or deported by, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if Eden Area ROP personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

In an instance where a student's parent/guardian was detained or deported, the Superintendent or designee shall notify the student, as well as the individuals designated in the student's emergency contact information and any individual who presented a caregiver's authorization affidavit on behalf of the student, that the student continues to meet the residency requirements for attendance at the Eden Area ROP, if the student and student's parent/guardian who was detained or deported satisfy the conditions as specified in Education Code 48204.4.

The Superintendent or designee may refer a student or the student's family members to other resources for assistance, including, but not limited to, an U.S. Immigrant and Customs Enforcement detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

ACTION ITEMS



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Anthony Oum, Fiscal Services Administrator
SUBJECT: Request the Governing Board approve the Annual Independent Auditor's Report for the Fiscal Year Ending June 30, 2025

BACKGROUND

Pursuant to the standards for financial and compliance audits, the Eden Area ROP is audited by an independent auditor in compliance with the Government Auditing Standards, issued by the Controller General of the United States, and Standards and Procedures for Audits of California K-12 Local Educational Agencies, as prescribed by the State Controller.

CURRENT SITUATION

For the Fiscal Year ending June 30, 2025, the Eden Area ROP exhibits compliance with the Governmental Accounting Standards Board (GASB) Statement No. 34 – Basic Financial Statement – and Management's Discussion and Analysis – for State and Local Governments. Included in the report is the Eden Area ROP management analysis of the Program's overall financial position called the Management Discussion and Analysis (MD&A). Per GASB Statement No. 34, fund financial statements now focus on major funds and they are prepared using the full accrual accounting method, including the reporting of major classes of capital assets.

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

RECOMMENDATION

It is recommended that the Governing Board approve the Annual Independent Auditor's Report for the fiscal year ending June 30, 2025.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, Exhibits and Board Bylaws

BACKGROUND

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

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

CURRENT SITUATION

The board policies, administrative regulations, exhibits and board bylaws listed below have been updated based on the feedback and discussion at the December 11, 2025 Governing Board meeting.

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

NUMBER	TYPE	TITLE	STATUS
1000	BP	Concepts and Roles	Revise
1114	BP	District-Sponsored Social Media	Revise
1114	AR	District-Sponsored Social Media	Revise
2120	BP	Superintendent Recruitment and Selection	Revise
3311.3	AR	Design-Build Contracts	Revise
4000	BP	Concepts and Roles	Revise
5000	BP	Concepts and Roles	Revise
5020	BP	Parent Rights and Responsibilities	Revise
5020	AR	Parent Rights and Responsibilities	Revise
6143	BP	Courses of Study	Revise
7000	BP	Concepts and Roles	Revise
7131	BP	Relations with Local Agencies	Revise
9310	BB	Board Policies	Revise
9321	BB	Closed Session	Revise
9321	E(1)	Closed Session	Revise
9321	E(2)	Closed Session	Revise

RECOMMENDATION

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

Policy 1000: Concepts And Roles

Status: DRAFT

Original Adopted Date: 03/05/2020

The Governing Board desires to represent the community and provide leadership in addressing community interests related to education. In order to encourage support for the Eden Area Regional Occupational Program (Eden Area ROP), promote collaboration between the Eden Area ROP, parents/guardians, community members, and local organizations, and to identify and respond to community priorities, the Board shall establish effective two-way communication systems between the Eden Area ROP and the community.

The Board and the Superintendent or designee shall work together with city, county, and other local agencies and organizations to promote and facilitate coordinated services for students, and seek to develop partnerships with local businesses and organizations.

Community members are also encouraged to attend Board meetings, participate in Eden Area ROP activities, and take an active interest in issues that affect the Eden Area ROP. The Board and the Superintendent or designee shall keep community members well informed about Eden Area ROP programs needs, and accomplishments and shall ensure that they have opportunities to share in the development of the Eden Area ROP decisions, in accordance with Board Bylaw 9005 – Governance Standards.

The Board recognizes that its ability to fulfill the community's expectations for a high-quality educational program is dependent upon the level of funding provided by the state and federal government and community support. In an effort to provide the best educational experience for Eden Area ROP students, the Board shall study legislative processes and issues, establish ongoing relationships with federal, state, and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

Policy 1114: District-Sponsored Social Media

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Revised Date:** 12/12/2024 | **Last Reviewed Date:** 12/12/2024

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

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

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

Guidelines for Content

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

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

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

Staff or students who post on, reply from, or otherwise use an official Eden Area ROP social media account in a manner that violates Board policies and administrative regulations shall be subject to discipline in accordance with applicable policies and regulations.

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

Privacy

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

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

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

Regulation 1114: District-Sponsored Social Media

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Revised Date:** 12/12/2024 | **Last Reviewed Date:** 12/12/2024

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

Definitions

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

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

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

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

When directed by the Superintendent or designee, an Eden Area ROP administrator, or an individual in a position of similar responsibility, shall register as a verified reporter with each large social media platform on which the applicable school has an account in accordance with Business and Professions Code 22588.2-22588.4.

Guidelines for Content

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

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

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

If a verified reporter becomes aware of a social media-related threat or a violation of a social media platform's terms of service that, in the opinion of the reporter, poses a risk or severe risk to the health and safety of a minor who the reporter knows is enrolled in the reporter's school, the reporter shall inform the Superintendent or designee and report the threat or violation via the process created by the applicable social media platform as specified in Business and Professions Code 22588.2-22588.4.

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

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding district decisions and Governing Board meetings; and sharing information regarding employment opportunities with the Eden Area ROP
2. Users shall use the site only for those intended purposes
3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed. Inappropriate interactions include, but are not limited to, interactions that:
 - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on Eden Area ROP premises, violation of Eden Area ROP rules, or substantial disruption to

the Eden Area ROP's orderly operation

- b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by board policies and administrative regulations
4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account
5. The Eden Area ROP is not responsible for the content posted by other users or how other users interact with the account
6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the Eden Area ROP
7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the Eden Area ROP
8. The individual(s) to contact regarding violation of Eden Area ROP guidelines on the use of official Eden Area ROP social media accounts
9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate
10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

Appropriate Use by Eden Area ROP Employees

Eden Area ROP employees who participate in official Eden Area ROP social media accounts shall adhere to all applicable board policies and administrative regulations, such as Board Policy 1313 – Civility and Board Policy/Administrative Regulation 4119.25/4219.25/4319.25 - Political Activities of Employees, and shall not share confidential information about students, employees, Board members, or district operations.

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

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

Policy 2120: Superintendent Recruitment And Selection

Status: DRAFT

Original Adopted Date: 06/07/2012 | **Last Revised Date:** 03/05/2020

The Governing Board recognizes that it is responsible for selecting and employing the Superintendent. Whenever it becomes necessary for the Board to fill a vacancy in the position of Superintendent, the Board shall work diligently to employ a person whose management and leadership abilities are most closely aligned with Eden Area Regional Occupational Program (Eden Area ROP) needs.

The Board shall establish and implement a search and selection process that includes consideration of:

1. The Eden Area ROP's current and long-term needs, including a review of the Eden Area ROP's vision and goals
2. The desired characteristics of a new Superintendent, including professional experience, educational qualifications, leadership characteristics, philosophy of education, and other management, technical, interpersonal and conceptual skills, as well as the priorities the Board wants to place on different abilities, traits and levels of knowledge
3. The scope of the search, including whether to promote from within the Eden Area ROP or broaden the search to include both internal and external candidates and, if external candidates will be considered, whether to conduct a statewide or nationwide search
4. The salary range and benefits to be offered
5. Basic elements to be included in the Superintendent's contract
6. Whether to hire a professional adviser to facilitate the hiring and contract negotiation process and to ensure that verifications of the candidates' qualifications are obtained
7. How and when to involve the community in certain phases of the selection process
8. The process for screening applications and determining how the screener(s) will be selected
9. Interview questions, processes and participants
10. Other actions necessary to ensure a fair selection process and a smooth transition to new leadership

Even if a professional adviser is used to facilitate the process, the Board shall retain the right and responsibility to oversee the process and to review all applications if desired.

The Board shall select candidates to be interviewed based on recommendations of the screener(s), if applicable, and the Board's own assessment of how candidates meet the criteria established by the Board.

The Board shall interview candidates and select a final candidate in closed session. (Government Code 54957)

Before offering the position to the selected candidate or making any announcements, Board members may visit that candidate's current place of employment, as appropriate. Pursuant to Board Policy 2121 - Superintendent's Contract, the Board shall discuss and negotiate the Superintendent's contract in closed session, but shall vote to approve the contract in open session. (Government Code 53262, 54957, 54957.6)

The Board shall conduct any superintendent recruitment and selection process in accordance with legal and ethical obligations regarding confidentiality and equal opportunity.

As necessary, the Board may appoint an interim or acting superintendent, to manage the Eden Area ROP when there is no permanent superintendent.

The Superintendent shall hold both a valid school administration certificate and a valid teacher's certificate. The Board may waive any credential requirement, but shall not employ a person whose credential has been revoked by the Commission on Teacher Credentialing pursuant to Education Code 44421-44427. (Education Code 35028, 35029, 35029.1)

The Board shall not employ a person as Superintendent if, within the past five years, the candidate was convicted of

any felony involving accepting or giving, or offering to give, any bribe, conflict of interest, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes arising directly out of their official duties as a public employee. (Government Code 1021.5)

Regulation 3311.3: Design-Build Contracts

Status: DRAFT

Original Adopted Date: 03/05/2020 | **Last Revised Date:** 11/02/2023 | **Last Reviewed Date:** 11/02/2023

The Governing Board may approve a design-build contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria including the minimum factors of price; technical design and construction experience; and life-cycle costs over 15 years or more. (Education Code 17250.20, Education Code 17250.25)

Additionally, until January 1, 2029, the Board may approve an alternative design-build contract with a single entity for both design and construction of any school facility in excess of \$5,000,000. Such contracts may be awarded to the low bid or the best value. If the selection is based on best value, the Board shall evaluate competitive proposals, taking into consideration the minimum factors of design cost, general conditions, overhead, and profit as a component of the project price; technical design and construction expertise; and life-cycle costs over 15 or more years. The Eden Area ROP's determination of price shall be based on the open book evaluation of construction subcontracts. The contract may be subject to further negotiations or amendment and may be terminated by the Eden Area ROP if the Eden Area ROP and the design-build entity are unable to reach an agreement. (Education Code 17250.61, 17250.62, 17250.65)

Design-build documents shall not include provisions for long-term project operations, but may include operations during a training or transition period. (Education Code 17250.25, 17250.62)

Procedures for Awarding the Contract

The procurement process for design-build and alternative design-build projects shall be as follows: (Education Code 17250.25, 17250.35, 17250.62, 17250.65; Public Contract Code 2600)

1. Performance specifications, which includes the Eden Area Regional Occupational Program (Eden Area ROP) preparing a set of documents setting forth the scope and estimated price of the project

The documents may include, but are not limited to:

- a. The size, type, and desired design character of the project
- b. Performance specifications that cover the quality of materials, equipment, and workmanship
- c. Preliminary plans or building layouts
- d. Any other information deemed necessary to describe adequately the Eden Area ROP's needs

The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. Prequalification, which includes the Eden Area ROP preparing and issuing a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection

The request for qualifications shall include, but is not limited to, all of the following elements:

- a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the Eden Area ROP to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the Eden Area ROP to inform interested parties of the contracting opportunity
- b. Significant factors that the Eden Area ROP reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other non-price-related factors
- c. A standard template request for statements of qualifications prepared by the Eden Area ROP, which shall contain all of the information required pursuant to Education Code 17250.25 or 17250.62

- d. A notice that the project is subject to the skilled and trained workforce requirements specified in Public Contract Code 2600-2603

The Eden Area ROP also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

3. Request for Proposals(RFP), which includes the Eden Area ROP preparing an RFP that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the Eden Area ROP

The RFP shall include the information identified in Items #2a, 2b, and 2d above and the relative importance or weight assigned to each of the factors.

If the Eden Area ROP uses a best value selection method for a project, the Eden Area ROP may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the Eden Area ROP shall so specify in the RFPs and shall publish separately or incorporate into the RFPs applicable procedures to be observed by the Eden Area ROP to ensure that any discussions or negotiations are conducted in good faith.

4. Selection based on low bid, which includes for those projects utilizing low bid as the final selection method, that the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. Selection based on best value, which includes for those projects utilizing best value as a selection method, that the following procedures shall be used:

- a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the RFPs.

Criteria shall be weighted as deemed appropriate by the Eden Area ROP. The proposal for a design-build project, as specified in Education Code 17250.25, shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years. The proposal for an alternative design-build project, as specified in Education Code 17250.62, shall, at a minimum, include design cost, general conditions, overhead, and profit as a component of the project price, unless a stipulated sum for the project is specified; technical design and construction expertise; and life-cycle costs over 15 or more years.

- b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
- c. The contract shall be awarded to the responsible entity whose proposal is determined by the Eden Area ROP to have offered the best value to the public.
- d. The Eden Area ROP shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award.

This statement and the contract file shall provide sufficient information to satisfy an external audit.

Skilled and Trained Workforce

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the Eden Area ROP that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the Eden Area ROP's project labor agreement, or through an agreement with the Eden Area ROP to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25, 17250.62; Public Contract Code 2602)

Skilled and trained workforce means that all the workers performing the work are either skilled journeypersons or apprentices registered in a state-approved apprenticeship program. At least 60 percent of the skilled journeypersons employed to perform the work shall be graduates of an apprenticeship program for the applicable

occupation or at least 60 percent of the hours worked by skilled journeypersons shall be performed by graduates of an apprenticeship program, with the exception of work performed in the following occupations, which are subject to a 30 percent threshold: (Public Contract Code 2601)

1. Acoustical installer
2. Bricklayer
3. Carpenter
4. Cement mason
5. Drywall installer or lather
6. Marble mason, finisher, or setter
7. Modular furniture or systems installer
8. Operating engineer
9. Pile driver
10. Plasterer, roofer, or waterproofer
11. Stone mason
12. Surveyor
13. Teamster
14. Terrazzo worker or finisher
15. Tile layer, setter, or finisher

If the contractor fails to provide the monthly report demonstrating compliance with the skilled and trained workforce requirements or provides an incomplete report, the Eden Area ROP shall withhold further payments until a complete report is provided. If a report does not demonstrate compliance with the skilled and trained workforce requirements, the Eden Area ROP shall withhold further payments until the contractor provides a sufficient plan to achieve substantial compliance with respect to the relevant apprenticeable occupation, prior to completion of the contract or project. Additionally, the Eden Area ROP shall forward to the Labor Commissioner a copy of the monthly report, any plan to achieve compliance, and the Eden Area ROP's response to that plan. (Public Contract Code 2602)

Policy 4000: Concepts And Roles

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board that the academic achievement, personal growth, and well-being of Eden Area Regional Occupational Programs (Eden Area ROP) students, and the success of Eden Area ROP programs, hinges on effective Eden Area ROP personnel. The Board desires to establish safe and supportive working conditions that will attract and retain staff members who are highly qualified and dedicated to the education and welfare of students.

The Board recognizes that every employee has a role in the Eden Area ROP's successful operation. The Board encourages all Eden Area ROP employees to express their ideas, concerns, and proposals related to the improvement of working conditions and the total educational program. The Eden Area ROP's personnel policies and related regulations shall be designed to ensure a supportive, positive climate and in conformance with state and federal law and regulations.

The Superintendent has responsibility for overseeing the Eden Area ROP's personnel. To support this effort, the Board shall approve a framework for sound hiring practices. The Superintendent shall nominate all personnel for employment, and the Board shall approve only those persons so recommended. Individuals who approach Board members regarding prospective employment shall be referred to the Superintendent or designee.

The Superintendent or designee shall assign and supervise the work of all employees and shall evaluate their work in accordance with any accountability systems approved by the Board. Additionally, the Superintendent or designee shall recommend disciplinary action which the Board may take against employees when warranted pursuant to Board policy, administrative regulations, and/or state or federal law.

The Superintendent or designee shall establish procedures whereby the Superintendent or designee will receive and consider employee suggestions and submit them, when appropriate, for consideration by the Board.

Policy 5000: Concepts And Roles

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board desires to create a safeschool environment and positive school climate that promotes student welfare and academic achievement. Additionally, the Board recognizes that student services offered by the Eden Area Regional Occupational Program (Eden Area ROP) play an integral role in the academic achievement and emotional well-being of Eden Area ROP students. In addition, the Board expects students to engage in learning opportunities offered by the Eden Area ROP by demonstrating regular attendance and completing assigned work in a timely and diligent manner, while maintaining appropriate conduct and respect for others.

The Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and has high expectations for staff and student conduct, responsible behavior, and respect for others.

The Board is fully committed to providing equal educational opportunities and maintaining the Eden Area ROP free from discrimination. The Board shall not tolerate the intimidation or harassment of any student for any reason, including discriminatory harassment, intimidation, and/or bullying, in accordance with Board Policy 0410 – Nondiscrimination in District Programs and Activities and Board Policy/Administrative Regulation 5145.3 – Nondiscrimination/Harassment.

The Superintendent or designee shall establish and inform parents/guardians and students about Eden Area ROP rules and regulations related to attendance, health examinations, records, grades, and student conduct. When conducting hearings related to discipline, attendance, and other student matters, the Board shall afford students their due process rights in accordance with law and applicable Board policies and administrative regulations.

Policy 5020: Parent Rights And Responsibilities

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board recognizes that parents/guardians of Eden Area Regional Occupational Program (Eden Area ROP) students have certain rights as well as responsibilities related to the education of their children.

The Board believes that the Eden Area ROP's relationship with parents/guardians is one of mutual support and respect. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians for continuing the intellectual, physical, emotional, and social development and well-being of their students, including the means by which the Eden Area ROP and parents/guardians can help their students achieve academic and other standards of the Eden Area ROP.

Within this framework, the Eden Area ROP's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the Eden Area ROP.

Parents/guardians shall have the opportunity to work with the Eden Area ROP in a mutually supportive and respectful partnership and to help their students succeed in school. (Education Code 51100)

The Superintendent or designee shall ensure that Eden Area ROP staff understand the rights of parents/guardians afforded by law, Board policy, and administrative regulation, and follow acceptable practices that respect those rights.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights, including, but not limited to, their rights in accordance with 20 USC 1232g and 34 CFR 99.1-99.8, the federal Family Educational Rights and Privacy Act (FERPA), and as specified in Board Policy/Exhibit (1) 5145.6 – Parent/Guardian Notifications.

When required by law, Board policy, or administrative regulation, the Eden Area ROP shall notify parents/guardians that they may request to opt their student out of certain instruction. Students for whom the Eden Area ROP has approved the opt out shall be offered an alternative activity of similar educational value.

The Superintendent or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language, of the rights and opportunities available to them pursuant to Education Code 48985. (Education Code 51101.1)

Regulation 5020: Parent Rights And Responsibilities

Status: DRAFT

Original Adopted Date: 06/05/2020

Parent/Guardian Rights

The rights of parents/guardians of Eden Area Regional Occupational Program (Eden Area ROP) students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled or for the purpose of selecting the school in which their child will be enrolled (Education Code 51101)

Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (Education Code 49091.10)

2. To meet, within a reasonable time of their request, with their child's teacher(s) and an administrator (Education Code 51101)
3. Under the supervision of Eden Area ROP employees, to volunteer their time and resources for the improvement of center facilities and programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (Education Code 51101)
4. To be notified on a timely basis if their child is absent from school without permission (Education Code 51101)
5. To have a school environment for their student that is safe and supportive of learning (Education Code 51101)
6. To examine the curriculum materials of the class(es) in which their child is enrolled (Education Code 51101; 20 USC 1232h)

Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments including textbooks, teacher's manuals, films, audio and video recordings, and software, stored by the classroom teacher. (Education Code 49091.10)

Each school site shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (Education Code 49091.14)

The school may charge an amount not to exceed the cost of duplication if a hardcopy is created. (Education Code 49091.14)

7. To be notified of the opportunity to opt their child out of certain instruction, as required by law (Education Code 51240, 51938)
8. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if issues arise with their child (Education Code 51101)
9. To have access to the student records of their child (Education Code 51101)
10. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish (Education Code 51101)
11. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes, and procedures for visiting the school (Education Code 51101)
12. To receive notice and information about and to opt out of any assessment, analysis, evaluation, or monitoring of the quality or character of the student's home life, any form of parent/guardian screening or testing, any

nonacademic home-based counseling program, parent/guardian training, or any prescribed family education service plan, and to inspect any survey collecting personal information (Education Code 49091.18; 20 USC 1232h)

13. To participate as a member of a parent advisory committee, school site council, or site-based management leadership team in accordance with any rules and regulations governing membership in these organizations (Education Code 51101)
14. To question anything in their child's student record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (Education Code 51101)
15. For parents/guardians of English learners, to be given any required written notification, under any applicable law, in English and the student's home language pursuant to Education Code 48985 (Education Code 51101.1)

These rights shall be exercised in accordance with applicable Board policy and administrative regulation.

Parent Responsibilities

Parents/guardians may support the learning environment of their student by: (Education Code 51101)

1. Monitoring attendance of their child
 2. Ensuring that homework is completed and turned in on time
 3. Encouraging their child to participate in extracurricular and cocurricular activities
 4. Monitoring and prohibiting or regulating the use of social media and other forms of online entertainment viewed by their child
 5. Working with their child at home in learning activities that extend the classroom learning
 6. Volunteering in their child's classroom(s) or for other school activities
 7. Participating in decisions related to the education of their own child or the total school program, as appropriate
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Policy 6143: Courses Of Study

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 12/07/2023 | Last Reviewed Date: 12/07/2023

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 Eden Area Regional Occupational Program's (Eden Area ROP) 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 Superintendent or designee shall establish processes for ensuring the articulation of courses. 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 of course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The Eden Area ROP 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; race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; religion; disability; age; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; a perception of one or more of such characteristics; a combination of two or more of such characteristics or association with a person or group with one or more of these actual or perceived characteristics or a combination of two or more of them. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12926; Penal Code 422.55; 5 CCR 4940; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

Secondary Grades

The Eden Area ROP shall offer all otherwise qualified students in grades 9-12 a course of study that includes all required instructional content and prepares them, upon graduation from high school, to attain entry-level employment skills in business or industry. (Education Code 51228)

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)

Parental Notification and Opt-Out

When required by law, Board policy, or administrative regulation, the Eden Area ROP shall notify parents/guardians that they may request to opt their student out of certain instruction. Students for whom the Eden Area ROP has approved the opt-out shall be offered an alternative activity of similar educational value.

Policy 7000: Concepts And Roles

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board recognizes that one of its major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program and align with the needs of the Eden Area Regional Occupational Program (Eden Area ROP). The Board shall endeavor to provide and maintain high-quality school facilities that support the Eden Area ROP's educational program. Because the schools serve as a focal point for the community, the Board shall strive to provide Eden Area ROP facilities that are compatible with surrounding neighborhoods and have the flexibility of design to meet future educational and community needs.

In accordance with the Eden Area ROP Joint Powers Agreement, the Eden Area ROP Board may, by unanimous vote, acquire real property for the use of, but not limited to, instruction, administration, and warehousing services.

Any plan to acquire real property shall have input from the Board/Superintendent of the four participating school districts and may also include members of the public served.

All plans for the acquisition of real property submitted to the Eden Area ROP Board will have a long-range facility needs assessment prepared by the Eden Area ROP staff.

In order to plan for long-range facilities needs, the Superintendent or designee may develop, for Board approval, a school facilities master plan in accordance with Board Policy 7110 - Facilities Master Plan, and regularly review such plan in light of the Eden Area ROP's educational goals. In accordance with this plan, the Board shall:

1. Approve additions or major alterations to existing buildings
2. Determine what new buildings shall be built, when and where, and what equipment and furniture shall be purchased for them
3. Select and purchase school sites for future expansion, as needed, and facilities for new school sites or other district use
4. Sell or lease facilities, including via joint occupancy or joint use, when no other better use is identified
5. Approve the selection of architects and structural engineers
6. Award contracts for design and construction
7. Authorize the use of school facilities by Eden Area ROP residents and community groups in accordance with Board Policy/Administrative Regulation 1330 - Use of School Facilities
8. Consider the use of Eden Area ROP property for workforce housing

The Superintendent or designee shall:

1. Assess the Eden Area ROP's short- and long-term facilities needs
2. Oversee the preparation of bids and awarding of contracts
3. Supervise the implementation of the Eden Area ROP's building program, Board policy, and state and local requirements, including collaboration with the architect and contractor on the construction of new facilities and modernization of existing facilities
4. Represent the Eden Area ROP in official governmental interactions related to the building program

Policy 7131: Relations With Local Agencies

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board recognizes the importance of collaborating and communicating with other local agencies in order to provide the best possible school facilities and to allocate facility resources in an effective and efficient manner. The Board and Eden Area Regional Occupational Program (Eden Area ROP) staff shall consult and coordinate with local agencies as required by law, and shall utilize the expertise and resources of such agencies when useful to the Eden Area ROP in the planning, design, and construction of facilities.

Notifications to Other Local Agencies

The Superintendent or designee shall notify the appropriate city or county planning agency of the adoption of a school facility needs analysis; the acquisition of a school site; any other action regarding school facilities, in accordance with law.

Bylaw 9310: Board Policies

Status: DRAFT

Original Adopted Date: 06/05/2020

Definitions

Board policies are the written rules of the Eden Area Regional Occupational Program (Eden Area ROP). They establish the parameters by which staff, students, parents/guardians, volunteers, contractors, visitors, and others shall abide while attending or participating in Eden Area ROP programs or activities, on Eden Area ROP property, or otherwise within the jurisdiction of the Eden Area ROP. Additionally, Board policies clarify the roles and responsibilities of the Governing Board and Superintendent, and communicate Board philosophy and values to students, staff, parents/guardians, and the community.

Board bylaws are specific Board policies that govern the operations of the Board and establish the rights and obligations of Board members.

Administrative regulations, which shall not be inconsistent with Board policies, are written rules that implement Board policies or prescribe the operations and administration of the Eden Area ROP. In case of conflict between an administrative regulation and a Board policy, the Board policy, or applicable portion thereof, shall prevail.

Board policies and administrative regulations shall align with the Eden Area ROP's vision and goals, promote student learning and achievement, provide for consistent and fair treatment of students and staff, and proactively address equity and the provision of equal access to opportunities for all students.

The Board recognizes the importance of maintaining Board policies and administrative regulations that are up to date and reflect the mandates of law. Board policies or administrative regulation shall be binding to the extent that they do not conflict with federal or state law. No Board policy, or administrative regulation, or any portion thereof, shall be operative if the Superintendent determines, based on advice of Eden Area ROP legal counsel, it is in conflict with applicable federal or state law or regulations or court decisions. However, any portion of a Board policy or administrative regulation so determined to be inoperative shall not affect the operability of other provisions of the policy or administrative regulation.

Board Policy Development and Adoption

The Board shall regularly review Board policies and shall do so at Board meetings or Policy Committee meetings, as applicable. Additionally, the Board shall annually review the policies specified in Education Code 35160.5. If no revisions are deemed necessary, the Board minutes for the applicable meeting shall nevertheless indicate that the review was conducted. Other Board policies shall be monitored and reviewed as specified in the Board policy itself or as needed to reflect changes in law or Eden Area ROP circumstances.

The following steps shall be used to develop, propose, and adopt a new Board policy or revisions to an existing Board policy:

1. The Board and/or Superintendent or designee shall identify the need for a new or revised Board policy
2. As needed, the Superintendent or designee shall gather fiscal data, staff and public input, related Board policies or administrative regulations, sample Board policies from the California School Boards Association, legal advice, and other useful information and data
3. The Board may agendize one or more discussions or presentations with respect to the need for a new or revised Board policy

As part of those discussions or presentations, the Board may request additional information or research and may provide direction to the Superintendent or designee regarding how to proceed with proposing a new or revised Board policy, including a request for review by Eden Area ROP legal counsel

4. Once drafted, the proposed new or revised Board policy shall be agendized at two separate Board meetings, with the first for public input and Board review and direction, and the second for further discussion, if warranted, and Board action

The Board may waive or modify any of the above requirements on a case-by-case basis.

All Board policies shall be formally adopted by a majority vote of the Board.

Board policies shall become effective upon Board adoption or at a future date if so designated by the Board at the time of adoption.

At any time, the Board and Superintendent or designee may determine that progress reports to the Board on the implementation and/or effectiveness of a Board policy are necessary. If so, the Board and Superintendent or designee shall agree upon a timeline and, as applicable, measures for evaluating the effectiveness of the Board policy in achieving its purpose.

Administrative Regulation Development and Approval

The Superintendent or designee shall be responsible for the development and approval of administrative regulations.

When new Board policies are created or existing Board policies are revised, the Superintendent or designee shall, as necessary, create or revise any applicable administrative regulations to ensure that they conform to the intent of the new or revised Board policy.

To carry out the intent of the Board, the Superintendent or designee may, in addition to developing and approving administrative regulations, develop procedures manuals, handbooks, or other guides.

Access

The Superintendent or designee shall ensure that all Eden Area ROP employees and the public have easy and free access to all Board policies, administrative regulations, and, as applicable, related documents.

Bylaw 9321: Closed Session

Status: DRAFT

Original Adopted Date: 06/05/2020 | **Last Revised Date:** 03/07/2024 | **Last Reviewed Date:** 03/07/2024

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of the Eden Area Regional Occupational Program (Eden Area ROP) business. The Board shall meet in closed session during a regular, special, or emergency meeting only for purposes authorized by law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and provided in the accompanying Exhibit (1). (Education Code 35145, Government Code 54954.2, 54954.5, 54957)

In the open session preceding closed session, the Board shall disclose the items to be discussed in closed session as specified in this bylaw. The Board chair, who is the Board president or the Board member chairing the meeting at the time if the Board president is absent, shall either verbally either state the closed session items listed in the agenda or refer the public to the closed session item(s) as listed by number or letter in the agenda. In closed session, the Board shall consider only those items covered in its statement. (Government Code 54957, 54957.7)

Prior to closed session, members of the public shall be given an opportunity to address the Board on any closed session item in the agenda in accordance with Board Bylaw 9322 - Agenda/Meeting Materials and Board Bylaw 9323 - Meeting Conduct. (Education Code 35145.5; Government Code 54954.3)

After closed session, the Board shall reconvene in open session before adjourning the meeting and, when applicable, shall disclose any actions taken in closed session, the votes or abstentions thereon, and other disclosures as specified in this bylaw. Such disclosures may be made in writing or orally at the location announced in the agenda for closed session as required by law and provided in the accompanying Exhibit (2). (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document such as a contract or settlement agreement, that becomes public upon such approval or adoption, the Superintendent or designee shall immediately provide a copy of the document to any person present at the conclusion of closed session who has submitted a written request or made a standing request for all documentation as part of a request for notice of meetings. (Government Code 54957.1)

If, when adopting or approving a document during closed session, substantive amendments are required to finalize the document, the Superintendent or designee shall make the document available soon as the necessary changes to the document are completed. Whenever such a document will not be immediately released, the Board chair shall orally summarize the substance of the amendment in open session as part of the required disclosures. (Government Code 54957.1)

Attendance in Closed Session

Each Board member may attend closed session for each agenda item except if the Board member is required to recuse themselves or is prohibited by law from attending. Additionally, the Superintendent may attend closed session for each agenda item, except for personnel matters, complaints, or charges regarding the Superintendent under Government Code 54957, or to discuss the Superintendent's compensation under Government Code 54957.6.

In addition, the Board secretary or designee shall attend closed session for each agenda item to keep minutes of topics discussed and decisions made. (Government Code 54957.2)

Except as prohibited by law, the following individuals may attend closed session for a particular item upon invitation by the Board chair or the Superintendent:

1. Eden Area ROP legal counsel, Eden Area ROP negotiators, or other Eden Area ROP staff authorized by statute to attend for the particular item
2. Any other individual whose attendance is essential to the Board's ability to conduct its closed-session business with respect to the particular item

Any other individual shall not attend closed session.

Confidentiality

Any person in attendance in closed session shall not disclose information received in closed session except as permitted by Board Bylaw 9011 - Disclosure of Confidential/Privileged Information or Board Policy 4119.23 - Unauthorized Release Of Confidential/Privileged Information, as applicable.

The Board shall not disclose any information that is protected by state or federal law. Additionally, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, disclosure, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

Personnel Matters: Appointment, Employment, Performance Evaluation, or Discipline/Dismissal/Release

The Board may in closed session to consider the appointment, employment, performance evaluation, discipline, dismissal, or change in employment status of an employee. Except as permitted by law, such a closed session item shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957, 54957.1)

For the purpose of such an agenda item, "employee" includes an officer or independent contractor who functions as an officer or employee, but excludes Board members and other independent contractors. (Government Code 54957)

Personnel Matters: Specific Complaints or Charges

The Board may meet in closed session to hear complaints or charges brought against an employee, unless the employee who is the subject of the complaint requests an open session. Before the Board meets in closed session on specific complaints or charges brought against an employee, the Superintendent or designee shall ensure that the employee receives written notice of the right to have the complaints or charges heard in open session. This notice shall be delivered personally or by mail at least 24 hours before the time of closed session. (Government Code 54957)

For the purpose of such an agenda item, "employee" includes an officer or independent contractor who functions as an officer or employee, but excludes Board members and other independent contractors. (Government Code 54957)

Personnel Matters: Application for Early Withdrawal of Funds in Deferred Compensation Plan

The Board may meet in closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

Negotiations

The Board may meet in closed session to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees. A closed session item regarding salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussions of the Eden Area ROP's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session. (Government Code 54957.6)

Additionally, the Board may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Pursuant to Government Code 3549.1, the Board may, without following the requirements of the Brown Act, meet in closed session exclusively for the purpose of discussing its position regarding any matter within the scope of representation or for the purpose of instructing its designated representatives. The Board shall not discuss any other items, either in closed session or open session, as part of such a meeting. (Government Code 3549.1)

Matters Related to Students

The Board shall meet in closed session to consider an appeal by a parent/guardian of a denial of a request to amend incorrect, inaccurate, or misleading information in a student record maintained by the Eden Area ROP in accordance

with Administrative Regulation 5125.3 - Challenging Student Records. (Education Code 49070)

If a public hearing would lead to the disclosure of confidential student information such as grades or discipline information, the Board shall meet in closed session to consider any action, including discipline, against a student. At least 72 hours prior to the start of the meeting of which closed session is a part, the Superintendent or designee, on behalf of the Board, shall, in writing, by registered or certified mail or by personal service, notify the student and the student's parent/guardian of the intent of the Board to hear the item in closed session. If a written request for open session is received from the student or the student's parents/guardians within 48 hours of receiving the notice, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any other student remain in closed session. (Education Code 35146, 48912)

In order to protect student privacy rights provided in 20 USC 1232g or other applicable laws, the identity of a student shall not be listed in the agenda and, unless the item is heard in open session, shall not be included in any disclosure after closed session. Additionally, a student matter shall be listed in the open session portion of the agenda with the same description and numbering system as it was listed in the closed session portion of the agenda.

Security Matters

The Board may meet in closed session with the Governor, Attorney General, Eden Area ROP Attorney, Eden Area ROP legal counsel, sheriff or chief of police, or other law enforcement or security personnel on matters posing a threat to any of the following: (Government 54957)

1. The security of public buildings
2. The security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service
3. The public's right of access to public services or public facilities
4. Critical infrastructure controls or critical infrastructure information relating to cybersecurity

The Board may also meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan.(Education Code 32281)

Real Property Negotiations

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the Eden Area ROP in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Anticipated Litigation/Initiation of Litigation

Based on the advice of its legal counsel, the Board may in closed session to confer with or receive advice from its legal counsel regarding anticipated litigation or whether to initiate litigation when discussion of either matter in open session would prejudice the Eden Area ROP's position with respect to such litigation. For this purpose, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered be "anticipated" when, in the Board's opinion based on the advice of its legal counsel regarding the existing facts and circumstances, there is a significant exposure to litigation against the Eden Area ROP or against an Eden Area ROP officer or employee based on prior or prospective activities or alleged activities during and potentially during the course and scope of that office or employment. (Government Code 54956.9)

Existing facts and circumstances are limited to the following: (Government Code 54956.9)

1. Facts and circumstances that might result in litigation against the Eden Area ROP but which the Eden Area ROP believes are not yet known to potential plaintiff(s)
2. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Eden Area ROP, which are already known to potential plaintiff(s)
3. The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential

plaintiff

4. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board
5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the employee receiving knowledge of the threat made a record of the statement before the meeting

Each agenda item related to anticipated, or initiation of, litigation shall only contain one such matter. For an anticipated litigation item that is anticipated based on Items #2, #3, or #5 above, the agenda item shall also include the facts or circumstances that might result in litigation, the claim or written threat of litigation, or the record of the threat. However, the agenda item shall not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on the alleged victim's behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed. (Government Code 54956.9)

Existing Litigation

Based on the advice of its legal counsel, the Board may in closed session to confer with or receive advice from its legal counsel regarding existing litigation when discussion of the matter in open session would prejudice the Eden Area ROP's position with respect to such litigation. Litigation is considered to be "existing" when the Eden Area ROP has been named a party to the litigation or an Eden Area ROP officer or employee has been named a party to the litigation based on prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which involves whether an activity is outside the course and scope of the office or employment. For this purpose, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Tort, Public, or Workers' Compensation Liability

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the Eden Area ROP is a member. (Government Code 54956.95)

Joint Powers Agency Issues

The Board may meet in closed session in order to receive, discuss, and take action concerning information that has direct financial or liability implications for the Eden Area ROP and that was obtained in a closed session of a JPA of which the Eden Area ROP is a member. However, a Board member serving on the JPA board may only disclose confidential information acquired during a closed session of the JPA to fellow Board members if the governing board of the JPA has so authorized and upon advice of Eden Area ROP legal counsel. (Government Code 54956.96)

Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office and before the report has been made public, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report shall be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Exhibit 9321-E(1): Closed Session

Status: DRAFT

Original Adopted Date: 03/07/2024 | Last Reviewed Date: 03/07/2024

BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

The Governing Board meeting agenda shall include the following description of a closed session item, as applicable:

Personnel Matters

PUBLIC EMPLOYEE APPOINTMENT
Government Code 54957

Title: _____
(Specify position to be filled.)

PUBLIC EMPLOYMENT
Government Code 54957

Title: _____
(Specify position to be filled.)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code 54957

Title: _____
(Specify title of employee being evaluated.)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957

(Due to employee privacy rights, no additional information may be provided.)

SPECIFIC COMPLAINT OR CHARGE AGAINST EMPLOYEE
Government Code 54957

(Due to employee privacy rights, no additional information may be provided.)

EMPLOYEE APPLICATION FOR EARLY WITHDRAWAL OF FUNDS IN DEFERRED COMPENSATION PLAN
Government Code 54957.10

(No additional information may be provided.)

Negotiations

CONFERENCE WITH LABOR NEGOTIATORS
Government Code 54957.6

Eden Area ROP-Designated
Representatives: _____
(Specify names of representatives attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee Organization: _____
(Specify name of employee organization with which negotiations are being held.)

or

Unrepresented Employee(s): _____
(Specify position of unrepresented employee(s) who are the subject of the negotiations.)

Matters Related to Students

STUDENT SUSPENSION/OTHER DISCIPLINARY ACTION
Education Code 35146

Tracking/Identification Number: [REDACTED]
(Due to student privacy rights, no additional information may be provided. The Eden Area ROP may use other means to identify the student for record-keeping purposes.)

STUDENT GRADE CHANGE APPEAL
Education Code 49070

Tracking/Identification Number: [REDACTED]
(Due to student privacy rights, no additional information may be provided. The Eden Area ROP may use other means to identify the student for record-keeping purposes.)

CONFIDENTIAL STUDENT MATTER

Action Under Consideration: [REDACTED]
(If the Board is considering a confidential student matter other than those listed above, specify type of action.)

Tracking/Identification Number: [REDACTED]
(Due to student privacy rights, no additional information may be provided. The Eden Area ROP may use other means to identify the student for record-keeping purposes.)

Security Matters

THREAT TO PUBLIC SERVICES OR FACILITIES
Government Code 54957

Consultation With: [REDACTED]
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN
Education Code 32281

Consultation With: [REDACTED]
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code 54956.8

Property: [REDACTED]
(Specify street address or, if no street address, the parcel number or other unique reference of the real property under negotiation.)

Eden Area ROP Negotiator: [REDACTED]
(Specify names of negotiators attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Party With Whom Eden Area ROP Is Negotiating:
[REDACTED]
(Specify name of party, not agent.)

Under Negotiation: [REDACTED]

(Specify whether instruction to negotiator will concern price, terms of payment, or both.)

Anticipated Litigation/Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)

(If applicable) Existing Facts And Circumstances:

[Redacted]

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Initiation of litigation pursuant to Government Code 54956.9(d)(4)

(If applicable) Existing Facts And Circumstances:

[Redacted]

Existing Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code 54956.9(d)(1)

Name Of Case: [Redacted]
(Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or existing settlement negotiations

Tort, Public, or Workers' Compensation Liability

LIABILITY CLAIMS
Government Code 54956.95

Name Of Claimant(s): [Redacted]
(Specify name, except when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)

Name Of Agency Against Which Claim Is Made: [Redacted]

Joint Powers Authority Issues

INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR EDEN AREA ROP
Government Code 54956.96

Name Of JPA: [Redacted]

Discussion Will Concern: [Redacted]
(Specify closed session description used by the JPA.)

Name Of Eden Area ROP Representative On JPA Board: [Redacted]

Review of Audit from State Auditor's Office

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE
Government Code 54956.75
(No additional information is required.)

Exhibit 9321-E(2): Closed Session

Status: DRAFT

Original Adopted Date: 03/07/2024 | Last Reviewed Date: 03/07/2024

DISCLOSURES OF CLOSED SESSION ACTIONS

After the Governing Board meets in closed session, the Board shall reconvene in open session to disclose, either orally or in writing, any of the following actions taken during closed session, as applicable:

Personnel Matters

PUBLIC EMPLOYEE APPOINTMENT

Title: _____
(Specify position to be filled)

Appointment Made: (Yes; otherwise no action taken)

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Recused: _____
(Enter names of Board members)

PUBLIC EMPLOYMENT

Title: _____
(Specify position to be filled)

Decision to Employ: (Yes; otherwise no action taken)

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Recused: _____
(Enter names of Board members)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: _____
(Specify title of employee being evaluated)

(If applicable) Board evaluated an employee in the above listed position.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Title: _____
(Specify position affected)

(If applicable) Decision to Dismiss/Release: (Yes; otherwise no action taken)

Ayes: _____
Nays: _____
Abstentions: _____
Absent: _____
Recused: _____
(Enter names of Board members)

SPECIFIC COMPLAINT OR CHARGE AGAINST EMPLOYEE

(If applicable) Board heard/discussed a specific complaint or charge against an employee.

EMPLOYEE APPLICATION FOR EARLY WITHDRAWAL OF FUNDS IN DEFERRED COMPENSATION PLAN

(If applicable) Board received/discussed an employee's application for early withdrawal of funds in deferred compensation plan.

Negotiations

(If applicable) Agreement Reached With: _____
(Specify Employee Organization)

Ayes: _____

Nays: _____

Abstentions: _____

Absent: _____

Recused: _____

(Enter names of Board members)

Matters Related to Students

STUDENT SUSPENSION/OTHER DISCIPLINARY ACTION

Tracking/Identification Number: _____

(If applicable) Board heard/discussed this matter and will vote in open session as indicated in the agenda.

STUDENT GRADE CHANGE APPEAL

Tracking/Identification Number: _____

(If applicable) Board heard/discussed this matter.

CONFIDENTIAL STUDENT MATTER

Action Under Consideration: _____

Tracking/Identification Number: _____

(If applicable) Board heard/discussed this matter.

Security Matters

THREAT TO PUBLIC SERVICES OR FACILITIES

(If applicable) Board consulted with: _____

(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the Board will consult.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN

(If applicable) Board approved a Tactical Response Plan.

Ayes: _____

Nays: _____

Abstentions: _____

Absent: _____

Recused: _____

(Enter names of Board members)

Real Property Negotiations

(If applicable) Board approved an agreement concluding real estate negotiations and the agreement is final.

Substance Of Agreement: [Redacted]

Ayes: [Redacted]

Nays: [Redacted]

Abstentions: [Redacted]

Absent: [Redacted]

Recused: [Redacted]

(Enter names of Board members)

Anticipated Litigation/Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(If applicable) Board has given approval to legal counsel to defend the Eden Area ROP against anticipated litigation.

Ayes: [Redacted]

Nays: [Redacted]

Abstentions: [Redacted]

Absent: [Redacted]

Recused: [Redacted]

(Enter names of Board members)

or

(If applicable) Board approved an agreement concluding this matter and the agreement is final.

Adverse Party(s): [Redacted]

Substance Of Agreement: [Redacted]

Ayes: [Redacted]

Nays: [Redacted]

Abstentions: [Redacted]

Absent: [Redacted]

Recused: [Redacted]

(Enter names of Board members)

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

(If applicable) Board has given approval to legal counsel to initiate litigation.

Ayes: [Redacted]

Nays: [Redacted]

Abstentions: [Redacted]

Absent: [Redacted]

Recused: [Redacted]

(Enter names of Board members)

or

(If applicable) Board approved an agreement concluding this matter and the agreement is final.

Adverse Party(s): [Redacted]

Substance Of Agreement: [Redacted]

Ayes: [redacted]
Nays: [redacted]
Abstentions: [redacted]
Absent: [redacted]
Recused: [redacted]
(Enter names of Board members)

Existing Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(If applicable) Board has given approval to legal counsel to defend the Eden Area ROP, seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in this litigation.

Ayes: [redacted]
Nays: [redacted]
Abstentions: [redacted]
Absent: [redacted]
Recused: [redacted]
(Enter names of Board members)

or

(If applicable) Board approved an agreement concluding this litigation and the agreement is final.

Substance Of Agreement: [redacted]

Ayes: [redacted]
Nays: [redacted]
Abstentions: [redacted]
Absent: [redacted]
Recused: [redacted]
(Enter names of Board members)

Tort, Public, or Workers' Compensation Liability

LIABILITY CLAIMS

(If applicable) Board approved disposing of this claim and that disposition is final.

Substance Of Claim, Including Amount Of Payment To Claimant: [redacted]

Ayes: [redacted]
Nays: [redacted]
Abstentions: [redacted]
Absent: [redacted]
Recused: [redacted]
(Enter names of Board members)

Joint Powers Agency Issues

INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR EDEN AREA ROP

(If applicable) Board heard/discussed this matter.

Review of Audit from State Auditor's Office

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(If applicable) Board heard/discussed this matter.

DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the adoption of Resolution 5-25/26: Career and Technical Education Month (February)

BACKGROUND

February has been designated as Career and Technical Education Month by the Association for Career and Technical Education (ACTE).

CURRENT SITUATION

Career and Technical Education (CTE) plays a vital role in preparing students for a dynamic and competitive workforce by offering programs that blend academic knowledge with technical skills. Recognizing CTE Month emphasizes the significant contributions of these programs to student success, economic growth, and workforce readiness.

Key Impacts of CTE Programs

- **Career Readiness and Skill Development:** CTE equips students with both academic and employability skills that are essential for success in today's job market.
- **Engagement and Achievement:** Students involved in CTE benefit from experiential learning opportunities that increase motivation, engagement, and academic performance.
- **Early Career Exploration:** CTE introduces students to career pathways early, helping them make informed educational and career decisions.
- **Addressing Workforce Needs:** connecting with industry standards, CTE helps bridge the skills gap and connects employers with a qualified talent pool.
- **Economic Strength:** Strong CTE programs contribute to a thriving workforce and a robust, competitive economy.

Resolution 6-24/25 recognizes the month of February as a celebration of the vital impact career and technical education makes upon students' lives, business and technical communities and the economic development of the country.

RECOMMENDATION

It is recommended that the Governing Board approve the adoption of Resolution 5-25/26: Career and Technical Education Month (February).

EdenAreaROP

RESOLUTION NO. 5-25/26

Career and Technical Education Month: February

WHEREAS, February has been designated Career and Technical Education (CTE) Month by the Association for Career and Technical Education (ACTE); and

WHEREAS, CTE offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness; and

WHEREAS, students in CTE programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

WHEREAS, CTE provides students with career exploration opportunities earlier in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and

WHEREAS, leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with careers in critical and growing CTE-related fields ; and

WHEREAS, CTE prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and lead to the attainment of industry-recognized credentials; and

WHEREAS, CTE programs ensure that employers have access to a qualified and thriving workforce, ensuring our nation is a strong and competitive economy;

NOW THEREFORE, BE IT RESOLVED, that the Governing Board of the Eden Area Regional Occupational Program does hereby recognize February as

CAREER AND TECHNICAL EDUCATION MONTH

and urge everyone to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

PASSED AND ADOPTED by the following called vote this 5th day of February 2026.

Board Member	Ayes	Noes	Abstentions	Absent
Juan Campos	_____	_____	_____	_____
Dolly Adams	_____	_____	_____	_____
Austin Bruckner Carrillo	_____	_____	_____	_____

Board Member	Ayes	Noes	Abstentions	Absent
Zachary Borja				
Alt: _____				
Alt: _____				
Totals				

Student Board Member	Ayes	Noes	Abstentions	Absent
Sofia Castellanos				
Jeffery Arthur				
Alt: _____				
Alt: _____				
Totals				

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



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mercedes Henderson, Human Resources Administrator
SUBJECT: Request the Governing Board approve the Middle College Site Administrator Position and Job Description

BACKGROUND

The Human Resources Administrator maintains all job descriptions and periodically updates them to ensure alignment with current operational needs.

The Eden Area ROP in collaboration with the partner districts and Chabot Community College have been in the process of developing a Middle College at Chabot Community College with a projected start date of August 2027.

Education Code § 11300 states that the goal of the middle college high school (MCHS) is to select at-risk high school students who are performing below their academic potential and place them in an alternative high school located on a community college campus in order to reduce the likelihood that they will drop out of school before graduation.

The Eden Area ROP Middle College Site Administrator will lead the effort in building the Middle College program and a high-performing school staff and leadership team that accelerates student achievement and results in measurable outcomes. The Eden Area ROP Middle College Site Administrator will also work collaboratively with district and college partners, department members and staff to reach Middle College goals.

CURRENT SITUATION

A new certificated administrator position and job description have been created.

New Position & Job Description

Middle College Site Administrator

RECOMMENDATION

It is recommended that the Governing Board approve the Middle College Site Administrator position and job description.

JOB DESCRIPTION

Mission Statement:

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

Job Title:	Middle College Site Administrator	Reports to:	Superintendent
Job Location:	Chabot College	Department:	Educational Services

Position Overview

Purpose:

Lead efforts in building Middle College program and a high-performing school staff and leadership team that accelerates student achievement and results in measurable outcomes. Work collaboratively with district and college partners, department members and staff to reach Middle College goals.

Duties and Responsibilities:

Instructional Leadership & School Administration

- Serve as site administrator for Chabot Middle College, providing instructional leadership consistent with California Administrator Performance Expectations (CAPEs)
- Assist the Superintendent in the organization, supervision, evaluation, and continuous improvement of the Chabot Middle College instructional program
- Ensure compliance with California Education Code, Title 5 regulations, accreditation requirements, and EAROP policies
- Oversee curriculum alignment to ensure high school coursework meets graduation requirements while supporting college success
- Oversee development and maintenance of the Middle College master schedule in collaboration with partner districts and Chabot College
- Serve as WASC site lead and oversee accreditation-related processes and documentation

Student Services, Equity & College Access

- Establish and maintain an inclusive, safe, and student-centered school culture that promotes equity, access, and belonging that strongly encourages and provides opportunities for family engagement
- Oversee student recruitment, application, and placement processes with priority for first-generation students, and students experiencing poverty
- Implement systems of student conduct, attendance, academic monitoring, and intervention
- Coordinate embedded academic supports, including AVID tutorial structures and integrated college success strategies
- Serve as primary linkage point connecting students and families to support at their resident high school, EAROP, and Chabot College
- Collaborate with assigned Community College Counselor to ensure accurate transcript review, advising, and pathway planning
- Guide students toward Chabot College student support programs, including Disabled Students Programs and Services (DSPS), Gladiator Hub, and other services

Staff Supervision & Professional Development

- Supervise, direct, and evaluate certificated and classified staff assigned to Chabot Middle College in accordance with EAROP policy and credential requirements
- Provide instructional coaching and feedback to ensure high-quality teaching aligned with college readiness, AVID strategies, and English Learner pedagogy
- Coordinate onboarding, mentoring, and orientation of new staff
- Plan, lead, and evaluate professional learning aligned with program goals, district initiatives, and student needs
- Facilitate regular staff meetings and collaborative planning time

JOB DESCRIPTION

Compliance, Grants & Operations

- Assist in authoring, overseeing, and maintaining compliance for grants, contracts, and memoranda of understanding supporting Chabot Middle College
- Oversee instructional program budgets, enrollment projections, staffing needs, and attendance monitoring
- Monitor and ensure compliance with dual enrollment regulations, data reporting requirements, and legal mandates
- Oversee student information systems, records management, and reporting
- Maintain and oversee the school safety plan and participate in Injury & Illness Prevention Program requirements

Collaboration, Partnerships & Governance

- Serve as primary point of contact with Chabot College administration, faculty, counselors, and student services
- Collaborate with partner district principals, counselors, AVID leads, family engagement teams, and support staff
- Work with community agencies and partners to expand student support services and pathway opportunities
- Prepare and present reports, data summaries, and program updates to the EAROP Governing Board
- Represent Chabot Middle College at meetings, conferences, and public forums as required

Additional Responsibilities

- Approve student field trips and ensure compliance with policies and procedures
- Manage substitute coverage and provide classroom coverage when necessary in conjunction with EAROP Educational Services processes
- Conduct and mediate meetings with parents/guardians and respond to student or family concerns
- Coordinate Middle College Year-End celebration while ensuring alignment with resident school graduation requirements
- Perform other duties as assigned by the Superintendent

Employment Type:	Full Time	Employment Category:	Certificated Management
Work Year:	220 workdays	Days/Hours:	Monday-Friday 7:30am-4:30pm

Position Qualifications

Knowledge:

- Knowledge of California Education Code, high school graduation requirements, CA Community College systems, and dual enrollment regulations
- Ability to lead and evaluate instructional programs aligned to college and career readiness
- Strong understanding of equity-driven practices and student support systems
- Demonstrated ability to collaborate across K–12 and community college systems
- Strong communication, organizational, and leadership skills

Abilities:

- Demonstrate positive leadership and management skills with high personal/professional integrity
- Effective communication with students, staff and community
- Collaborate and maintain effective working relationships with self-directed decision-making ability
- Network, build strong partnerships and coordinate with district administrators, state level organizations, local legislators, City Councils, service clubs and Chambers of Commerce

JOB DESCRIPTION

Soft Skills:

- Trustworthiness; maintain confidentiality of privileged and sensitive information
- Strong, consistent work ethic; must be punctual and reliable
- Strong, positive communication and interaction skills when working with co-workers, students, administrators, families and/or the community
- Problem solver; able to resolve problems quickly and professionally
- Extremely organized and successfully meeting deadlines yet thrives in a new and potentially ambiguous environment

Education:

- **Valid California Administrative Services Credential** (required), Clear credential preferred
- Master's degree in Educational Leadership, Administration, or a related field (preferred)

Experience:

- Minimum of five (5) years of successful experience in secondary education required.
- Minimum of three (3) years of successful experience as a principal, assistant principal, or instructional leader preferred. Site Administrator experience strongly preferred
- Experience working with underserved student populations, including first-generation students, English Learners, and students experiencing poverty
- Experience with dual enrollment, early college, or college-access programs strongly preferred

Certifications/Credentials:

- Basic Driver License
- California CTE, Single Subject Teaching, or Pupil Personnel Services Credential
- California State Administrative Credential or Supervision and Coordination Credential

Salary Schedule Placement:	D	Annual Benefits:	<ul style="list-style-type: none"> • \$12,621.16 *Mandatory Vision & Dental deducted • TSA • Educational Stipend
Terms of Employment:	Year to year based on successful annual evaluation.	Governing Board Approved	Pending

CORE Values:

We believe in the Eden Area ROP.

Equitable: We believe in fostering belonging and creating a safe and inclusive environment that works to eradicate the impacts of racism, bias, discrimination, and privilege.

Accessible: We believe all students, families and staff should feel seen, heard, welcomed, included, respected, and have access to economic and educational mobility.

Restorative: We believe instruction should be culturally and historically responsive, restorative, trauma-informed, ethical, and prepare students for a path to self-fulfillment and self-actualization.

Outcomes: We believe our students will find a pathway with confidence and purpose that guides them towards a career, college, service to others, and life-affirming endeavors.

Professional: We believe excellence is the standard, as such, we will work with integrity, transparency, respect, and clear communication.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Mercedes Henderson, Human Resources Administrator
SUBJECT: Request the Governing Board to approve the Revised Salary Schedule (Chart 4)

BACKGROUND

The Human Resources department is establishing a new position and assigning it to the current salary schedule at the appropriate level of skill.

CURRENT SITUATION

To complete the establishment of the new position, salary schedules need to be amended. The following revised salary schedule is being presented for your approval to be effective July 1, 2026:

- Salary Scale Chart 4: Administration
 - Addition of the Middle College Site Administrator position to line D

RECOMMENDATION

It is recommended that the Governing Board approve the revised salary schedule (Chart 4).

Salary Scale Chart 4 ADMINISTRATION

2026-2027

Effective: July 1, 2026

STEP	ADMINISTRATION POSITION TITLES		
A	Principal	Certificated	220 day work year
A	Director of Adult Programs and Apprenticeships	Certificated	220 day work year
C	Fiscal Services Administrator	Classified	260 day work year *accrues vacation
C	Human Resources Administrator	Classified	260 day work year *accrues vacation
D	Assistant Principal	Certificated	220 day work year
D	Middle College Site Administrator	Certificated	220 day work year

Range and Column

Range	Column	1	2	3	4	5	L6*	L7*
A	Daily	\$747.29	\$782.41	\$819.98	\$857.68	\$898.00	\$911.63	\$925.27
	Monthly	\$13,700.27	\$14,344.18	\$15,018.36	\$15,724.22	\$16,463.26	\$16,713.26	\$16,963.26
	Annually	\$164,403.20	\$172,130.15	\$180,220.27	\$188,690.62	\$197,559.08	\$200,559.08	\$203,559.08
C	Daily	\$564.56	\$589.46	\$615.60	\$643.06	\$671.89	\$683.43	\$694.97
	Monthly	\$12,232.05	\$12,771.66	\$13,337.93	\$13,932.98	\$14,557.65	\$14,807.65	\$15,057.65
	Annually	\$146,784.65	\$153,259.93	\$160,055.17	\$167,195.77	\$174,691.85	\$177,691.85	\$180,691.85
D	Daily	\$639.13	\$669.17	\$700.62	\$733.55	\$768.02	\$781.66	\$795.30
	Monthly	\$11,717.33	\$12,268.05	\$12,844.65	\$13,448.35	\$14,080.42	\$14,330.42	\$14,580.42
	Annually	\$140,608.00	\$147,216.58	\$154,135.76	\$161,380.14	\$168,965.00	\$171,965.00	\$174,965.00

***LONGEVITY STEPS: AFTER 3 YEARS ON STEP 5, EMPLOYEE MOVES TO STEP 6. AFTER 3 YEARS ON STEP 6, EMPLOYEE MOVES TO STEP 7. ADDITIONAL \$3,000 PAID AFTER 3 YEARS ON STEP 5, ANOTHER \$3,000 PAID AFTER 3 YEARS ON STEP 6.**

EDUCATIONAL STIPENDS

Bachelor's Degree	Master's Degree	Doctorate
\$867	\$1,122	\$1,632

- **Employees receive an annual benefit package of \$12,621.16.**
- Daily rate=total annual salary / number of days in work year.
- Employee may elect to participate at the employee's expense in one of the health plan packages offered by the EAROP to its employees.
- Certificated work year does not include vacations or holidays.
- Classified work year does include vacation and holidays.
- Numbers have been rounded.



DATE: February 5, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Governing Board Reorganization

BACKGROUND

Annually, the Governing Board selects a Board President and Vice-President to perform the duties as specified in the Government Code.

CURRENT SITUATION

Now that reorganization of the member districts have been completed, the Eden Area ROP Governing Board will select a President and Vice-President to serve from March 2026 through February 2027. All members of the current Governing Board are eligible for election.

RECOMMENDATION

It is recommended that the Governing Board elect their new officers at tonight's meeting and approve the Governing Board reorganization.

COMMUNICATION



Alameda County Office of Education

Alysse Castro, Superintendent

January 15, 2026

Blaine Torpey, Superintendent
Members of the Board of Education
Eden Area ROP (EAROP) via email

POSITIVE with concerns certification of the 2025-26 First Interim Budget Report

Dear Superintendent Torpey and Members of the Board,

Eden Area ROP filed a POSITIVE certification of the ROP's 2025-2026 First Interim Budget Report covering the period ending October 31st, which EAROP's Board of Education approved on December 11, 2025. A Positive Certification is assigned when a local educational agency will meet its financial obligations for the remainder of the fiscal year and for the subsequent two fiscal years, based on current forecasts. *ACOE has reviewed EAROP's First Interim Budget Report and concurs with the ROP's POSITIVE certification.*

ACOE is highlighting our concerns in the following areas:

- *EAROPs revenues are declining on average by \$1.5 million, year over year; However, the ROP is projected to reduce corresponding expenditures annually to stay within its reserve requirements.*
- *EAROP continues to struggle with timely submission of required financial audits. Ca Ed Code requires audits to be submitted annually by December 15 and requires LEAs to request an audit extension if they are unable to meet the state timeline.*

We honor the continued hard work and commitment of the ROP staff, the Board, and the community in these challenging times. Our District Business & Advisory Service Team is here to answer questions or provide support.

In community,

Alysse Castro
Alameda County Superintendent of Schools

cc: Anthony Oum, Fiscal Services Administrator, Eden Area ROP
Allan Garde, Associate Superintendent of Business Services, ACOE
Shirene Moreira, Chief of District Business & Advisory Services, ACOE
Julia Xu, Director III, District Advisory Services, ACOE
Jennifer Stevens, Director I, District Advisory Services, ACOE