

Eden Area ROP GOVERNING BOARD MEETING AGENDA

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

Thursday, April 9, 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

Dolly Adams, Vice President

Zachary Borja, Member

Austin Bruckner Carrillo, Member

Jeffery Arthur, Student Board Member

Sofia 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, April 9, 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. **Vision Statement**
- V. **Mission Statement**
- VI. **Core Values**
- VII. **Public Comment for Agenda items and matters that are related to the Eden Area ROP**

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

The Board 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.

VIII. Student of the Month

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

IX. Student Board Member Reports

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 March 5, 2026 (page 8)
- B. Request the Governing Board approve the Minutes of the Special Governing Board Workshop Meeting of March 6, 2026 (page 9-11)
- C. Request the Governing Board approve the Bill Warrants (pages 12-19)
- D. Request the Governing Board approve the Personnel Action Items (pages 20-21)
- E. Request the Governing Board approve the Quarterly Report on Williams Act Complaints and Resolutions (pages 22-23)
- F. Request the Governing Board approve the Statement of Facts Registry of Public Agencies Filing (pages 24-25)
- G. Request the Governing Board approve the Receipt of the Grant Award Notification (GAN) for the Career Technical Education Incentive Grant (CTEIG) Round 11 Funds for the 2025-2026 School Year (pages 26-28)
- H. Request the Governing Board approve the Agreement with Cabrillo Community College for the K12 Strong Workforce Program Grant Round 8 (CTE Summer Summit) from January 2026 through June 2028 (pages 29-39)
- I. Request the Governing Board approve the Amended Agreement with Chabot Las Positas Community College District for a College and Career Access Pathways (CCAP) Partnership: A Dual Enrollment Partnership for the 2023-2024 School Year (pages 40-64)
- J. Request the Governing Board approve the Revised Contracts with American Stage Tours for Sophomore Tour Transportation for the 2025-2026 School Year (pages 65-73)

XI. Information Items

- A. Adult Programs Update (page 75)
- B. First Reading of Governing Board Policies, Administrative Regulations, Board Bylaws and Exhibits (pages 76-134)

XII. Action Items

- A. Request the Governing Board approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, and Exhibit (pages 136-172)
- B. Request the Governing Board approve the Strategic Planning Consultant Proposal (pages 173-176)

- C. Request the Governing Board approve the Agreement with the Ann Kennedy Group, Inc. for Consultation Services to Comply with the Uniform Public Construction Cost Accounting Act (CUPCCAA) Guidelines from March 1, 2026 through December 31, 2026 (pages 177-182)
- D. Request the Governing Board approve the Agreement with CBG Consulting for Consultation Services for Procurement from March 1, 2026 through December 31, 2026 (pages 183-188)

XIII. Superintendent's Report

XIV. Governing Board Reports

XV. Recess to Closed Session

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)
- B. Public Employee Discipline/Dismissal/Release
Government Code 54957

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

- A. Conference with Legal Counsel-Anticipated Litigation
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3)
- B. Public Employee Discipline/Dismissal/Release
Government Code 54957

XVII. Adjournment

STUDENT OF THE MONTH



DATE: April 9, 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 April:

STUDENT NAME	HIGH SCHOOL	ROP PROGRAM	INSTRUCTOR
Lilyana Davis	Arroyo	First Responder	Peters
Kelly Bermudez	Castro Valley	Careers in Law, Forensics & Public Safety	Kanhai
Ariana Perez	Mt. Eden	Auto Collision & Refinishing	Pareja

RECOMMENDATION

Information only

CONSENT CALENDAR



Minutes of the Regular Meeting of the ROP Governing Board March 5, 2026

I. Call to Order

Trustee Juan Campos, Board President, called the meeting to order at 5:45 p.m. on Thursday, March 5, 2026, in the Boardroom, at the Eden Area Regional Occupational Program located at 26316 Hesperian Blvd., Hayward, CA 94545.

Roll call was conducted, and a quorum was not established. Due to the lack of a quorum, the Board was unable to conduct official business, and the meeting was adjourned.

Following the adjournment, Student of the Month recognitions were presented. Jessica Laird, Career Counselor, facilitated the presentations.

Governing Board, Staff, and Students in Attendance

Eden Area ROP Governing Board Members Present:

Juan Campos, President San Lorenzo USD
Dolly Adams, Vice President Castro Valley USD

Eden Area ROP Governing Board Members Absent:

Zachary Borja, Member San Leandro USD
Austin Bruckner Carrillo, Member Hayward USD

Eden Area ROP Governing Student Board Members Present:

Jeffery Arthur, Member Eden Area ROP
Sophia Castellanos, Member Eden Area ROP

Eden Area ROP Superintendent/Clerk of the Board Present:

Blaine Torpey

Eden Area ROP Administrators Present:

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:

Gabriela Juarez Executive Assistant
Jessica Laird Career Counselor
Jose Lopez Construction Technology Instructor
Amanda Rose Culinary Science Instructor

Others Present:

Students of the Month and their guests

II. Adjournment

The meeting was adjourned at 5:46 pm.

Approved by the Eden Area ROP Governing Board _____.

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



**Minutes of the Special Meeting of the ROP Governing Board
March 6, 2026**

I. Call to Order

Trustee Dolly Adams, Board Vice President, called the meeting to order at 6:30 p.m. on Friday, March 6, 2026, 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	arrived at 6:35 pm
Dolly Adams, Vice President	Castro Valley USD	
Austin Bruckner Carrillo, Member	Hayward USD	
Natasha Martinez, Alternate	San Leandro USD	

Eden Area ROP Governing Board Members Absent:

Zachary Borja, Member San Leandro USD

Eden Area ROP Governing Student Board Members Present:

Jeffery Arthur, Member	Eden Area ROP
Sophia Castellanos, Member	Eden Area ROP

Eden Area ROP Superintendent/Clerk of the Board Present:

Blaine Torpey

III. Approval of Agenda

Trustee Austin Bruckner Carrillo moved to approve the agenda, Trustee Natasha Martinez seconded the motion. By the following vote, the agenda was approved:

Board Member Vote:

AYES: 3 (Adams, Bruckner Carrillo, Martinez)
 NOES: 0
 ABSTENTIONS: 0
 ABSENT: 2 (Borja, Campos)

Student Board Member Preferential Vote:

AYES: 2 (Arthur, Castellanos)
 NOES: 0
 ABSTENTIONS: 0
 ABSENT: 0

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

None.

V. Consent Calendar

Trustee Austin Bruckner Carrillo moved to approve the Consent Calendar Items as follows:

- A. Minutes of the Special Governing Board Workshop Meeting of February 5, 2026

- B. Minutes of the Regular Governing Board Meeting of February 5, 2026
- C. Bill Warrants
- D. Personnel Action Items
- E. Elimination of the Second Assistant Principal Position
- F. Revised Salary Schedules (Chart 2A & 2B)
- G. Adoption of Resolution 6-25/26: Mid-Year Additions/Changes-Revised Signature Card
- H. Agreement with San Jose Charters for SkillsUSA Student Transportation for the 2025-2026 School Year

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

Board Member Vote:

AYES: 3 (Adams, Bruckner Carrillo, Martinez)
NOES: 0
ABSTENTIONS: 0
ABSENT: 2 (Borja, Campos)

Student Board Member Preferential Vote:

AYES: 2 (Arthur, Castellanos)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Trustee Juan Campos, Board President, arrived at 6:35 p.m. and resumed presiding over the meeting.

VI. Action Items

A. Request the Governing Board approve the 2025-2026 Second Interim Report

Upon review of and a motion by Trustee Dolly Adams and a second by Student Board Member Jeffery Arthur the Governing Board approved the 2025-2026 Second Interim Report.

Board Member Vote:

AYES: 4 (Adams, Bruckner Carrillo, Campos, Martinez)
NOES: 0
ABSTENTIONS: 0
ABSENT: 1 (Borja)

Student Board Member Preferential Vote:

AYES: 2 (Arthur, Castellanos)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

B. Request the Governing Board approve the Governing Board Reorganization

Trustee Dolly Adams moved to nominate Trustee Juan Campos for Board President. Student Board Member Jeffery Arthur seconded the motion.

By the following vote the Governing Board approved to appoint Trustee Juan Campos for President of the Eden Area ROP Governing Board.

Board Member Vote:

AYES: 3 (Adams, Bruckner Carrillo, Campos,)
NOES: 0
ABSTENTIONS: 1 (Martinez)
ABSENT: 1 (Borja)

Student Board Member Preferential Vote:

AYES: 2 (Arthur, Castellanos)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

Trustee Austin Bruckner Carrillo moved to nominate Trustee Dolly Adams for Board Vice President. Trustee Juan Campos seconded the motion.

By the following vote the Governing Board approved to appoint Trustee Dolly Adams for Vice President of the Eden Area ROP Governing Board.

Board Member Vote:

AYES: 3 (Adams, Bruckner Carrillo, Campos,)
NOES: 0
ABSTENTIONS: 1 (Martinez)
ABSENT: 1 (Borja)

Student Board Member Preferential Vote:

AYES: 2 (Arthur, Castellanos)
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

VII. Adjournment

The meeting was adjourned at 6:52 pm in memory of Armando Erik Emery, son of Dr. Erika Emery, Careers in Education Instructor.

Approved by the Eden Area ROP Governing Board _____.

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



DATE: April 9, 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 February 24, 2026 through March 24, 2026 and include test warrant numbers and voided warrants.

CONSENT CALENDAR



DATE: April 9, 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: April 9, 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 April 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: April 1, 2026

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

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

January
 April
 July
 October

Date for information to be reported publicly at the Governing Board meeting: April 9, 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: April 9, 2026

Blaine Torpey, Superintendent



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Statement of Facts Registry of Public Agencies Filing

BACKGROUND

Government Code Sections 53050 and 53051 require a Statement of Facts Registry of Public Agencies (formerly Roster of Public Agencies) to be filed whenever there is a change in the officers or members of a district's governing board (within 10 days after a change).

The Superintendent or designee shall verify that all information regarding the Eden Area ROP and the Board is filed accurately with the Registry of Public Agencies in the office of the Secretary of State, the County Clerk and the Alameda County Office of Education (ACOE). The verified information includes the name of the Eden Area ROP, the mailing address of the Eden Area ROP, the names and addresses of the presiding Governing Board officer, the Governing Board Clerk or Secretary and other members of the Governing Board.

CURRENT SITUATION

Now that the annual reorganization of the Eden Area ROP Governing Board has been completed an updated Statement of Facts Registry of Public Agencies Filing will be submitted to the Secretary of State, the County Clerk and the Alameda County Office of Education (ACOE).

CONSENT CALENDAR



Secretary of State
Registry of Public Agencies
 (Government Code section 53051)

SF-405

IMPORTANT — Read Instructions before completing this form.

There is **No Fee** for a Registry of Public Agencies filing

Copy Fees – First page \$1.00; each attachment page \$0.50;
 Certification Fee - \$5.00

This Space For Office Use Only

1. Type of Filing (Check one.)

- Initial Filing (first Registry of Public Agencies filing for an agency)
- Updated Filing (change to an existing Registry of Public Agencies record)

2. Agency Information

a. Full Legal Name of Public Agency

b. Nature of Update (complete if Updated Filing)

c. County

d. Official Mailing Address

3. Chairperson, President, or Other Presiding Officer

a. Name

b. Title

c. Business or Residence Address

4. Clerk or Secretary

a. Name

b. Title

c. Business or Residence Address

5. Other Members of the Governing Board (Enter as many as applicable. Attach additional pages for additional members.)

Name	Business or Residence Address
Name	Business or Residence Address
Name	Business or Residence Address
Name	Business or Residence Address
Name	Business or Residence Address

6. Date and Sign Below (Additional members set forth on attached pages, if any, are incorporated herein by reference and made part of this Form SF-405, Registry of Public Agencies.)

_____ Date

_____ Signature

_____ Type or Print Name



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Receipt of the Grant Award Notification (GAN) for the Career Technical Education Incentive Grant (CTEIG) Round 11 Funds for the 2025-2026 School Year

BACKGROUND

The California Department of Education (CDE) awards funding for the Career Technical Education Incentive Grant (CTEIG) program annually to qualifying Local Education Agencies (LEAs). Funds from this grant support the maintenance, improvement, and expansion of Career Technical Education Programs. Eligible LEAs can choose to apply individually or as part of a consortium with a Regional Occupational Program. The four Eden Area ROP partner districts entered an MOU to apply as a consortium when the CTEIG program began.

CURRENT SITUATION

The CDE has awarded the Eden Area ROP \$2,496,858 for the 2025-2026 Round 11 application cycle, with all funds being expended by June 30, 2027. Funding for each partner is based on the Average Daily Attendance (ADA). Funds will be allocated in the following manner:

Castro Valley Unified School District:	\$539,723
Hayward Unified School District:	\$880,794
San Leandro Unified School District:	\$469,462
San Lorenzo Unified School District:	\$454,929
Eden Area ROP:	\$151,950

CONSENT CALENDAR

Grant Award Notification

GRANTEE NAME AND ADDRESS Blaine Torpey, Superintendent Eden Area ROP JPA 26316 Hesperian Boulevard Hayward, CA 94545			CDE GRANT NUMBER			
			FY	PCA	Service Location	Suffix
			25	25437	40428	00
Attention Blaine Torpey			INDEX		County Code	
Email btorpey@edenrop.org			0615		01	
Telephone 510-293-2906			STANDARDIZED ACCOUNT CODE STRUCTURE			
Grantee Unique Entity ID (UEI)			Resource Code		Revenue Object Code	
Program Office Program Office			6387		8590	
Name of Grant Program Career Technical Education Incentive Grant (CTEIG)						
GRANT DETAILS	Original/Prior Amendments	Amendment Amount	Total	Amend. No.	Award Starting Date	Award Ending Date
	\$2,496,858	0	\$2,496,858	0	July 1, 2025	June 30, 2027
ALN	Federal Award ID Number	Federal Grant Name			Federal Agency	
N/A	N/A	N/A			N/A	

I am pleased to inform you that you have been funded for the CTEIG.

This award is made contingent upon the availability of funds. If the Legislature takes action to reduce or defer the funding upon which this award is based, then this award will be amended accordingly.

By e-signing this document, your organization is voluntarily agreeing to conduct business with the California Department of Education (CDE) electronically. If you do not wish to do so, please contact the consultant listed below immediately to discuss other signing options.

Please email the signed Grant Award Notification (AO-400) to Sarah A. Chambers at CTEIGSubmissions@cde.ca.gov.

California Department of Education Contact Tara Neilson		Job Title Education Programs Consultant
E-mail Address Tneilson@cde.ca.gov		Telephone 916-445-5568
Authorized by the State Superintendent of Public Instruction or Designee 		Date December 15, 2025
CERTIFICATION OF ACCEPTANCE OF GRANT REQUIREMENTS		
<i>On behalf of the grantee named above, I accept this grant award. I have read the applicable certifications, assurances, terms, and conditions identified on the grant application (for grants with an application process) or in this document or both, and I agree to comply with all requirements as a condition of funding. On behalf of the grantee named above, I certify that the organization intends that this and future transactions be completed by electronic means, and any electronic signature is intended to be as binding as a physical signature.</i>		
Printed Name of Authorized Agent		Title
E-mail Address		Telephone
Signature ▶		Date

Grant Award Notification (Continued)

1. The CTEIG is a state education, economic, and workforce development initiative with the goal of providing pupils in kindergarten through grades twelve, inclusive, with the knowledge and skills necessary to transition to employment and postsecondary education.

Fiscal Reports and Payment Process

2. Grantee timeline for the 2025–26 CTEIG awardees:

Application Year	Grant Cycle	Last Day to Spend Grant Funds	Expenditure Reports
2025–26	July 1, 2025– June 30, 2027	June 30, 2027	August 2026
			August 2027

3. Grantees will receive an initial payment of 90 percent after submitting the signed AO-400 and approved budget. The final payment of 10 percent will be disbursed after the grantee has submitted the final expenditure report.
4. Grantees are required to submit the deliverables outlined in the following table. Failure to submit the required reports will result in an invoice from the CDE for the entire amount of grant funds advanced.

Date	Expenditure Reports
August 2026	This expenditure report is part of a renewal application. Local educational agencies (LEAs) must demonstrate that all 2025–26 Match dollars have been encumbered to remain eligible for funding.
August 2027	This is a final expenditure report for the grant cycle and may be used as part of a renewal application. The LEA must have all CTEIG and Match dollars spent by June 30, 2027. The final grant expenditure report must be completed and submitted on time to remain eligible for funding, and the grantee will be invoiced an amount up to the entire amount of the grant award.

5. If the CDE determines that the grantee violated the certification by failing to carry out these conditions, the grantee may be ineligible for any future grant awards.



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Agreement with Cabrillo Community College for the K12 Strong Workforce Program Grant Round 8 (CTE Summer Summit) from January 2026 through June 2028

BACKGROUND

The Bay Area Community College Consortium has contracted with 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 the district partners successfully submitted a K12 SWP Round 8 grant application for \$715,005 to expand Hispanic/Latino student exposure and access to exploration CTE pathway pipelines in middle school providing pathway on-ramps addressing industry labor market demands in the East Bay.

CONSENT CALENDAR

**BAY AREA COMMUNITY COLLEGE CONSORTIUM
K12 STRONG WORKFORCE PROGRAM AGREEMENT
BETWEEN
CABRILLO COMMUNITY COLLEGE DISTRICT
and
Eden Area ROP**

This agreement is entered into between Cabrillo Community College District (hereinafter referred to as “Fiscal Agent”) and Eden Area ROP (hereinafter referred to as “Grantee”), collectively referred to as “Parties” and individually as “Party.”

1. RECITALS

WHEREAS, the Cabrillo Community College District has been designated as the fiscal agent for the K12 Strong Workforce Program (hereinafter referred to as “K12 SWP”) for the Bay Area Community College Consortium (hereinafter referred to as “Regional Consortium”) and is responsible for distributing funds to each grantee within the region, following certification in NOVA by the Regional Signing Authority.

WHEREAS, the Fiscal Agent is authorized to receive funding from the California Community Colleges Chancellor’s Office (hereinafter referred to as “Chancellor’s Office”), in partnership with the California Department of Education (CDE) and as appropriated under Education Code¹ §88827, for the K12 SWP to create, support, and/or expand high-quality career technical education programs at the K12 level that are aligned with the workforce development efforts occurring through the Strong Workforce Program.

WHEREAS, the Grantee is entering into this agreement to set the terms and conditions for their agency’s award of the K12 Strong Workforce Program, and to be accountable for all deliverables identified in Exhibit B: K12 SWP CTE Pathway/Program Work Plan.

NOW, THEREFORE, in consideration of these mutual promises, the Parties agree as follows:

2. AWARD AMOUNT

The total amount for this Agreement is **\$715,005** for the project titled CTE Summer Summit (**NOVA ID 32768**) and payment to Grantee shall be made in accordance with the terms and conditions of this Agreement and as determined by the amount approved by the region’s K12 SWP Selection Committee and entered into the California Community Colleges’ NOVA system (hereinafter referred to as NOVA).

Grantee certifies that grant funds received and the matching funds contributed by the Grantee and its partners shall be used solely for the purpose of supporting the program or programs for which the grant is awarded.

Whereas the region is collectively responsible for fully expending the regional allocation within the

¹ Unless otherwise noted, all statutory references herein shall be to the California Education Code.

specified timeline, and whereas failure to do so can result in the return of the funds to the State, it is imperative to have a process for reallocating funds when Grantees are unable to fully spend their allocation. In order to ensure the region is able to fully expend its allocation, Grantee should regularly monitor its rate of expenditures and contact BACCC to discuss reallocation of funds as soon as possible if it becomes evident that Grantee may be unable to fully expend Award. BACCC may initiate a discussion about possible reallocation if the expenditures reported at the end of fiscal year 2024-25 indicate that full and timely expenditure may be difficult to achieve.

3. PERIOD OF PERFORMANCE

The period of performance for this Agreement shall commence on January 1, 2026 and shall expire on June 30, 2028, unless terminated earlier in accordance with the termination provisions of this Agreement.

4. SCOPE OF WORK

Grantee shall carry out the activities and achieve the performance outcomes as presented in the Grantee's certified plan in NOVA.

5. MODIFICATIONS

Grantee may request modifications to the work to be performed. All such requests must be submitted in writing to the Fiscal Agent prior to the modification being made. The Fiscal Agent may require that a Grant Amendment be processed if the Fiscal Agent determines that a change would materially affect the project outcomes as described in the Pathway/Program Work Plan of the certified plan in NOVA, the terms of this Agreement, or the terms included in the K12 Strong Workforce Program RFA - Appendix A: Program-Specific Legal Terms and Conditions available at [k12swpRFAr8.baccc.net](https://www.baccc.net/k12swpRFAr8).

Grantee may make changes to any budget category amounts up to 10% of the total award amount per object code as listed in the Summary Budget in Exhibit A without the approval of the Fiscal Agent so long as budget categories are not added or deleted, the total dollar amount of the Agreement is not affected, and the outcomes of the Agreement will not be materially affected. Grantee may add or delete budget categories subject to the prior approval of the Fiscal Agent. Amendments are required for budget changes when there are changes in the total dollar amount of the Agreement.

The process for requesting and approving amendments is determined by the Fiscal Agent. Budget changes or amendments are subject to applicable program limitations and require approval of the Fiscal Agent. No extensions to the performance period will be granted.

The process for requesting and approving changes to grant budget categories and/or amounts as well as grant amendments are posted on the Regional Consortium's K12 SWP website at [k12swp.baccc.net](https://www.baccc.net/k12swp).

6. INVOICING AND PAYMENT

Advance payment of 70% of the total amount of this Agreement will be paid to Grantee within 45 days following full execution of the Agreement.

Grantee may request payment for reimbursable expenditures for the remaining 30% of the total amount of this Agreement when actual expenditures and NOVA reported expenditures exceed the 70% advance payment. Payment(s) will be made upon receipt of an invoice. Invoices shall be submitted on a form provided by Fiscal Agent and must be supported by financial detail reports that itemize costs. Fiscal Agent may request back-up documentation for expenditures if required to adhere to compliance terms and standards. Payment of invoices is contingent upon completion and approval by Fiscal Agent of any reports due on or before the date of the submitted invoice. Final invoices for all performance under this Agreement are due no later than August 30, 2028.

The Grantee is obligated to provide proportional dollar match according to the terms set forth in the K12 Strong Workforce Program RFA (k12swpRFAr8.baccc.net), and as indicated in the Grantee's certified plan in NOVA. Grantees will be required to submit documentation of the match in the fiscal reports submitted through NOVA.

7. REPORTING

K12 SWP funding is project-based with project submissions and reporting of expenditures and match taking place in NOVA. The Grantee agrees to adhere to the reporting schedule as posted on the BACCC K12 SWP website, k12swp.baccc.net. Grantee will be provided 30 days notice of report due dates and any changes to the reporting schedule. Fiscal and narrative reports of project progress may be requested by the Fiscal Agent at other times. It is the responsibility of the lead LEA to ensure that all required Progress, Fiscal and Cal-PASS Plus reports are submitted by or on behalf of all K–12 Partner Agencies.

Grantee shall prepare and submit outcomes data as required by California Education Code §88828 (d) (8) (D). Grantee and partnering local educational agencies shall enter into and maintain a data sharing MOU with Cal-PASS Plus until an MOU is executed between CDE and CCCC for information sharing on K12 data. It is the responsibility of Grantee to ensure that all participating K–12 Partner Agencies with data required to be reported have an MOU with Cal-PASS Plus. By November 1 immediately following the fiscal year for which data are being reported, Grantee and partnering local educational agencies shall provide student-level data necessary to evaluate K12 SWP to CDE; beginning in 2021-22, submit all end-of-year data files, as applicable and required by K12SWP legislation, into the Cal-PASS Plus system; and notify their K-14 Technical Assistance Provider that data has been reported. As per the legislation, failure to provide this data may result in termination of the grant.

8. SUBGRANTING AND SUBCONTRACTING

The Grantee is responsible for distributing funds to partnering agencies identified in the application as subgrantees. The Grantee is responsible for the performance of any services provided using funds awarded under this grant by partners, consultants, or other organizations. The Grantee must have an invoice process for all K-12 Partner Agencies (subgrantees) that enables the Grantee to provide the necessary backup documentation for all invoices submitted to the Fiscal Agent for expenses made by subgrantees. The Grantee is responsible for sharing relevant communication and information with all partners.

The Grantee shall obtain approval from the Fiscal Agent for additions or deletions to the subgrantees named in Exhibit A: Objective and Financials or for changes in the amount of funds awarded each subgrantee greater than 10% of the total grant.

The Grantee is to be fully responsible to the Fiscal Agent for the acts and omissions of its partnering subgrantees, subcontractors, and of persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by the Grantee. Grantee's obligation to pay its subgrantees and subcontractors is independent from the obligation of the Fiscal Agent to make payment to the Grantee. As a result, the Fiscal Agent shall have no obligation to pay or enforce the payment of any money to a subgrantee or subcontractor.

9. RECORDS AND AUDITS

- A. The State Controller will include the audit instructions necessary to enforce the requirements pertaining to the K12 component of the Strong Workforce Program in the audit guide required by Ed Code Section 14502.1.
- B. Grantee must maintain records regarding use of program funds and progress made towards completing the performance outcomes listed in the certified project plan and budget in NOVA .
- C. Grantee shall maintain and make available expenditure data for the purposes of verifying that the matching funds requirements as specified in the K12 Strong Workforce Program RFA (k12swpRFAr8.bacc.net) have been met.
- D. Parties agree that the Fiscal Agent, the Chancellor's Office, the Bureau of State Audits, and any other appropriate state or federal oversight agency, or their designated representative(s), shall have the right to review and copy any records and supporting documentation pertaining to the performance of this Agreement. Grantee agrees to maintain such records for possible audit for a minimum of three (3) years after the final payment or until any audit findings have been resolved, unless a longer period of records retention is stipulated. Grantee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Grantee agrees to include a similar right of the Fiscal Agent, the Chancellor's Office, the Bureau of State Audits, any other appropriate state or federal oversight agency, or their designated representative(s) to audit records and interview staff in any subcontract related to performance of this Agreement.

10. TERMINATION

Either Party may terminate this Agreement, with or without cause upon thirty (30) days written notice served upon the other Party. Notice shall be deemed served on the date of mailing. Upon termination, or notice thereof, the Parties agree to cooperate with one another in the orderly transfer of contract responsibilities, records, and pertinent documents.

11. DISPUTES

All claims, disputes, and other matters in question between the Parties arising out of or relating to this Agreement or the breach thereof shall be addressed in the following manner. The Parties shall enter into good faith negotiations to reach an equitable settlement. Except as otherwise provided in this Agreement, any dispute concerning any question arising under this Agreement shall be decided by the Fiscal Agent or the Chancellor's Office, based on prior written mutual agreement as to which of these two entities will resolve the dispute. If the Parties do not agree as to the dispute resolution entity, the Fiscal Agent will solely select the final arbiter and such selection will be binding on the Grantee. The final arbiter's decision shall be reduced to writing and a copy thereof shall be mailed or otherwise furnished to the Grantee. The decision shall be final and conclusive unless within thirty (30) calendar days from the mailing or delivery of such copy, the final arbiter receives from Grantee a written request to appeal said decision. Pending the final decision of the appeal, Grantee shall act in accordance with the written decision of the Fiscal Agent or the Chancellor's Office, whichever is the final arbiter of the dispute. The handling of non-criminal complaints, including discrimination complaints, and complaints and reports of criminal fraud, waste and abuse shall be as prescribed by the State of California, and/or the Prime Sponsor, whichever is applicable, in accordance with applicable provisions of the Code of Federal Regulations.

12. INDEMNIFICATION

Each Party to this Agreement agrees to defend, indemnify, and hold harmless the other Parties, their officers, agents, employees and volunteers, from and against all loss, cost, and expense arising out of any liability or claim of liability, sustained or claimed to have been sustained, arising out of activities, or its performance or nonperformance of obligations under this Agreement, of the indemnifying authority, or those of any of its officers, agents, employees, or volunteers. The provisions of this Article do not apply to any damage or losses caused solely by the negligence or willful misconduct of the Parties seeking indemnification or any of its agents or employees.

13. INSURANCE

Acceptance of this Agreement constitutes that Grantee is not covered under Fiscal Agent's general liability insurance and that Grantee agrees, during the term of this Agreement, to maintain, at the Grantee's sole expense, all necessary insurance for its officers, agents, and employees, including but not limited to worker's compensation (if required by law), liability, disability, and unemployment insurance. Certificates of insurance shall be provided to Fiscal Agent. Specifically, during the term of this agreement, Grantee shall maintain in full force and effect the kinds of insurance, containing the limits of liability set forth below:

- A. **Workers' Compensation:** Grantee shall comply with the workers' compensation law of the state wherein the services are to be rendered. Such policy shall provide coverage for all persons engaged in the activities described in this Agreement under the employ, supervision or control of the Grantee, and is exempt from the requirement of naming the Fiscal Agent as Additionally Insured.
- B. **General Liability:** The policy shall contain a combined single limit of liability of not less than \$2,000,000 per occurrence and not less than \$5,000,000 in the aggregate.

- C. Automobile Liability: If automotive vehicles are operated by Grantee in Grantee's performance of Grantee's obligations under this agreement, Grantee shall maintain an automobile liability policy which shall include coverage on all owned, non-owned and hired vehicles and shall have a minimum limit of liability of not less than \$1,000,000 per occurrence.

Coverage shall be placed with an insurer having a Best's Key Rating of "A-" or better, unless Grantee is self-insured or insured under a Joint Powers Authority, in which case Fiscal Agent will review coverage and indicate in writing if coverage is acceptable. Grantee shall furnish Fiscal Agent with Certificates of Insurance evidencing such coverage. Such Certificate shall name Fiscal Agent as additional insureds, and provide that it can be canceled only with thirty (30) days prior written notice to Fiscal Agent. If any of the foregoing coverages expire, change, or are canceled, Grantee shall notify Fiscal Agent within thirty (30) days prior to the effective date of such expiration, change or cancellation.

The following sentence shall be included in the additional insured endorsements:

"Cabrillo Community College District, its Governing Board, as individuals and as an entity, its officers, directors, employees, and volunteers, are hereby named as additional insured, with respect to all work performed by or on behalf of the named insured under its contract with the Certificate Holder."

14. INDEPENDENT CONTRACTORS

For the purpose of this Agreement and all work and services specified herein, the parties shall be, and shall be deemed to be independent contractors and not agents or employees of the other party.

Grantee, in the performance of this Agreement, shall be and act as an independent contractor and not as an employee of the Fiscal Agent. The Grantee understands and agrees that it and all of its employees shall not be considered officers, employees or agents of the Fiscal Agent, and are not entitled to benefits of any kind or nature normally provided to employees of the Fiscal Agent and/or to which Fiscal Agent's employees are normally entitled, including, but not limited to, State Unemployment Compensation or Workers' Compensation. The Grantee assumes full responsibility for its acts and/or liabilities including those of its employees or agents as they relate to the services provided under this Agreement. The Grantee shall assume full responsibility for withholding and payment of all: Federal, State, Local and applicable income taxes; workers' compensation; contributions, including but not limited to, unemployment insurance and social security with respect to the Grantee's employees. The Fiscal Agent will not withhold taxes, unemployment insurance or social security for the Grantee's employees or independent subcontractors. The Grantee agrees to indemnify and hold the Fiscal Agent harmless from and against any and all liability arising from any failure of the Grantee to withhold or pay any applicable tax, unemployment insurance or social security when due.

15. ASSURANCES

By signing this Agreement the Parties certify they will comply with the terms and conditions outlined in the Strong Workforce Program established by Education Code §§88827-88833, and with the guidance

documents provided by the California Community College Chancellor's Office, K12 Strong Workforce Program RFA (k12swpRFAr8.baccc.net), and other guidance published by the California Community College Chancellor's Office, currently posted on Strong Workforce Program websites and the Regional Consortium's website:

<https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Workforce-and-Economic-Development/K12-Strong-Workforce>.

K12swp.baccc.net

By signing this Agreement the Grantee certifies that it complies with state and federal requirements for standards of conduct, workers' compensation insurance, participation in grant-funded activities, non-discrimination, accessibility for persons with disabilities, drug-free workplace certification, intellectual property, and debarment and suspension, and will adhere to these legal standards and requirements in the performance of work related to this Agreement.

16. FEDERAL, STATE, AND LOCAL TAXES

Except as may be otherwise provided in this Agreement, the Grantee's award amount includes all applicable Federal, State, and local taxes and duties, and therefore, Grantee shall be responsible for paying all such costs.

17. EQUAL OPPORTUNITY/NON-DISCRIMINATION

- A. During the performance of this Agreement, Grantee shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religion, creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer and genetic characteristics), age (over 40), marital status, denial of family care leave, sexual orientation, gender, gender expression, political affiliation, position in a labor dispute, or any characteristic listed or defined in §11135 of the Government Code or any characteristic that is contained in the prohibition of hate crimes set forth in subdivision (1) of §422.6 of the California Penal Code, or any other status protected by law is strictly prohibited. Grantee shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.
- B. Grantee shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code, §§12900 et seq.) and the applicable regulations promulgated thereunder (Cal. Code Regs., tit. 2, §§7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code §12990 (a-f), set forth in chapter 5 of division 4 of title 2 of the California Code of Regulations are incorporated into this Agreement by reference and made a part hereof as if set forth in full.
- C. Grantee shall also comply with the provisions of Government Code §§11135- 11139.8 regarding discrimination, and the regulations promulgated thereunder by the Board of Governors of the California Community Colleges (Cal. Code of Regulations, title 5, §§59300 et seq.)

18. UNENFORCEABLE PROVISION

In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement remain in full force and effect and shall not be affected thereby.

19. WAIVER

Any waiver by Fiscal Agent of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term. Failure on the part of the Fiscal Agent to require full, exact, and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms of this Agreement, or stopping the Fiscal Agent from enforcing the terms of this Agreement.

20. COMPLIANCE WITH APPLICABLE LAWS

It is understood and agreed that this Agreement shall be governed by the laws of the State of California both as to the interpretation and performance; venue of any action brought with regard to this Agreement shall be in Santa Cruz County, State of California.

Grantee shall be subject to and shall comply with all Federal, State and local laws and regulations applicable with respect to its performance of services under this Agreement.

21. INTELLECTUAL PROPERTY

Any work product resulting from this Agreement falls under the Chancellor's Office Creative Commons Attribution license, which gives permission to the public to reproduce, distribute, perform, display or adapt the licensed materials for any purpose, so long as the user gives attribution to the author.

22. ORDER OF PRECEDENCE

Any inconsistency or conflict between provisions in this Agreement shall be resolved by giving precedence in the following order:

- 1) Process for requesting/approving budget/contract changes as posted on k12swp.baccc.net website
- 2) The Agreement,
- 3) K12 Strong Workforce Program RFA (k12swpRFAr8.baccc.net),
- 4) Certified project plan and budget in NOVA

23. NOTICES/CONTACTS

All notices required or permitted under this Agreement shall be in writing and may be delivered in the following ways with preference given to email. A Party to this Agreement may give notice to the other Party by sending an email and receiving explicit acknowledgement of its receipt from the other party. Notice may also be sent by certified mail, return receipt requested; by reputable overnight courier services, with package tracking capability to the other party's address as specified below. Such notice shall be effective when received, as indicated by courier or post office.

Each Party has the responsibility of keeping notice contact information accurate and current.

For Fiscal Agent:

Name of CCD: BACCC % Cabrillo Community College District
Address: 6500 Soquel Drive
City, State, Zip: Aptos, CA, 95003

Attention: Tootsie Torres
Title: BACCC Director, Regional Fiscal Operations
E-mail: tootsie@baccc.net
Telephone: 831-477-5555

For Grantee:

Name of Lead LEA: Eden Area ROP
Address: 26316 Hesperian Blvd
City, State, Zip: Hayward, CA 94545

For project/program related matters:

Attention Name: Blaine Torpey
Title: Superintendent
E-mail: btorpey@edenrop.org
Telephone: 510-293-2901

For fiscal related matters:

Attention Name: Blaine Torpey
Title: Superintendent
E-mail: btorpey@edenrop.org
Telephone: 510-293-2901

Each Party agrees to notify the other, in writing, within 30 days of changes to project contacts.

24. SIGNATURES

By signing below, the Parties agree to the terms and conditions set forth in this Agreement, which terms and conditions, upon such signatures, shall be incorporated into and become a part of the Agreement between Cabrillo Community College District and Eden Area ROP, and are binding upon the Parties without any further action by the Parties.

FISCAL AGENT

Cabrillo Community College District

Alex Strudley

Director, Procurement and General Services

(signature)

(date)

GRANTEE

Eden Area ROP

Blaine Torpey

Superintendent

(signature)

(date)



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Amended Agreement with Chabot Las Positas Community College District for a College and Career Access Pathways (CCAP) Partnership: A Dual Enrollment Partnership for the 2023-2024 School Year

BACKGROUND

Currently, most Eden Area ROP students are in courses that are articulated with Community Colleges. College and Career Access Pathway Partnerships allow students the opportunity to earn fully transferrable college credit. To immediately enhance the early college credit opportunities for Eden Area ROP students, we have been working with Chabot College to advance our articulation agreements into dual enrollment classes. Dual Enrollment has advantages over articulation and supports College and Career Readiness for students.

CURRENT SITUATION

The Governing Board approved the original agreement on September 7, 2023.

The amended agreement, "College and Career Access Pathways Partnership Agreement: A Dual Enrollment Partnership Agreement," will allow the Eden Area ROP to continue providing and expanding Dual Enrollment courses at the Hayward Center. The language of the agreement includes updates on compensation for Dual Enrollment teachers through Chabot College. There is no fiscal impact for Eden Area ROP.

CONSENT CALENDAR

**COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT
A DUAL ENROLLMENT PARTNERSHIP AGREEMENT**

This College and Career Access Pathways Partnership Agreement (CCAP Agreement) is between Chabot-Las Positas Community College District 7600 Dublin Boulevard, 3rd Floor, Dublin, California 94568 (“CLPCCD”), and Eden Area ROP (“EAROP”) 26316 Hesperian Blvd. Hayward, CA 94545

WHEREAS, the mission of CLPCCD and its colleges, Chabot College and Las Positas College, includes providing educational programs and services that are responsive to the needs of the students and communities within the Chabot-Las Positas Community College District; and

WHEREAS, students who complete college credit while enrolled in high school are more likely to earn high school diplomas, to enroll in community colleges and four-year colleges, to attend post-secondary education on a full-time basis, and to complete degrees in those institutions than students without these experiences; and

WHEREAS, EAROP is a Regional Opportunity Program serving grades 11-12 located in within the regional service area of CLPCCD, unless otherwise specified and agreed to as specified in Sec. 2 (e); and

WHEREAS CLPCCD desires to offer or expand dual enrollment opportunities for students served by EAROP and

WHEREAS, CLPCCD and EAROP are entering into this CCAP Agreement for the purpose of offering or expanding dual enrollment opportunities, consistent with the provisions of AB 288 and AB 30 (Education Code § 76004), for high school students “who may not already be college bound or who are underrepresented in higher education with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, and assisting high school pupils to achieve college and career readiness” Sec. 2 (a) and “underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.” Sec. 1 (d)

WHEREAS, instruction will comply with the student selection standards, curriculum guidelines, recommendations and procedures promulgated by applicable law, the California Community College Chancellor’s Office, CLPCCD and its colleges;

NOW THEREFORE, CLPCCD and EAROP agree as follows:

1. TERM OF AGREEMENT

- 1.1 The term of this CCAP Agreement shall be ongoing beginning on July 1, 2023, unless otherwise terminated in accordance with Section 19 of this Agreement.

- 1.2 This CCAP Agreement outlines the terms of the Agreement. The CCAP Agreement Appendix shall specify additional detail regarding, but not be limited to, the total number of high school students to be served and the total number of full-time equivalent students projected to be claimed by CLPCCD for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses. The CCAP Agreement Appendix shall also establish protocols for information sharing in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. Sec. 2 (c)(1)
- 1.3 The CCAP Agreement Appendix shall identify a point of contact for the CLPCCD, Chabot Community College, and for EAROP. Sec. 2 (c)(2)
- 1.4 A copy of the CLPCCD and EAROP CCAP Agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the California Department of Education before the start of the CCAP partnership. Sec. 2 (c)(3)
- 1.5 The terms of this agreement apply only to students in the identified courses who have successfully completed the dual enrollment application process. Students enrolled in EAROP Courses but not Chabot Dual Enrollment are not subject to the terms of this agreement.

2. DEFINITIONS

- 2.1 CCAP Agreement Courses - Courses offered as part of this CCAP Agreement shall be community college courses acceptable towards a career technical education credential or certificate, preparation for transfer, or appropriate to improve high school graduation rates or help high school pupils achieve college and career readiness. All community college courses offered at the EAROP have been approved in accordance with the policies and guidelines of CLPCCD, Chabot College, and applicable law. Sec. 2 (a)
- 2.2 Consistent with AB 288, this CCAP Agreement may include “underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.” Sec. 1 (d)
- 2.3 Pupil or Student - A resident or nonresident student attending high school in California. Effective January 1, 2014, Pursuant to SB 150, the concurrent enrollment in secondary school and community college nonresident tuition exemption: concurrently enrolled students (high school students enrolled in college classes) who are classified as nonresident students for tuition purposes may be eligible for the SB 150 waiver of nonresident tuition while still in high school. Students must be special admit part-time students who are attending high school in California.

3. STUDENT ELIGIBILITY, SELECTION AND ENROLLMENT, ADMISSION, REGISTRATION, MINIMUM SCHOOL DAY

- 3.1 Student Eligibility - Students are eligible who “may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, and assisting high school pupils to achieve college and career readiness” Sec. 2 (a) and “underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.” Sec. 1 (d)
- 3.2 Student Selection and Enrollment - Enrollment shall be open to all eligible students as part of the CCAP Agreement who have been admitted to Chabot Community College and who meet all applicable prerequisites. Student selection criteria may be further specified in the CCAP Agreement Appendix. Applicable prerequisite courses, training, or experience and standards required as preparation for courses offered through the CCAP Agreement will be determined by Chabot Community College and shall be in compliance with applicable law and CLPCCD standards and policies.
- 3.3 College Admission and Registration - Procedures for students participating in the CCAP Agreement shall be governed by the COLLEGE and shall be in compliance with the admissions and registration guidelines set forth in applicable law and CLPCCD policy.
- 3.4 Student Records – It is the responsibility of the student to follow the COLLEGE process when requesting an official COLLEGE transcript for grade submission to the EAROP unless otherwise specified in the Appendix.
- 3.5 As part of this CCAP Agreement, CLPCCD shall not provide physical education course opportunities to high school students or any other course opportunities that do not assist in the attainment of the goals associated with career technical education or preparation for transfer, improving high school graduation rates, or helping high school students achieve career and college readiness. Sec. 2 (d)
- 3.6 Students participating in a CCAP partnership program may enroll in up to a maximum of 15–units per term per conditions specified in AB 288, Sec. 2 (p)(1)(2)(3) as well as Chabot PB 5010. Specifically, the units must constitute no more than four community college courses per term and be part of an academic program that is part of the Agreement designed to award students with both a high school diploma and an associate degree or certificate or a credential.
- 3.7 Minimum School Day – EAROP shall certify that it shall teach EAROP students participating as part of a CCAP Agreement no less than the number of instructional

minutes required to complete a minimum school day pursuant to Education Code §§ 46141 and 46142.

4. COLLEGE APPLICATION PROCEDURE

- 4.1 Chabot College will be responsible for processing student applications.
- 4.2 Chabot College will provide the necessary admission and registration forms and procedures and both Chabot College and EAROP will jointly ensure that each applicant accepted has met all the enrollment requirements, including liability and medical care coverage requirements, if any.
- 4.3 EAROP agrees to assist Chabot College in the admission and registration of EAROP students as may be necessary and requested by Chabot College.
- 4.4 EAROP, CLPCCD, and Chabot College understand and agree that timely and complete student admission and registration is essential for a successful CCAP Agreement dual enrollment program.
- 4.5 Chabot College admission and registration requires that each participating student has completed the COLLEGE enrollment application process.
- 4.6 Participating students enrolled in a course offered through a CCAP Agreement shall not be assessed any fee that is prohibited by California Education Code Sections 49011, 76060.5, 76140, 76223, 76300, 76350, and 79121. Sec. 2 (f)(q)

5. PARTICIPATING STUDENTS

- 5.1 A high school student enrolled in a course offered through a CCAP Agreement shall not be assessed any fee that is prohibited by Education Code Section 49011. See also Sec. 2 (f)(q). The governing board of CLPCCD shall exempt special part-time students under this CCAP Agreement as described in subdivision (p) from the fee requirements in Sections 76060.5, 76140, 76223, 76300, 76350, and 79121.
- 5.2 The total cost of books and instructional materials for EAROP students who enroll in a Chabot College course offered as part of this CCAP Agreement will be specified in the Appendix to this Agreement. Costs will be borne by EAROP. Participating students must meet all CLPCCD prerequisite requirements as established by the CLPCCD and Chabot College as stated in the college catalog before enrolling in a course offered as part of this CCAP Agreement.
- 5.3 Grades earned by students enrolled in courses offered as part of this CCAP Agreement will be posted on the official Chabot College transcript. Students may submit a request for Pass/No Pass if the course is designated as such in the Chabot College catalog.

- 5.4 Students enrolled in courses offered as part of this CCAP Agreement will be directed to the official catalog of Chabot College for information regarding applicable policies and procedures.
- 5.5 Students enrolled in Chabot College courses offered as part of this CCAP Agreement will be eligible for student support services, which shall be available to them at the COLLEGE or through the EAROP. Chabot College shall ensure that student support services, including counseling and guidance, assistance with assessment and placement, and tutoring are available to participating students at the Chabot College. EAROP shall ensure that support services, including counseling and guidance, and assistance with assessment and placement are available to students at the EAROP.
- 5.6 Students who withdraw from courses offered as part of this CCAP Agreement will not receive Chabot College credit. Students must comply with, and submit appropriate information/paperwork, by all published deadlines. Transcripts will be annotated according to Chabot College policy.
- 5.7 A course dropped within the CLPCCD drop “without a W” deadline will not appear on the partner district or the Chabot College transcript.

6. CCAP AGREEMENT COURSES

- 6.1 Henceforth, this agreement will differentiate between Primary Chabot College Instructors and Primary EAROP Instructors. When available and as approved by Chabot College to teach, most of the course offerings will be Primary EAROP Instructors that have met minimum qualifications or equivalency and have been employed by Chabot College.
- 6.2 Chabot College may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus during the regular school day and the community college course is offered pursuant to a CCAP Agreement. Sec. 2 (o)(1)
- 6.3 Courses offered as part of this CCAP Agreement at Chabot College may not limit enrollment in the course.
- 6.4 Chabot College is responsible for all courses and educational programs offered as part of the CCAP Agreement regardless of whether the course and educational program is offered on-site at the EAROP or at the COLLEGE.
- 6.5 The scope, nature, time, location, and listing of courses offered by COLLEGE with the approval of CLPCCD and the Governing Board and will be recorded in the Appendix to this Agreement. Sec. 2 (c)(1) Courses offered as part of this CCAP Agreement either at the COLLEGE or EAROP shall be jointly reviewed and approved.

- 6.6 Courses offered as part of this CCAP Agreement at the EAROP shall be of the same quality and rigor as those offered on Chabot College campus and shall be in compliance with CLPCCD academic standards.

- 6.7 Courses offered as part of this CCAP Agreement at the EAROP shall be listed in the Chabot College catalog with the same department designations, course descriptions, numbers, titles, and credits.
- 6.8 Courses offered as part of this CCAP Agreement at the EAROP shall adhere to the official course outline of record and the student learning outcomes established by the associated Chabot College academic department.
- 6.9 Courses offered as part of this CCAP Agreement will comply with all applicable regulations, policies, procedures, prerequisites and standards applicable to CLPCCD and Chabot College as well as any corresponding policies, practices, and requirements of the EAROP. In the event of a conflict between CLPCCD and/or Chabot College course related regulations, policies, procedures, prerequisites and standards and EAROP policies, practices and requirements, the CLPCCD regulations, policies, procedures, prerequisites, and standards, shall prevail.
- 6.10 Site visits and instructor evaluations by one or more representatives of Chabot College and or CLPCCD shall be permitted by the EAROP to ensure that courses offered as part of this CCAP Agreement in the EAROP are the same as the courses offered on the college campus and in compliance with CLPCCD academic standards.
- 6.11 A student's withdrawal prior to completion of a course offered as part of this CCAP Agreement shall be in accordance with CLPCCD and Chabot College guidelines, policies, pertinent statutes and regulations.
- 6.12 Supervision and evaluation of students enrolled in courses offered as part of this CCAP Agreement shall be in accordance with CLPCCD guidelines, policies, pertinent statutes, and regulations as well as EAROP guidelines, policies, pertinent statutes and regulations.
- 6.13 Chabot College has the sole right to control and direct the instructional activities of all instructors, including those who are EAROP employees [once they become adjunct employees of Chabot College] provided that the course is being taught by a Primary Chabot Instructor, otherwise, EAROP will have joint control and direction to ensure the course is meeting grant stipulated requirements.
- 6.14 CLPCCD, Chabot College and EAROP certify that any remedial course taught by Chabot College faculty at a partnering high school campus shall be offered only to high school students who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering EAROP, and shall involve collaborative effort between the EAROP and the Chabot College faculty to deliver an innovative remediation course as an intervention in the student's junior or senior year to ensure the student is prepared for college-level work upon graduation. Sec. 2 (n)

7. INSTRUCTOR(S)

- 7.1 All instructors teaching Chabot College courses offered as part of this CCAP Agreement must meet the minimum qualifications for instruction in a California community college as set forth in Title 5 California Code of Regulations, Sections 53410 and 58060 or as amended, and be hired by the CLPCCD.
- 7.2 The CCAP Agreement Appendix shall specify which participating EAROP or Chabot College will be the employer of record for purposes of assignment monitoring and reporting to the county office of education. Sec. 2 (m)(1)
- 7.3 Instructors who teach Chabot College courses offered as part of this CCAP Agreement must provide the supervision and control reasonably necessary for the protection of the health and safety of students and may not have any other assigned duty during the instructional activity.
- 7.4 Instructors who teach Chabot College courses shall comply with the fingerprinting requirements set forth in Ed Code § 45125 or as amended, and the tuberculosis testing and risk assessment requirements of California Health and Safety Code § 121525 or as amended. In addition to any other prohibition or provision, no person who has been convicted of a violent or serious felony shall be eligible to teach any courses offered as part of this CCAP Agreement or otherwise provide services on a EAROP site.
- 7.5 Prior to teaching, faculty provided by the EAROP may receive discipline-specific training and orientation from Chabot College regarding, but not limited to, course curriculum, assessment criteria, pedagogy, course philosophy, testing and grading procedures record keeping, and other instructional responsibilities. Said training shall be approved by and provided by the college.
- 7.6 Faculty provided by the EAROP will participate in professional development activities sponsored by Chabot College as required by the terms and condition of the contract and shall be encouraged to participate in ongoing collegial interaction to include, but not limited address course content, course delivery, assessment, evaluation, and/or research and development in the field, in consultation with EAROP instructional and professional development calendar to avoid scheduling conflicts.
- 7.7 Faculty performance shall be evaluated by Chabot College using the adopted evaluation process and standards for faculty of Chabot College, subject to the approval of CLPCCD, for the purposes of Chabot College employment.
- 7.8 Chabot College may select instructors from EAROP personnel. EAROP personnel selected to be instructors remain employees of the EAROP, subject to the authority of the EAROP, but will also be subject to the authority of CLPCCD specifically with regard to their duties as instructors.

- 7.9 Chabot College shall determine the number of instructors, the ratio of instructors to students, and the subject areas of instruction, subject to approval by CLPCCD. Every effort will be made to provide clear and timely communication on all decisions.
- 7.10 Instructors teaching dual enrollment courses, as part of a K-12 CCAP agreement, whose primary employer is the unified school district shall be paid a stipend of \$1,000 per unit, based on the unit value listed in the Course Outline of Record (COR) for each course taught.

8. ASSESSMENT OF LEARNING AND CONDUCT

- 8.1 Students enrolled in Chabot College courses offered as part of this CCAP Agreement at the EAROP High Schools shall be held to the same standards of achievement as students in courses taught on the Chabot College campus.
- 8.2 Students enrolled in Chabot College courses offered as part of this CCAP Agreement at the EAROP shall be held to the same grading standards as those expected of students in courses taught on the Chabot College campus.
- 8.3 Students enrolled in Chabot College courses offered as part of this CCAP Agreement at the EAROP shall be assessed using the same methods (e.g., papers, portfolios, quizzes, labs, etc.) as students in courses taught on the Chabot College campus.
- 8.4 Students enrolled in Chabot College courses offered as part of this CCAP Agreement at the EAROP shall be held to the same behavioral standards as those expected of students in courses taught on the Chabot College campus.

9. LIAISON AND COORDINATION OF RESPONSIBILITIES

- 9.1 CLPCCD shall appoint an educational administrator, to be specified in the Appendix to this CCAP Agreement, who will serve as point of contact for Chabot College and EAROP to facilitate and coordinate as to this agreement in conformity with CLPCCD policies and standards.
- 9.2 Chabot College shall appoint an educational administrator, to be specified in the Appendix to this CCAP Agreement, who will serve as point of contact to facilitate coordination and cooperation between Chabot College and EAROP in conformity with CLPCCD policies and standards. Sec. 2 (c)(2)
- 9.3 EAROP shall appoint an educational administrator, to be specified in the Appendix to this CCAP Agreement, who will serve as point of contact to facilitate coordination and cooperation between EAROP and Chabot College in conformity with EAROP policies and standards. Sec. 2 (c)(2)

- 9.4 Chabot College will provide EAROP personnel with reasonable assistance, direction and instruction on how to fulfill their responsibilities under this CCAP Agreement, including conducting appropriate student assessment outreach/recruitment activities and compliance with CLPCCD policy and Chabot College procedures and academic standards. Should there be concerns regarding the Chabot College personnel, EAROP will work directly with the Chabot Administrator to address it.
- 9.5 The EAROP shall provide personnel to perform clerical services and services associated with student outreach and recruitment activities, student assessment and college applications, the enrollment of eligible students and other related services as deemed necessary.
- 9.6 The EAROP's personnel will perform services specified in 9.4 as part of their regular assignment. EAROP personnel performing these services will be employees of EAROP, subject to the authority of EAROP, but will also be subject to the direction of Chabot College, specifically with regard to their duties pertaining to the Chabot College courses.
- 9.7 This CCAP Agreement requires completion and submission of an annual report, as specified in the Appendix, to the office of the Chancellor of the California Community Colleges by Chabot College and EAROP on all the following information: Sec. 2 (t)(1)(A-D)
- The total number of high school students by school site enrolled in this CCAP Agreement partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws. Sec. 2 (t)(1)(A)
 - The total number of community college courses by course category and type and by school site enrolled in by CCAP Agreement partnership participants. Sec. 2 (t)(1)(B)
 - The total number and percentage of successful course completions, by course category and type and by school site, of CCAP Agreement partnership participants. Sec. 2 (t)(C)
 - The total number of full-time equivalent students generated for CLPCCD by CCAP Agreement partnership participants. Sec. 2 (t)(1)(D)

10. APPORTIONMENT

- 10.1 CLPCCD shall include the students enrolled in a CCAP Agreement course in its report of full-time equivalent students (FTES) for purposes of receiving state apportionments when the course(s) complies with current requirements for dual enrollment under applicable California law.

- 10.2 For purposes of allowances and apportionments from Section B of the State School Fund, a community college district conducting a closed course on a high school campus shall be credited with those units of full-time equivalent students attributable to the attendance of eligible high school pupils. Sec. 2 (o)(2)

- 10.3 CLPCCD shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment. Sec. 2 (r)
- 10.4 The attendance of a high school pupil at Chabot College as a special part-time or full-time student pursuant to this section is authorized attendance for which CLPCCD Chabot College shall be credited or reimbursed pursuant to Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity. Sec. 2 (s)

11. CERTIFICATIONS

- 11.1 EAROP certifies that the direct education costs of the courses offered as part of this CCAP Agreement are not being fully funded through other sources.
- 11.2 CLPCCD certifies that it has not received full compensation for the direct education costs for the conduct of the courses offered as part of this CCAP Agreement from other sources.
- 11.3 EAROP agrees and acknowledges that CLPCCD will claim apportionment for the EAROP students enrolled in community college course(s) under this CCAP Agreement.
- 11.4 This CCAP Agreement certifies that any Chabot College instructor teaching a course on a EAROP campus has not been convicted of any sex offense as defined in Ed Code § 87010 or as amended, or any controlled substance offense as defined in Ed Code § 87011 or as amended. Sec. 2 (h)
- 11.5 This CCAP Agreement certifies that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus. Sec. 2 (i)
- 11.6 This CCAP Agreement certifies that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing Chabot College faculty member teaching the same course at the Chabot College campus. Sec. 2 (j)
- 11.7 Chabot College certifies that:
 - A community college course offered for college credit at the participating school district high school does not reduce access to the same course offered at the partnering college. Sec. 2 (k)(1)
 - A community college course that is oversubscribed or has a waiting list shall not be offered or included in this Agreement. Sec. 2 (k)(2)

- The Agreement is consistent with the core mission of the Chabot College pursuant to Section 66010.4, and that students participating in this Agreement will not lead to displacement of otherwise eligible adults at the college. Sec. 2 (k)(3)

11.8 This Agreement certifies that CLPCCD, EAROP and Chabot College comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP Agreement course offered for high school credit. Sec. 2 (l)

12. PROGRAM IMPROVEMENT

12.1 CLPCCD, Chabot College and EAROP may annually conduct surveys of participating EAROP pupils, instructors, principals, and guidance counselors for the purpose of informing practice, making adjustments, and improving the quality of courses offered as part of this CCAP Agreement.

13. RECORDS

13.1 Permanent records of student attendance, grades and achievement will be maintained by EAROP for EAROP students who enroll in any course(s) offered as part of this CCAP Agreement. Permanent records of student enrollment, grades and achievement for Chabot College students shall be maintained by Chabot College.

13.2 Each party shall maintain records pertaining to this CCAP Agreement as may be required by federal and state law. Each party may review and obtain a copy of the other party's pertinent records subject to federal and state privacy statutes.

14. REIMBURSEMENT

14.1 The financial arrangements implied herein may be adjusted annually by a duly adopted written Appendix to this CCAP Agreement.

15. FACILITIES

15.1 EAROP will provide adequate classroom space at its facilities, or other mutually agreed upon location, to conduct the instruction and do so without charge to CLPCCD or students. EAROP agrees to clean, maintain, and safeguard EAROP's premises. EAROP warrants that its facilities are safe and compliant with all applicable building, fire, and safety codes.

15.2 EAROP will furnish, at its own expense, all course materials, specialized equipment, books and other necessary equipment for all EAROP students. The parties understand that such equipment and materials are EAROP's sole property. The instructor shall determine the type, make, and model of all equipment, books

and materials to be used during each course offered as part of this CCAP Agreement. EAROP understands that no equipment or materials fee may be charged to students except as may be provided for in Education Code 49011.

- 15.3 Chabot College facilities may be used subject to mutual agreement by the parties as expressed in the Appendix to this Agreement.

16. INDEMNIFICATION

- 16.1 EAROP agrees to and shall indemnify, save and hold harmless the Chabot College and CLPCCD and its governing board, officers, employees, administrators, independent contractors, subcontractors, agents and other representatives from all claims, demands, liabilities, costs, expenses, damages, causes of action, losses, and judgments, arising out of EAROP's performance of this Agreement. The obligation to indemnify shall extend to all claims and losses that arise from the negligence of EAROP, its officers, employees, independent contractors, subcontractors, agents and other representatives.
- 16.2 CLPCCD agrees to and shall indemnify, save and hold harmless the EAROP and its governing board, officers, employees, administrators, independent contractors, subcontractors, agents and other representatives from any and all claims, demands, liabilities, costs, expenses, damages, causes of action, losses, and judgments, arising out of CLPCCD and Chabot College's performance of this Agreement. The obligation to indemnify shall extend to all claims and losses that arise from the negligence of CLPCCD and Chabot College, its officers, employees, independent contractors, subcontractors, agents and other representatives.

17. INSURANCE

- 17.1 EAROP, in order to protect CLPCCD, its agents, employees and officers against claims and liability for death, injury, loss and damage arising out of or in any manner connected with the performance and operation of the terms of this agreement, shall secure and maintain in force during the entire term of this CCAP Agreement, insurance coverage or an approved program of self-insurance in the amount of not less than ONE MILLION DOLLARS (\$1,000,000) per incident, and property damage insurance of not less than ONE HUNDRED THOUSAND DOLLARS (\$100,000) per accident with an admitted California insurer duly licensed to engage in the business of insurance in the State of California, or public entity risk management Joint Powers Authority, authorized to provide public liability and property damage insurance in the state of California. Said policy of insurance, insurance coverage through a public entity risk management JPA or program of self-insurance shall expressly name Chabot College and CLPCCD, its agents, employees and officers as an additional insured for the purposes of this Agreement. A certificate of insurance including such endorsement shall be furnished to Chabot College and to CLPCCD.

17.2 For the purpose of Workers' Compensation, EAROP shall be the "primary employer" for all its personnel who perform services as instructors and support staff. EAROP shall be solely responsible for processing, investigating, defending, and paying all workers' compensation claims by their respective EAROP personnel made in connection with performing services and receiving instruction under this Agreement. EAROP agrees to hold harmless, indemnify, and defend Chabot College and CLPCCD, its directors, officers, agents, and employees from any liability resulting from its failure to process, investigate, defend, or pay any workers' compensation claims by EAROP personnel connected with providing services under this CCAP Agreement. EAROP is not responsible for non-School District personnel who may serve as instructors or students who are not affiliated with the EAROP.

18. NON-DISCRIMINATION

18.1 Neither EAROP nor Chabot College and CLPCCD shall discriminate on the basis of race or ethnicity, gender, nationality, physical or mental disability, sexual orientation, religion, or any other protected class under California State or federal law.

19. TERMINATION

19.1 Either party may terminate this CCAP Agreement by giving written notice specifying the effective date and scope of such termination. The termination notice must be presented by January 15 for the following fall semester and by September 1 for the following spring semester. Written notice of termination of this CCAP Agreement shall be addressed to the responsible person listed in Section 20 below.

20. NOTICES

20.1 Any and all notices required to be given hereunder shall be deemed given when personally delivered or deposited in the U.S. Mail, postage to be prepaid, to the following addresses:

Chabot-Las Positas Community College District
7600 Dublin Boulevard, 3rd Floor
Dublin, CA 94568
Attn: Dr. Theresa Fleischer Rowland, Vice Chancellor, Educational
Services and Student Success

Eden Area ROP

Attn: Blaine Torpey

21. INTEGRATION

21.1 This CCAP Agreement sets forth the entire agreement between the Parties relating to the subject matter of this CCAP Agreement. All agreements or representations, express or implied, oral or written, of the Parties with regard to the subject matter hereof are incorporated into this Agreement.

22. MODIFICATION AND AMENDMENT

22.1 No modifications or amendments of any of the terms or provisions of this CCAP Agreement shall be binding unless made in writing and signed by the Parties.

23. GOVERNING LAWS

23.1 This agreement shall be interpreted according to the laws of the State of California.

24. COMMUNITY COLLEGE DISTRICT BOUNDARIES

24.1 For locations outside the geographical service area boundaries of CLPCCD, CLPCCD and Chabot College will comply with the requirements of Title 5 of the California Code of Regulations, Sections 53000 et seq. or as amended, concerning approval by adjoining high school or community college districts and use of non-district facilities.

25. SEVERABILITY

25.1 This CCAP Agreement shall be considered severable, such that if any provision or part of the CCAP Agreement is ever held invalid under any law or ruling, that provision or part of the CCAP Agreement shall remain in force and effect to the extent allowed by law, and all other provisions or parts shall remain in full force and effect.

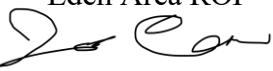
26. COUNTERPARTS

26.1 This CCAP Agreement may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument.

Executed on September 12, 2023

By: _____

Blaine Torpey, Superintendent
Eden Area ROP

By:  _____

Dr. Jamal Cooks, President
Chabot College

Jonah Nicholas

By: [Jonah Nicholas \(Jan 21, 2026 11:43:44 PST\)](#)

Jonah Nicholas, Vice-Chancellor, Business
Services; Chabot-Las Positas Community
College District

APPENDIX

COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT FOR DUAL ENROLLMENT

WHEREAS, the College and Career Access Pathways Partnership Agreement (CCAP Agreement) is between Chabot-Las Positas Community College District (“CLPCCD”), 7600 Dublin Boulevard, 3rd Floor, Dublin, CA 94568, and Eden Area ROP (“EAROP”) and

WHEREAS, CLPCCD and EAROP agree to record CLPCCD and EAROP specific components of the CCAP Agreement using this Appendix for purposes of addressing mandated reporting requirements to include, but not limited to, the total number of high school students to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses; and Sec. 2 (c)(1)

WHEREAS, the CCAP Agreement Appendix shall also be used to record protocols for information sharing in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses; and Sec. 2 (c)(1)

WHEREAS, participation in the CCAP Agreement is consistent with the core mission of the community colleges pursuant to Section 66010.4, and pupils participating in a CCAP Agreement will not lead to enrollment displacement of otherwise eligible adults in the community college; Sec. 2 (k)(3)

NOW THEREFORE, CLPCCD, Chabot College and EAROP agree as follows:

1. CCAP AGREEMENT

- a. Chabot College and EAROP shall ensure that two public (informational and adoption) meetings are held in the review and approval of this CCAP Agreement. Sec. 2 (b)

- b. Chabot College shall file this CCAP Agreement with the office of the Chancellor of the California community colleges prior to the start of the partnership. Sec. 2 (c)(2) Confirmation of the filing shall be provided to EAROP and CLPCCD.
- c. CLPCCD, Chabot College and EAROP shall review and establish new or amended CCAP Agreements annually on or before the end of each school year and follow the protocols set forth in (a) and (b) of this section.
- d. CLPCCD, COLLEGE and EAROP point of contact: Sec. 2 (c)(2)

LOCATION	NAME	TELEPHONE	EMAIL
CLPCCD:	Theresa Rowland	(510) 723-6600	trowland@clpccd.org
Chabot College:	Sergio Saenz	(510) 723- 7174	ssaenz@chabotcollege.edu
Eden Area ROP	Blaine Torpey	(510) 293-2901	btorpey@edenrop.org

2. STUDENT SELECTION

- a. Minimum School Day - EAROP certifies that it shall teach EAROP students participating as part of the CCAP Agreement no less than the number of instructional minutes required to complete a minimum school day pursuant to Education Code §§ 46141 and 46142. In all circumstances Chabot College shall claim allowable FTES for the enrollment of high school students in any CCAP Agreement community college course.
- b. EAROP shall select students consistent with the intent of AB 288 to include: high school students “who may not already be college bound or who are underrepresented in higher education with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer improving high school graduation rates, and assisting high school pupils to achieve college and career readiness” *Sec. 2 (a)* and “underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.” *Sec. 1 (d)*
- c. Chabot College and EAROP certify that participating students will have a signed parental consent form on file with Chabot College. *Preamble and Sec. 2 (c)(1)*
- d. Chabot College and EAROP certify that participating students may enroll in up to a maximum of 15 unit load per term, the units may not constitute more than four courses per term, the units are part of an academic (educational) program identified as part of this CCAP Agreement and the units are part of an academic (educational) program designed to award students both a high school diploma and an associate degree or a certificate or credential. *Sec. 2 (p)(1-3)*

3. CCAP AGREEMENT EDUCATIONAL PROGRAM(S) AND COURSE(S)

- a. Chabot College is responsible for all educational program(s) and course(s) offered as part of this CCAP Agreement whether the educational program(s) and course(s) are offered at the EAROP or the college.

4. **CCAP AGREEMENT WITH EDEN AREA ROP - CHABOT COLLEGE** of the Chabot-Las Positas Community College District (CLPCCD), has identified the following: program year, educational program(s) and course(s) to be offered at the said date, time and location; the total number of students to be served and projected FTES; and the instructor and employer of record.

EDUCATIONAL PROGRAM (S): All

HIGH SCHOOLS:

Eden Area Regional Opportunity Program
26316 Hesperian Blvd. Hayward, CA
94545

TOTAL NUMBER OF STUDENTS TO BE SERVED ANNUALLY: 60		TOTAL PROJECTED FTES: 12					
COURSE NAME	COURSE NUMBER	TERM	TIME	DAYS/HOURS	INSTRUCTOR	EMPLOYER OF RECORD	LOCATION
1. Fire Tech 1	FT 1	Fall/Spring	TBD	TBD	Chabot Faculty	<input type="checkbox"/> CC <input checked="" type="checkbox"/> X HS	<input type="checkbox"/> CC <input checked="" type="checkbox"/> X HS
2. Introduction to Automotive Technology	AUTO 50	Fall/Spring	TBD	TBD	Chabot Faculty	<input type="checkbox"/> CC <input checked="" type="checkbox"/> X HS	<input type="checkbox"/> CC <input checked="" type="checkbox"/> X HS
3. Medical Careers		Fall/Spring	TBD	TBD	Chabot Faculty		
4. Welding		Fall/Spring	TBD	TBD	Chabot Faculty		
5. Auto Collision		Fall/Spring	TBD	TBD	Chabot Faculty		
6. Construction Technology		Fall/Spring	TBD	TBD	Chabot Faculty		
7. Early Childhood Education/Teacher Pathways		Fall/Spring	TBD	TBD	Chabot Faculty		
8. Careers in Law		Fall/Spring	TBD	TBD	Chabot Faculty		

Required: Describe the criteria used to assess the ability of pupils to benefit from the course(s) offered (Sec. 2 (c)(1):

Faculty, counselors, and staff will review student grades and attendance and determine appropriateness of courses students are selecting to enroll in.

5. **BOOKS AND INSTRUCTIONAL MATERIALS** - The total cost of books and instructional materials for school district students participating as part of this CCAP agreement will be borne by school district.

COURSE NAME	TEXT	COST	OTHER INSTRUCTIONAL MATERIALS	COST

1. TBD based on course available from list										
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Note: All referenced Sections from AB 288 (Education Code 76004)

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6. MANDATED ANNUAL STATE REPORTING

- a. Chabot College and SCHOOL DISTRICT shall ensure accurate and timely reporting of the total number of CLPCCD full-time equivalent students generated by CCAP Agreement partnership participants.
- b. Chabot College and EAROP shall each year report the annual total number of unduplicated high school student headcount by school site enrolled under the CCAP Agreement are aggregated by gender and ethnicity and reconciled on or before June 30, and the information shall be reported in compliance with all applicable state and federal privacy laws. The CLPCCD shall annually report the student data to the office of the Chancellor of the California Community Colleges. *Sec. 2 (t) (1)(A)*
- c. Chabot College and EAROP shall report the annual total number of community college courses by category and type and by school site enrolled in under this CCAP Agreement. *Sec. 2 (t) (1)(B)*
- d. Chabot College and EAROP shall report the annual total number of the unduplicated high school student headcount and the percentage of successful course completions, by course category and type and by school site. *Sec. 2 (t)(1)(C)*
- e. Chabot College and EAROP shall report the annual total number of full-time equivalent students generated by this CCAP Agreement. *Sec. 2 (t)(1)(D)*
- f. Chabot College and EAROP shall ensure that the point of contact for each site establishes protocols for the collection and dissemination of participating student data each semester within 30 days of the end of the term.

7. CCAP AGREEMENT DATA MATCH AND REPORTING

- a. Chabot College and EAROP shall ensure operational protocols consistent with the collection of participating student data and the timely submission of the data.
- b. CLPCCD shall report all program and participating student data to the office of the Chancellor of the California Community Colleges.

8. PRIVACY OF STUDENT RECORDS

- a. CLPCCD, Chabot College and EAROP understand and agree that education records of students enrolled in the CCAP Agreement course and personally identifiable information contained in those educational records are subject to the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 C.F.R. Part 99, including the disclosure provisions of § 99.30 and state law as set forth in Education Code §§ 49064 and 49076). CLPCCD, Chabot College and EAROP agree to hold all student education records generated pursuant to this CCAP

Note: All referenced Sections from AB 288 (Education Code 76004)

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Agreement in strict confidence, and further agree not to re-disclose such records except as authorized by applicable law or regulation or by the parent or guardian’s prior written consent. (34 C.F.R. § 99.33 (a), (b); 34 C.F.R. § 99.34(b) and Education Code §§ 49064 and 49076.)

- b. **Limitation on Use.** CLPCCD, Chabot College and EAROP shall use each student education record that is collected pursuant to this CCAP Agreement solely for a purpose(s) consistent with CLPCCD, Chabot College and EAROP authority to access that information pursuant to Federal and State law, as may be as applicable. (34 C.F.R. § 99.31, 34 C.F.R. § 99.34, and Education Code § 49076.)
- c. **Recordkeeping Requirements.** Chabot College and EAROP shall comply with the requirements governing maintenance of records of each request for access to and each disclosure of, student education records set forth under Title 34, Code of Federal Regulations § 99.32 and under Education Code § 49064 as applicable.
- d. **Acknowledgement of Receipt of Notice of FERPA Regulations.** By signature of its authorized representative or agent on this Agreement, CLPCCD, Chabot College and EAROP hereby acknowledges that it has been provided with the notice required under 34 C.F.R. § 99.33(d) that it is strictly prohibited from re-disclosing student education records to any other person or entity except as authorized by applicable law or regulation or by the parent or guardian’s prior written consent.

9. FACILITIES USE

- a. Chabot College and EAROP shall adhere to the terms outlined in Section 15, Facilities, of this CCAP Agreement.
- b. Chabot College, as part of Section 15.3 of this CCAP Agreement, shall extend access and use of the following Chabot College facilities:

BUILDING	CLASSROOM	DAYS	HOURS
TBD by HS Site	TBD by HS Site	TBD by College	TBD by College & Site



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Michelle Stephens, Assistant Principal
SUBJECT: Request the Governing Board approve the Revised Contracts with American Stage Tours for Sophomore Tour Transportation for the 2025-2026 School Year

BACKGROUND

Each year the Eden Area ROP contracts for transportation services for students within our JPA for the sophomore tours.

CURRENT SITUATION

The contracts with American Stage Tours were approved by the Governing Board on June 6, 2025. Once head counts for each school were finalized the contracts were modified to reflect the revised cost.

School	Tour Date	Cost	Revised Cost
San Leandro High School	10/28/25	\$6,155.00	\$7,640.00
Mt. Eden High School	11/04/25	\$8,025.00	\$6,490.00
Tennyson High School	11/18/25	\$5,180.00	\$2,060.00
San Lorenzo High School & East Bay Arts	12/02/25	\$5,180.00	\$3,620.00
Arroyo High School, DICE & Royal Sunset	12/09/25	\$5,030.00	\$5,030.00+ \$1,760.00
Hayward High School	12/12/25	\$5,180.00	\$3,620.00
Castro Valley High School, Redwood & Brenkwitz	01/27/26	\$6,740.00	\$8050.00
Total		\$41,490.00	\$38,270.00
Decrease			\$3,220.00

CONSENT CALENDAR



P.O. Box 6123
Concord, CA 94524-1123
 Phone: 925-687-7705
 Fax: 925-685-5421
 TCP 12504-B US DOT 253482
 Website: www.americanstagetours.com
 Email: info@americanstagetours.com

Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader: **Lilly Angulo**
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, October 28, 2025**
 Spot Time: **8:00 am**
 Leave Time: **8:15 am**
 Pickup Location: **San Leandro High School**
2200 Bancroft Ave.
San Leandro, CA 94577

Invoice Date: **10/30/25**
 Charter No. : **33486**
 Phone: **510-293-2950**
 Order Date: **05/09/25**
 SalesRep: **Chuck Cooper**
 # Coaches: **4**
 Equipment: **2/56 - 1/48 - 1/26 Pax**
 Actual # Pax: **344**
 Return Date: **Tuesday, October 28, 2025**
 Retn\Drop Time: **3:30 pm**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25		
11/15/25	Final Payment			
			Transport Charge:	\$7,640.00
			Amount Paid	\$0.00
			Balance Due	\$7,640.00



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader: **Lilly Angulo**
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, November 4, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **Mt. Eden High School**
2300 Panama St
Hayward, CA 94545

Invoice Date: **11/06/25**
 Charter No. : **33490**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **4**
 Equipment: **1/48 & 3/56 passenger**
 Actual # Pax: **160**
 Return Date: **Tuesday, November 4, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>
05/16/25	Signed Contract	06/02/25
08/19/25	Rev. Signed Cont	08/19/25
11/25/25	PO for Final Pay	10/30/25
12/24/25	Final Payment	

Transport Charge:	\$6,490.00
Amount Paid	\$0.00
Balance Due	\$6,490.00



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader: **Raul Chavez**
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, November 18, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **Tennyson High School**
27035 Whitman St.
Hayward, CA 94544

Invoice Date: **11/20/25**
 Charter No. : **33489**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **1**
 Equipment: **56 passengers**
 Actual # Pax: **37**
 Return Date: **Tuesday, November 18, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25	Transport Charge:	\$2,060.00
11/04/25	PO for Final Pay	10/30/25	Amount Paid	\$0.00
11/12/25	Rev Signed Contract	11/12/25	Balance Due	\$2,060.00
12/03/25	Final Payment			



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader:
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, December 2, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **San Lorenzo High School**
50 East Lewelling Blvd.
San Lorenzo, CA

Invoice Date: **12/04/25**
 Charter No. : **33487**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **2**
 Equipment: **2/56 & 1/48 passengers**
 Actual # Pax: **93**
 Return Date: **Tuesday, December 2, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25	Transport Charge:	\$3,620.00
10/15/25	PO for Final Pay	10/30/25	Amount Paid	\$0.00
12/20/25	Final Payment		Balance Due	\$3,620.00



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader:
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, December 9, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **Arroyo High School**
15701 Lorenzo Ave.
San Lorenzo, CA 94580

Invoice Date: **12/10/25**
 Charter No. : **33488**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **3**
 Equipment: **56 passengers**
 Actual # Pax: **137**
 Return Date: **Tuesday, December 9, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25	Transport Charge:	\$5,030.00
08/19/25	Rev. Signed Cont	08/19/25	Amount Paid	\$0.00
11/01/25	PO for Final Pay	10/30/25	Balance Due	\$5,030.00
12/24/25	Final Payment			



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader: **Cynthia Bryce**
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, December 9, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:20 am**
 Pickup Location: **1) DICE Continuation School**
750 Fargo Ave, San Leandro, CA 94580
2) Royal Sunset High School
20450 Royal Ave. Hayward, CA 94541

Invoice Date: **12/10/25**
 Charter No. : **33896**
 Phone: **510-293-2950**
 Order Date: **10/10/25**
 SalesRep: **Chuck Cooper**
 # Coaches: **1**
 Equipment: **26 passengers**
 Actual # Pax: **26**
 Return Date: **Tuesday, December 9, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
10/17/25	Signed Contract	10/13/25	Transport Charge:	\$1,760.00
12/23/25	Final Payment		Amount Paid	\$0.00
			Balance Due	\$1,760.00



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Charter Invoice

Lilly Angulo
Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader: **Stephanie Camacho**
 Destination: **Hayward, CA**
 Leave Date: **Friday, December 12, 2025**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **Hayward High School**
1633 East Ave
Hayward, CA 94540

Invoice Date: **12/15/25**
 Charter No. : **33491**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **2**
 Equipment: **56 passenger**
 Actual # Pax: **89**
 Return Date: **Friday, December 12, 2025**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25	Transport Charge:	\$3,620.00
12/01/25	PO for Final Pay	10/30/25	Amount Paid	\$0.00
12/29/25	Final Payment		Balance Due	\$3,620.00



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Charter Invoice

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Eden Area ROP
26316 Hesperian Blvd.
Hayward, CA 94545

Group Name: **Eden Area ROP**
 Group Leader:
 Destination: **Hayward, CA**
 Leave Date: **Tuesday, January 27, 2026**
 Spot Time: **8:15 am**
 Leave Time: **8:30 am**
 Pickup Location: **Castro Valley High School**
(Pick up in Loop off Mabel)
19400 Santa Maria Avenue
Castro Valley, CA 94546

Invoice Date: **01/28/26**
 Charter No. : **33492**
 Phone: **510-293-2950**
 Order Date **05/09/25**
 SalesRep: **Chuck Cooper**
 Purchase Order: **P26-00252**
 # Coaches: **5**
 Equipment: **4-56 & 1-26 passengers**
 Actual # Pax: **221**
 Return Date: **Tuesday, January 27, 2026**
 Retn\Drop Time: **11:30 am**
 Destination Details: **Eden Area ROP**
26316 Hesperian Blvd.
Hayward, CA 94545

<u>Due Dates</u>	<u>Description</u>	<u>Date Received</u>		
05/16/25	Signed Contract	06/02/25	Transport Charge:	\$8,050.00
01/07/26	Rev. Signed Cont	01/07/26	Amount Paid	\$0.00
01/13/26	PO for Final Pay	10/30/25	Balance Due	\$8,050.00
02/16/26	Final Payment			

INFORMATION ITEMS



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
PREPARED BY: Craig Lang, Director of Adult Programs and Apprenticeships
SUBJECT: Adult Programs Update

BACKGROUND

The Eden Area ROP Adult Programs started in the 2014-2015 school year. The focus of the Adult Programs is to provide short-term quality training to assist adults with increasing their current skill set and/or transitioning into new careers.

CURRENT SITUATION

The Director of Adult Programs, Craig Lang, will give an update on current adult program offerings and describe plans for expanding classes in the future.

RECOMMENDATION

Information only



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: First Reading of Governing Board Policies, Administrative Regulations, Board Bylaws, and Exhibits

BACKGROUND

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date. The 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, exhibits, and board bylaws to reflect current law and regulations provided in CSBA's quarterly update.

NUMBER	TYPE	TITLE	STATUS
3440	AR	Inventories	Revise
4119.21/4219.21/ 4319.21	BP	Professional Standards	Revise
4119.21	E(1)	Professional Standards	Revise
4219.21	E(1)	Professional Standards	New
4319.21	E(1)	Professional Standards	Replace
4119.24/4219.24/ 4319.24	BP	Maintaining Appropriate Adult-Student Interactions	Revise
5144.1	BP	Suspension and Expulsion/Due Process	Revise
5144.1	AR	Suspension and Expulsion/Due Process	Revise
5145.2	BP	Freedom Of Speech/Expression	Revise
5145.2	AR	Freedom Of Speech/Expression	Revise
9320	BB	Meetings and Notices	Revise
9320.1	BB	Remote Meetings and Attendance	New

NUMBER	TYPE	TITLE	STATUS
9322	BB	Agenda/Meeting Materials	Revise
9323	BB	Meeting Conduct	Revise

RECOMMENDATION

Information only



Eden Area ROP SUPERINTENDENT'S MEMO

To: Eden Area ROP Governing Board
From: Blaine Torpey, Superintendent
Date: April 9, 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), Bylaws (BB) and Exhibits (E) for the consideration of the Board.

Number	Type	Title	Explanation of Change	Status
3440	AR	Inventories	Regulation updated to reflect NEW LAW (AB 629, 2025) which (1) increases the threshold amount for which the Governing Board is required to establish and maintain an inventory of items to a current market value that exceeds \$1,500, and (2) requires the Superintendent of Public Instruction to adjust such market value biennially and post it on the California Department of Education's (CDE) website. Additionally, regulation updated to more closely align with law and CDE's federal program monitoring instrument.	Revise
4119.21/ 4219.21/ 4319.21	BP	Professional Standards	Policy updated to add, to the philosophical paragraph, the Governing Board's desire to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students, and to expand upon the expectations for district employee conduct. Additionally, policy updated to reflect NEW LAW (SB 848, 2025) which prohibits inappropriate conduct between district employees, adult volunteers, and contractors and among and between adults employed, volunteering, or under contract with the district. In addition, policy updated to clarify that inappropriate employee conduct includes (1) engaging in any conduct that endangers or threatens to endanger students, staff, or others, and (2) other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.	Revise
4119.21	E(1)	Professional Standards	Exhibit updated in conjunction with the accompanying Board Policy and to align with the most recent version of the National Education Association's Code of Ethics for Educators.	Revise
4219.21	E(1)	Professional Standards	Exhibit updated in conjunction with the accompanying Board Policy.	New
4319.21	E(1)	Professional Standards	Exhibit updated in conjunction with the accompanying Board Policy.	Replace
4119.24/ 4219.24/ 4319.24	BP	Maintaining Appropriate Adult-Student Interactions	Policy updated to add, that for purposes of this policy, employees include interns, volunteers, contractors, and other persons with an employment relationship with the district. Additionally, policy updated to add, to the philosophical paragraph, the Governing Board's desire to provide a safe environment that promotes the learning, engagement, and safety of district students. In	Revise

Number	Type	Title	Explanation of Change	Status
			addition, policy updated to reflect NEW LAW (SB 848, 2025) which prohibits inappropriate conduct between district employees and students and expands the list of inappropriate employee conduct. Policy also updated to add new section related to violations of this policy.	
5144.1	BP	Suspension and Expulsion/Due Process	<p>Policy updated to add that off campus student behavior may result in discipline when it disrupts district programs and activities or is otherwise prohibited by law, Board policy or administrative regulation.</p> <p>Additionally, policy updated to include state law authorization for the Governing Board, on a case-by-case basis, to permit a student Board member to make restorative justice recommendations to the Board regarding specific expulsion matters. In addition, policy updated to reflect NEW LAW (AB 1230, 2025) which (1) requires the Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, and (2) adds to the list of outcome data the Superintendent or designee is required to maintain.</p>	Revise
5144.1	AR	Suspension and Expulsion/Due Process	<p>Regulation updated to clarify that a student may not be disciplined prior to a finding being made pursuant to the Title IX grievance process, but that the district may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual. Additionally, regulation updated to add requirement that students who voluntarily disclose their use of a controlled substance, alcohol, intoxicant, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. In addition, regulation updated to reflect NEW LAW (AB 1230, 2025) which (1) requires the Governing Board, at the time of the expulsion order, to recommend a plan for the student's rehabilitation, including specified components, (2) requires the County Superintendent of Schools to provide the Board notification if the County Superintendent is unable to serve students expelled by the district, whereby the Board is required to ensure that another educational program is provided, (3) requires as part of the process for a required review, that the Board indicate whether the student had access to the necessary resources to complete their rehabilitation plan, and that a rehabilitation plan that is not completed due to financial or transportation barriers or a lack of viable opportunities not be a basis to deny the student readmission, and (4) amends the conditions under which the Board may deny readmission.</p>	Revise
5145.2	BP	Freedom Of Speech/Expression	<p>Policy updated to (1) add language to the Governing Board's philosophical statement related to providing a welcoming, safe, and supportive school environment that protects students from discrimination, harassment, intimidation, and bullying, or other types of expression prohibited by law, (2) delete headings for On- and Off-</p>	Revise

Number	Type	Title	Explanation of Change	Status
			Campus Expression, (3) expand student exercise of freedom of speech and/or the press to include official district and school websites or social media accounts identified and made available for such purpose, (4) expand which student expressions, or distributing or posting of material, is prohibited, (5) clarify material related to off-campus expression, including electronic expression via a personal device or online expression via a personal social media account, and (6) clarify material related to when student expression may be subject to discipline.	
5145.2	AR	Freedom Of Speech/Expression	Regulation updated to establish, at the outset, time, place, and manner restrictions, including the addition of material related to (1) the locations, physical and electronic, that the principal or designee may identify on which students and student organizations may hold rallies, express ideas, debate issues, or post information of general interest, and (2) the authorization for the principal or designee to require a disclaimer on printed materials or petitions stating that the materials or petitions are not sponsored by and do not necessarily reflect the views, ideas, and opinions of the school or district. Additionally, regulation updated to (1) add to the definition of "official school publications" courses or programs, student clubs or organizations, student newspapers or other student publications distributed to the public or student body either for a fee or free, (2) clarify material related to the written publications code, (3) modify the requirement related to the professional standards for which official student publications be held to account for publications which may not be written in English, (4) expand material related to violations of this regulation or accompanying Board policy, with first considering any feasible alternative options to limit the material, providing notice to the official student publication with specific reasons for why the submitted material may not be published, and with sufficient time, absent extraordinary circumstances, to allow the publication or student authors to either modify the material or request review by the Superintendent or designee, and (5) authorize the principal or designee to require a disclaimer on all official student publications indicating that views, ideas, and opinions expressed in official student publications do not necessarily reflect those of the school or district. In addition, regulation updated to add new section, "Student Participation in Civic or Political Events," which includes that a student in middle or high school, with advance notice, be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls.	Revise
9320	BB	Meetings and Notices	Bylaw updated to clarify (1) when the Governing Board may meet in open or closed session, (2) that the existence of a Board meeting includes gathering	Revise

Number	Type	Title	Explanation of Change	Status
			<p>remotely or electronically, (3) that a series of communications by a majority of the Board should not occur through official or personal social media accounts, and (4) that written notice of special Board meetings should be posted in any location required for remote meetings and attendance. Additionally, bylaw updated to delete material related to disability-related accommodations as it already exists and is more appropriated place in Board Bylaw 9322 - Agenda/Meeting Materials. In addition, bylaw updated to reflect (1) NEW LAW (SB 707, 2025) which permits a remote Board meeting based on a proclaimed state of emergency or local emergency without the requirement to post the physical location of Board members, and (2) the requirement for the notice of an emergency Board meeting to the local media that have requested such notice to be by telephone or email. Bylaw also updated to delete material related to traditional teleconferencing, teleconferencing by individual Board members due to just cause, teleconferencing by individual Board members due to emergency circumstances, and teleconference meetings during a proclaimed state of emergency, as that content has been moved to new Board Bylaw 9320.1 - Remote Meetings and Attendance.</p>	
9320.1	BB	Remote Meetings and Attendance	<p>NEW bylaw addresses circumstances in which the Governing Board is legally permitted to meet remotely and in which an individual remote Board member is permitted to attend and participate in a Board meeting. Additionally, bylaw includes the traditional method of remote attendance and reflects NEW LAW (SB 707, 2025) which permits (1) remote attendance and participation as an accommodation and due to just cause, and (2) remote Board meetings during a proclaimed state of emergency.</p>	New
9322	BB	Agenda/Meeting Materials	<p>Bylaw updated to clarify that (1) closed session items should be agendized in accordance with Board Bylaw 9321 - Closed Session, and (2) for a regular Board meeting, the Governing Board may consider an item not included in the agenda in accordance with Board Bylaw 9323.2 - Actions by the Board. Additionally, bylaw updated to add new section heading, "Public Comment," which (1) includes clarification that the agenda provide members of the public the opportunity to address the Board on any agenda item, including items to be considered in closed session and items listed on the consent agenda, (2) provides options depending on if it is district practice to have one public comment period for all open session agenda items or separate public comment for each open session agenda item, and (3) reflects NEW LAW (SB 707, 2025) which adds requirements to the exception to public comment requirements. In addition, bylaw updated to add new section heading, "Disability-Related Accommodations or Modifications." Bylaw also updated to add material related to Board member requests for a specific matter</p>	Revise

Number	Type	Title	Explanation of Change	Status
			<p>within the subject matter of the Board to be placed on the agenda, both when the Board member is acting in the capacity as a member of the public and acting in the capacity as a Board member. Additionally, bylaw updated to add new section, "Special Meeting Agenda Dissemination to Members of the Public," which clarifies requirements related to the dissemination of special meeting agendas.</p>	
9323	BB	Meeting Conduct	<p>Bylaw updated to (1) clarify that the chair of a given Governing Board meeting will be the Board president or, if the Board president is absent, another Board member, (2) delete the time for which a regular Board meeting should be adjourned, and instead provide a blank to reflect district practice, (3) add material related to removal of an item from the consent agenda, specifying that the Board chair determine when the removed item be considered on the agenda, (4) expand material related to the prohibition from requiring members of the public to provide identifying information as a condition of attending a Board meeting and/or providing public comment, and related exceptions, (5) delete material related to public participation that is either unnecessary or is contained within more closely related Board bylaws, (6) delete the time for which an individual providing public comment is allowed to address the Board, and instead provide a blank to reflect district practice, (6) provide clarifying language related to an individual speaker giving some or all of the speaker's time to another speaker, and (7) add language related to the public comment period when a remote Board member is attending and participating based on just cause. Additionally, bylaw updated to add new section heading, "Disruptions," which (1) reflects NEW COURT DECISION (Berkeley People's Alliance v. City of Berkeley) in which the California Court of Appeal held that state law requires a legislative body to clear the meeting room when a meeting is willfully disrupted and order cannot be restored by removing disruptive individuals and does not permit the legislative body to relocate the meeting to a different room in lieu of clearing the meeting room.</p>	Revise

Regulation 3440: Inventories

Status: DRAFT

Original Adopted Date: 03/05/2020

In order to provide for the proper tracking and control of ~~Eden Area Regional Occupational Program (Eden Area ROP)~~ property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

- ~~1.~~ All equipment items currently valued in excess of \$~~1,500~~ (Education Code 35168)
- ~~2.~~ All equipment items purchased with state and/or federal categorical funds that have a useful life of more than one year with an acquisition cost of \$500 or more per unit

~~(cf. 3290 – Gifts, Grants and Bequests)~~

~~(cf. 3400 – Management of District Assets/Accounts)~~

~~(cf. 3512 – Equipment)~~

~~In addition~~ Additionally, the Superintendent or designee may maintain a list of specific items which shall be inventoried for internal control purposes regardless of their initial cost or current value.

The inventory shall contain a record of the following information: (Education Code 35168; 5 CCR 3946; ~~2 CFR 200.313~~)

- ~~1.~~ ~~Name~~Model/name and ~~type~~/description of the property
- ~~2.~~ ~~Identification~~Serial/identification number
- ~~3.~~ Original cost of the item of equipment or a reasonable estimate if the original cost is unknown
- ~~4.~~ Date of acquisition
- ~~5.~~ Location of use
- ~~6.~~ The date and method of disposal

~~(cf. 3270 – Sale and Disposal of Books, Equipment and Supplies)~~

Physical Inventory

At least once every two years, a physical inventory of equipment shall be conducted and the results reconciled with the property records. (2 CFR 200.313)

Policy 4119.21: Professional Standards

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of Eden Area Regional Occupational Program (Eden Area ROP) students. The Governing Board expects Eden Area Regional Occupational Program (Eden Area ROP) employees to maintain the highest ethical standards, behave professionally, follow Eden Area ROP policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the Eden Area ROP; advances the goals of the Eden Area ROP's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

(cf. 0200 – Goals for the School District)

(cf. 4119.1/4219.1/4319.1 – Civil and Legal Rights)

(cf. 5131 – Conduct)

(cf. 5137 – Positive School Climate)

The Governing Board encourages Eden Area ROP employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 – Superintendent Governance Standards)

(cf. 9005 – Governance Standards)

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her the employee's professional responsibilities and to contribute to the learning and achievement of Eden Area ROP students.

(cf. 4112.2 – Certification)

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and Eden Area ROP contractors and among and between adults employed, volunteering, or under contract with the Eden Area ROP. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
(cf. 0450 – Comprehensive Safety Plan)
(cf. 3515.7 – Firearms on School Grounds)
(cf. 4158/4258/4358 – Employee Security)
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

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

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)

(cf. 5131.2 – Bullying)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

3. ~~3.~~ Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. ~~4.~~ Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. ~~5.~~ Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. ~~6.~~ Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. ~~7.~~ Willfully disrupting Eden Area ROP or school operations by loud or unreasonable noise or other action
(cf. ~~3515.2 – Disruptions~~)
8. ~~8.~~ Using tobacco, alcohol, vaping or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on Eden Area ROP property, or at a school-sponsored activity
(cf. ~~3513.3 – Tobacco-Free Schools~~)
(cf. ~~3513.4 – Drug and Alcohol Free Schools~~)
(cf. ~~4020 – Drug and Alcohol Free Workplace~~)
(cf. ~~4112.41/4212.41/4312.41 – Employee Drug Testing~~)
(cf. ~~4112.42/4212.42/4312.42 – Drug and Alcohol Testing for School Bus Drivers~~)
9. ~~9.~~ Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. ~~10.~~ Divulging confidential information about students, Eden Area ROP employees, or Eden Area ROP operations to persons or entities not authorized to receive the information
(cf. ~~3580 – District Records~~)
(cf. ~~4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information~~)
(cf. ~~5125 – Student Records~~)
(cf. ~~5125.1 – Release of Directory Information~~)
11. ~~11.~~ Using Eden Area ROP equipment or other Eden Area ROP resources for the employee's own commercial purposes or for political activities
(cf. ~~4119.25/4219.25/4319.25 – Political Activities of Employees~~)
12. ~~12.~~ Using Eden Area ROP equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of Eden Area ROP technological resources at any time without the employee's consent.

(cf. ~~4040 – Employee Use of Technology~~)
13. ~~13.~~ Causing damage to or engaging in theft of property belonging to students, staff, or the Eden Area ROP
14. ~~14.~~ Wearing inappropriate attire

(cf. ~~4119.22/4219.22/4319.22 – Dress and Grooming~~)
15. ~~Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 – Maintaining Appropriate Adult-Student Interactions~~

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the Superintendent or designee. An employee who has knowledge of or suspects child abuse or

neglect shall file a report pursuant to the Eden Area ROP's child abuse reporting procedures as detailed in ARAdministrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

{cf. 1312.1 – Complaints Concerning District Employees}

{cf. 5141.4 – Child Abuse Prevention and Reporting}

Any reports of employee misconduct shall be promptly investigated by the Superintendent or designee. Any employee who is found to have engaged in inappropriate conduct in violation of law or Governing Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

{cf. 4117.7/4317.7 – Employment Status Reports}

{cf. 4118 – Dismissal/Suspension/Disciplinary Action}

{cf. 4218 – Dismissal/Suspension/Disciplinary Action}

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The Eden Area ROP prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the Eden Area ROP's complaint process shall be subject to discipline.

Notifications

The section(s) of the Eden Area ROP's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on the Eden Area ROP website. (Education Code 44050)

{cf. 1113 – District and School Web Sites}

{cf. 5145.6 – Parental Notifications}

Policy 4219.21: Professional Standards

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of Eden Area Regional Occupational Program (Eden Area ROP) students. The Governing Board expects Eden Area Regional Occupational Program (Eden Area ROP) employees to maintain the highest ethical standards, behave professionally, follow Eden Area ROP policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the Eden Area ROP; advances the goals of the Eden Area ROP's educational programs; encourages student learning, engagement, and success; and contributes to a safe and positive school climate.

(cf. 0200 – Goals for the School District)

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(cf. 4040 – Employee Use of Technology)
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{cf. 1312.1 – Complaints Concerning District Employees}

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{cf. 1113 – District and School Web Sites}

{cf. 5145.6 – Parental Notifications}

Policy 4319.21: Professional Standards

Status: DRAFT

Original Adopted Date: 05/07/2020

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{cf. 1113 – District and School Web Sites}

{cf. 5145.6 – Parental Notifications}

Exhibit 4119.21-E(1): Professional Standards

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Reviewed Date: 05/07/2020

CODE OF ETHICS OF THE EDUCATION PROFESSION FOR EDUCATORS

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents/guardians, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession for Educators indicates the aspiration of all educators and provides standards by which to judge conduct.

Principle I. Commitment to the Student

The educator strives to help each student realize his/her the student's potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassment or disparagement
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage
8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

Principle II. Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

1. Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications
2. Shall not misrepresent his/her the educator's professional qualifications
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position
5. Shall not assist a noneducator in the unauthorized practice of teaching
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action

Source: National Education Association, 19752020

Exhibit 4219.21-E(1): Professional Standards

Status: DRAFT

Original Adopted Date: Pending

**CODE OF ETHICS
CLASSIFIED EMPLOYEES**

School employees who are in daily contact with many phases of educational work should be persons whose conduct is beyond reproach and who sincerely believe in the advancement of education and the betterment of working conditions; therefore, the California School Employees' Association (CSEA) proposes this Code of Ethics as a standard for its members.

AS A SCHOOL EMPLOYEE I WILL:

1. Be proud of my vocation in order that I may use my best endeavors to elevate the standards of my position so that I may merit a reputation for high quality of service -- to the end that others may emulate my example
2. Be a person of integrity, clean speech, desirable personal habits, and physical fitness
3. Be just in my criticism and be generous in my praise; to improve and not destroy
4. At all times be courteous in my relations with students, parents/guardians, teachers and others
5. Be a resourceful person who readily adapts to different kinds of work and changed conditions and finds better ways to do things
6. Conduct myself in a spirit of friendly helpfulness to my fellow employees to the end that I will consider no personal success legitimate or ethical which is secured by taking unfair advantage of another
7. Associate myself with employees of other districts for the purpose of discussing school problems and cooperating in the improvement of public school conditions
8. Always uphold my obligations as a citizen to my nation, my state, my school district and my community, and give them unswerving loyalty
9. Always bear in mind that the purpose of CSEA is to promote the efficiency and raise the standards of all school employees and that I shall be equally obligated to assist all my fellow workers

SOURCE: CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION

Exhibit 4319.21-E(1): Professional Standards

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Reviewed Date: 05/07/2020

CALIFORNIA PROFESSIONAL STANDARDS FOR EDUCATIONAL LEADERS

Preamble

The administrator(s) at a school site have numerous responsibilities that ultimately lead to the improvement of the performance of all students in the school. By acquiring the skills, attitudes and behaviors as outlined in the following Professional Standards for School Leaders, students have the best opportunity to achieve the mission and vision of the Eden Area Regional Occupational Program (Eden Area ROP) and to meet the expectations of high standards for student learning.

Standards

A school administrator is an educational leader who promotes the success of all students by:

1. Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community
2. Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth
3. Ensuring management of the organization, operations, and resources for a safe, efficient and effective learning environment
4. Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources
5. Modeling a personal code of ethics and developing professional leadership capacity
6. Understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context

Source: California Professional Standards for Educational Leaders, 2001

CALIFORNIA PROFESSIONAL STANDARDS FOR EDUCATIONAL LEADERS

Standard 1. Development and Implementation of a Shared Vision: Education leaders facilitate the development and implementation of a shared vision of learning and growth of all students

1A. Student-Centered Vision: Leaders shape a collective vision that uses multiple measures of data and focuses on equitable access, opportunities, and outcomes for all students

1B. Developing Shared Vision: Leaders engage others in a collaborative process to develop a vision of teaching and learning that is shared and supported by all stakeholders

1C. Vision Planning and Implementation: Leaders guide and monitor decisions, actions, and outcomes using the shared vision and goals

Standard 2. Instructional Leadership: Education leaders shape a collaborative culture of teaching and learning informed by professional standards and focused on student and professional growth

2A. Professional Learning Culture: Leaders promote a culture in which staff engages in individual and collective professional learning that results in their continuous improvement and high performance

2B. Curriculum and Instruction: Leaders guide and support the implementation of standards-based curriculum, instruction, and assessments that address student expectations and outcomes

2C. Assessment and Accountability: Leaders develop and use assessment and accountability systems to monitor, improve, and extend educator practice, program outcomes, and student learning

Standard 3. Management and Learning Environment: Education leaders manage the organization to cultivate a safe and productive learning and working environment

3A. Operations and Facilities: Leaders provide and oversee a functional, safe, and clean learning environment

3B. Plans and Procedures: Leaders establish structures and employ policies and processes that support students to graduate ready for college and career

3C. Climate: Leaders facilitate safe, fair, and respectful environments that meet the intellectual, linguistic, cultural, social-emotional, and physical needs of each learner

3D. Fiscal and Human Resources: Leaders align fiscal and human resources and manage policies and contractual agreements that build a productive learning environment

Standard 4. Family and Community Engagement: Education leaders collaborate with families and other stakeholders to address diverse student and community interests and mobilize community resources

4A. Parent and Family Engagement: Leaders meaningfully involve all parents/guardians and families, including underrepresented communities, in student learning and support programs

4B. Community Partnerships: Leaders establish community partnerships that promote and support students to meet performance and content expectations and graduate ready for college and career

4C. Community Resources and Services: Leaders leverage and integrate community resources and services to meet the varied needs of all students

Standard 5. Ethics and Integrity: Education leaders make decisions, model, and behave in ways that demonstrate professionalism, ethics, integrity, justice, and equity and hold staff to the same standard

5A. Reflective Practice: Leaders act upon a personal code of ethics that requires continuous reflection and learning

5B. Ethical Decision-Making: Leaders guide and support personal and collective actions that use relevant evidence and available research to make fair and ethical decisions

5C. Ethical Action: Leaders recognize and use their professional influence with staff and the community to develop a climate of trust, mutual respect, and honest communication necessary to consistently make fair and equitable decisions on behalf of all students

Standard 6. External Context and Policy: Education leaders influence political, social, economic, legal, and cultural contexts affecting education to improve education policies and practices

6A. Understanding and Communicating Policy: Leaders actively structure and participate in opportunities that develop greater public understanding of the education policy environment

6B. Professional Influence: Leaders use their understanding of social, cultural, economic, legal, and political contexts to shape policies that lead all students to graduate ready for college and career

6C. Policy Engagement: Leaders engage with policymakers and stakeholders to collaborate on education policies focused on improving education for all students

SOURCE: COMMISSION ON TEACHER CREDENTIALING

Policy 4119.24: Maintaining Appropriate Adult-Student Interactions

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Reviewed Date: 05/07/2020

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the Eden Area ROP Regional Occupational Program (Eden Area ROP).

The Governing Board expects a safe and positive school environment that protects/promotes the learning, engagement, safety, and well-being of Eden Area Regional Occupational Program (Eden Area ROP) students. The Governing Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 – Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

The Eden Area ROP's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on the Eden Area ROP website. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact
2. Attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature
3. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
4. Being alone with a student outside of the view of others
5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian or their immediate supervisor

When communicating electronically with students In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use Eden Area ROP equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of Eden Area ROP technology at any time without advance notice or consent.

7. Creating or participating in social networking sites for communication with students, other than those created by the Eden Area ROP, without the prior written approval of the Superintendent or designee
8. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
9. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
10. Addressing a student in an overly familiar manner, such as by using a term of endearment
11. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
12. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
13. Transporting a student in a personal vehicle without prior authorization
14. Encouraging students to confide their personal or family problems and/or relationships
15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
18. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
19. Using profane, obscene, or abusive language against students

Violations of Policy

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Board prohibits retaliation against anyone who reports a violation of this policy. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

Policy 4219.24: Maintaining Appropriate Adult-Student Interactions

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Reviewed Date: 05/07/2020

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the Eden Area ROP Regional Occupational Program (Eden Area ROP).

The Governing Board expects a safe and positive school environment that protects/promotes the learning, engagement, safety, and well-being of Eden Area Regional Occupational Program (Eden Area ROP) students. The Governing Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 – Professional Standards. Such adults shall not engage in threatening, unsafe, unlawful, or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

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Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

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The Eden Area ROP's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on the Eden Area ROP website. (Education Code 44050)

Inappropriate Conduct

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4. Being alone with a student outside of the view of others
5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian or their immediate supervisor

When communicating electronically with students In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use Eden Area ROP equipment or technological resources, when available, when communicating electronically with students. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of Eden Area ROP technology at any time without advance notice or consent.

7. Creating or participating in social networking sites for communication with students, other than those created by the Eden Area ROP, without the prior written approval of the Superintendent or designee
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14. Encouraging students to confide their personal or family problems and/or relationships
15. Disclosing personal, family, or other private matters to students or sharing personal secrets with students
16. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence
17. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
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Policy 4319.24: Maintaining Appropriate Adult-Student Interactions

Status: DRAFT

Original Adopted Date: 05/07/2020 | Last Reviewed Date: 05/07/2020

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Policy 5144.1: Suspension And Expulsion/Due Process

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 12/12/2024 | Last Reviewed Date: 12/12/2024

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

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

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

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

Off campus behavior may result in discipline when it disrupts Eden Area ROP programs and activities or as otherwise prohibited by law, Board policy, or administrative regulation.

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

Appropriate Use of Suspension Authority

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

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

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

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

On-Campus Suspension

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

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

Due Process

The Governing Board shall provide for the fair and equitable treatment of students facing suspension by affording the students due process rights under the law. The Superintendent or designee shall comply with procedures for

notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

Maintenance and Monitoring of Outcome Data

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

Regulation 5144.1: Suspension And Expulsion/Due Process

Status: DRAFT

Original Adopted Date: 02/03/2022 | Last Revised Date: 12/12/2024 | Last Reviewed Date: 12/12/2024

Definitions

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

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

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

Notice of Regulations

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

Grounds for Suspension and Expulsion: Grades K-12

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

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

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

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

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))

No student may be disciplined prior to a finding being made pursuant to the grievance process established by 34 CFR 106.45, in accordance with Administrative Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures. However, the Eden Area ROP may conduct a non-discipline removal of a student in emergency situations where there is an immediate threat to the health or safety of any student or other individual.

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

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

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

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

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

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

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

- a. A message, text, sound, video, or image

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

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

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

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

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

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

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

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

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

However, students who voluntarily disclose their use of a controlled substance, alcohol, an intoxicant of any kind, or tobacco in order to seek help through services or supports may not be suspended solely for that disclosure. (Education Code 48900)

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

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

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

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

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

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring

or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against Eden Area Regional Occupational Program (Eden Area ROP) personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

Suspension from Class by a Teacher

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

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

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

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

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

When other means of correction are implemented prior to imposing suspension upon a student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain

the documentation in the student's record. (Education Code 48900.5)

Length of Suspension

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

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The Eden Area ROP may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal.

At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

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

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee.

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone.

Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

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

~~In addition~~ Additionally, the notice shall state the date and time when the student may return to school.

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

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

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

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

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

Maintenance of Records

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

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

Policy 5145.2: Freedom Of Speech/Expression

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Governing Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular. Additionally, the Board is committed to providing a welcoming, safe, and supportive school environment that protects students from discrimination, harassment, intimidation, and bullying, or other types of expression prohibited by law.

(cf. 6142.3 – Civic Education)

(cf. 6144 – Controversial Issues)

On-Campus Expression

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the use of official Eden Area Regional Occupational Program (Eden Area ROP) websites or social media accounts identified and made available for such purposes; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official school publications. (Education Code 48907)

Students' freedom of expression on the Eden Area ROP Internet websites and online media shall generally be afforded the same protections as in print media. shall be restricted only as established by this Board policy, the accompanying administration regulation, Education Code 234.1, 48907, and 48950, and other applicable state and federal laws. Such restrictions include, but are not limited to, prohibitions against students making any expressions or distributing or posting any materials that:

(cf. 1113 – District and School Web Sites)

(cf. 6163.4 – Student Use of Technology)

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

1. Are obscene, libelous, or slanderous
2. Are discriminatory, harassing, intimidating, or bullying
3. Are likely to immediately incite action on Eden Area ROP property or during Eden Area ROP-sponsored programs or activities that is unlawful or that violates Board policies, administrative regulations, or other Eden Area ROP rules
4. Substantially disrupt the orderly operation of the Eden Area ROP

The Additionally, the use of "fighting words" or epithets is prohibited in those instances where the speech is they are abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents merely offensive or provocative, and they are likely to create an actual danger that it will cause a breach of the peace.

Eden Area ROP staff shall not prohibit or prevent the distribution of, or otherwise School officials shall not engage in prior restraint of censor, material prepared for official school publications except insofar as the content of the material violates the law this Board policy and the accompanying administrative regulation. (Education Code 48907)

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

(cf. 5137 – Positive School Climate)

(cf. 5144 – Discipline)

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

(cf. 5144.2 – Suspension and Expulsion/Due Process: Students with Disabilities)

Off-Campus Expression

A Off-campus student shall be subject to discipline for off-campus expression, including such as electronic expression on off-campus Internet web sites, via a personal device or online expression via a personal social media account, may subject a student to discipline when such expression poses a threat to the safety of other Eden Area ROP students, staff, or school property, or does or is likely to substantially disrupts the Eden Area ROP's educational program. The As necessary, the Superintendent or designee shall document the impact the expression had or could be actual expected to have on impact of the expression school program.

(cf. 5131 – Conduct)

Student expression that violates this Board policy or the accompanying administrative regulation may be subject to discipline in accordance with Board Policy/Administrative Regulation 5144 – Discipline, Board Policy/Administrative Regulation 5144.1 – Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities).

Regulation 5145.2: Freedom Of Speech/Expression

Status: DRAFT

Original Adopted Date: 06/05/2020

Distribution of Printed Materials and Petitions by Students Time, Place, and Manner Restrictions for Student Expression

The Superintendent or designee may provide annually identify physical or electronic locations, such as school courtyards, bulletin boards, or social media accounts, on which students and student organizations may hold a public rally, express and debate issues, or post materials information of general interest. Additionally, students may post or distribute handbills, leaflets, and other printed or electronic material, whether produced within or outside of the school. In addition, students may collect signatures on petitions concerning school or non-school issues.

(cf. 1325 – Advertising and Promotion)

(cf. 6145.5 – Student Organizations and Equal Access)

All such expression in a given year shall be limited to the locations identified by the Superintendent or designee for that year.

Printed materials or petitions may be distributed only:

1. Before or after school
2. In locations that do not obstruct the normal flow of traffic within the school or at entrances

No student shall use coercion to induce any other student or person to accept printed matter materials or to sign a petition. No funds shall be collected for any material distributed.

(cf. 5131 – Conduct)

Clothing, Buttons, and Badges

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Governing Board policy. No employee shall interfere with this practice on the grounds that the message may be controversial or unpopular with students or faculty.

(cf. 5131.4 – Student Disturbances)

(cf. 5132 – Dress and Grooming)

(cf. 5136 – Gangs)

(cf. 5144 – Discipline)

At the Superintendent or designee's discretion, any materials or petitions may be required to include a disclaimer indicating that views, ideas, and opinions expressed in the materials or petitions are not sponsored by and do not necessarily reflect those of the Eden Area ROP.

Permissible buttons, badges, armbands, and clothing bearing slogans or sayings may be worn at all times. No employee shall interfere with such expression solely on the grounds that the message may be controversial or unpopular with students or faculty. (Education Code 234.1, 48907)

Official School Publications

Official school publications are materials produced by students in journalism or yearbook courses or programs, student clubs or organizations, student newspapers or other student publications, or writing classes, and distributed to the public or to the student body either for a fee or free. (Education Code 48907)

The Superintendent or designee may develop a school publications code outlining the responsibility of the students who produce or support the production of content for official student publications and the staff who serve as

advisors of official student publications.

All official student publications shall be held to professional standards of language and journalism. (Education Code 48907)

If a staff advisor to an official student publication or other school staff with similar responsibility determines that material intended for inclusion in an official student publication violates the accompanying Board policy or this regulation, the staff advisor or other school staff shall first consider any feasible alternative options to limiting the material. If no other option is feasible, the staff advisor or other school staff shall notify the official student publication, via the student editor-in-chief or similar position, and the student authors of the material without undue delay and shall provide specific reasons for why the submitted material may not be published. Absent extraordinary circumstances, such notice shall be given in sufficient time to allow the official student publication or the student authors to either modify the material or request review by the Superintendent or designee.

At the principal's discretion, all official student publications may be required to include a disclaimer indicating that views, ideas, and opinions expressed in official student publications do not necessarily reflect those of the Eden Area ROP.

Student Participation in Civic or Political Events

Upon providing advanced notice and in accordance with Board Policy/Administrative Regulation 5113 – Absences and Excuses, a student in middle or high school shall be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls. (Education Code 48205)

Bylaw 9320: Meetings And Notices

Status: DRAFT

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

Meetings of the Governing Board are conducted for the purpose of accomplishing Eden Area Regional Occupational Program (Eden Area ROP) business. ~~In~~The Board may meet in open session or closed session, as necessary, in accordance with applicable open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide the opportunity for members of the public to directly address the Board. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations and Board Bylaw 9320.1 - Remote Meetings and Attendance, Board Bylaw 9321 - Closed Session, Board Bylaw 9322 - Agenda/Meeting Materials, and Board Bylaw 9323 - Meeting Conduct.

A Board meeting exists whenever a majority of Board members gathers at the same time and location, including teleconference location as permitted by Government Code 54953 remotely or electronically, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

~~In accordance with law and as specified in Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)~~

In accordance with Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not use a series of communications of any kind, directly or through intermediaries or technology, including official or personal social media accounts, to discuss, deliberate, or take action on any matter that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

However, the Superintendent or Eden Area ROP designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding an item any matter within the subject matter jurisdiction of the Board, as long as that employee or Eden Area ROP official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

~~In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. Notice of the procedure for receiving and resolving such requests for accommodation shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2)~~

Regular Meetings

Unless otherwise determined by the Board, the Board shall hold 1 regular Board meeting(s) each month starting at 5:45 p.m. on the first Thursday (day) of the month at the Eden Area ROP in the Board Room located in Building A at 26316 Hesperian Blvd., Hayward, CA 94545).

At least 72 hours prior to a regular Board meeting, the agenda shall be posted at one or more locations freely accessible to members of the public, and on the Eden Area ROP's website, and at any location required by Board Bylaw 9320.1 - Remote Meetings and Attendance. (Government Code 54954.2)

Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular Board meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. The records shall be posted on the Eden Area ROP website at the time the materials are distributed to all or a majority of the Board if distributed outside of business hours. (Government Code 54957.5)

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members.

on any topic within subject matter jurisdiction of the Board unless otherwise prohibited by law or as specified in BB 9323.2-Actions by the Board. (Government Code 54956)

At least 24 hours before the ~~noticed start time of the meeting~~, written notice of a ~~special meetings Board meeting~~ shall be ~~delivered~~ (Government Code 54953.8, 54953.8.3, 54956)

1. ~~Delivered~~ personally or by any other means to all Board members and the local media who have requested such notice in writing.
2. ~~The notice also shall be posted~~ Posted on the Eden Area ROP's website; and, ~~at least 24 hours before the time of the meeting~~, in a location freely accessible to the public.
3. ~~Posted in any location required by Board Bylaw 9320.1 - Remote Meetings and Attendance~~

The notice shall specify the time and location of the ~~special Board meeting~~ and the business to be transacted or discussed. No other business shall be considered ~~at this meeting~~. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the ~~special Board meeting~~ by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

~~Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)~~

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency ~~Board meeting~~ ~~without complying as long as it complies with all requirements of a special Board meeting, except the 24-hour notice and/or 24-hour posting requirements.~~ for special meetings pursuant to Government Code 54956. The Board shall ~~comply with all other requirements for special meetings during an emergency meeting.~~ (Government Code 54956.5)

The Board may meet in closed session during an emergency ~~meetings Board meeting~~ so long as three-fourths of the members present at the meeting agree or, if less than three-fourths of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

~~The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)~~

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency ~~Board meeting~~ by telephone or email at least one hour before the meeting to the local media that have requested notice of special ~~Board meetings~~. ~~All As applicable, all telephone numbers or email addresses provided by the media in the most recent request for notification shall be exhausted.~~ If telephone or internet services are not functioning, the notice requirement of one hour is waived and, as soon after the ~~emergency Board meeting~~ as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification ~~as is given to the other members of the Board.~~ (Government Code 54956.5)

The minutes of the ~~emergency Board meeting~~, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon ~~as possible~~ after the meeting ~~as possible~~. (Government Code 54956.5)

An *emergency* means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

A *dire emergency* means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency ~~Board meeting~~ may endanger the public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special Board meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the Board meeting adjourned/continued to a later time and location and shall give notice in the same manner required for special Board meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the Board meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public. ~~The~~ Additionally, the Board may also convene a retreat or discussion meeting to discuss Board roles and relationships. Any such Board meeting, regardless of title or topic, shall be held as a regular or special Board meeting, as appropriate, and shall comply with all other requirements for regular or special Board meetings. (Government Code 54956)

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific Eden Area ROP business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the Eden Area ROP to address a topic of local community concern
3. An open and noticed meeting of another body of the Eden Area ROP
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not part of a series of communications prohibited by the Brown Act are permitted. (Government Code 54952.2)

Location of Meetings

Unless the Board is holding a teleconference remote Board meeting during a proclaimed state of emergency or local emergency in accordance with Board Bylaw 9320.1 - Remote Meetings and Attendance, all Board meetings shall be held within Eden Area ROP boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the Eden Area ROP is a party
2. Inspect real or personal property which cannot conveniently be brought into the Eden Area ROP, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the Eden Area ROP has no meeting facility within its boundaries or if its

principal office is located outside the Eden Area ROP

5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the Eden Area ROP over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the Eden Area ROP but located outside the Eden Area ROP, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the Eden Area ROP's legal counsel ~~for a to meet in~~ closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the Eden Area ROP
10. Interview a potential employee from another district

All ~~Board~~ meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

If a fire, flood, earthquake, or other emergency renders the ~~posted regular or special Board meeting place~~ location unsafe, ~~meetings and the deadline for posting the location has passed, the meeting shall be held for the duration of the emergency~~ at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of ~~special meetings pursuant to Government Code 54956~~ by the most rapid available means of communication. ~~(Government Code 54954)~~

~~Traditional Teleconferencing~~

~~A Board member may participate in any meeting by teleconference, which includes both audio or video/audio so long as the following conditions are met: (Government Code 54953)~~

- ~~1. All votes taken during the meeting are by rollcall~~
- ~~2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency~~
- ~~3. The location of the Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the Board member participating by teleconference, may hear/listen to the meeting to the same extent as the Board member participating by teleconference, and may make public comment during the same portion of the agenda as others members of the public from the same location as the Board member participating by teleconference~~
- ~~4. The location of the Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting~~
- ~~5. At least a quorum of the members is within the Eden Area ROP boundaries.~~

~~Teleconferencing by Individual Board Member Due to Just Cause~~

~~Until January 1, 2026, when there is "just cause" preventing a Board member from attending a Board meeting in person, that Board member may participate in that meeting by teleconference without: (Government Code 54953)~~

- ~~1. Including the location of the Board, member participating by teleconference in the agenda~~
- ~~2. Making the location of the Board member participating by teleconference open and accessible to the~~

public

3. Posting the agenda at the location of the Board member participating by teleconference

A Board member needing to participate by teleconference for just cause shall notify the Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the need to appear by teleconference at the given meeting. (Government Code 54953)

For the Board member to participate by teleconference under this section, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of Board participates in person from a singular location clearly identified on the agenda.
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the Eden Area ROP.

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

A Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year.

For purposes of this section, "just cause" may exist for any of the following: (Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely
2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

Teleconferencing by Individual Board Member Due to Emergency Circumstances

Until January 1, 2026, when a physical or family medical emergency would prevent a Board member from attending a Board meeting in person, that Board member may request to participate in such meeting by teleconference. The Board member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the Board. (Government Code 54953, 54954.2)

If the request is granted by the Board, the Board member may participate by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

For the Board member to participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the Eden Area ROP.

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board shall not take action on any agenda item until the disruption is resolved. (Government Code 54953)

In total, a Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)

Teleconference Meetings During a Proclaimed State of Emergency

The Board may conduct a Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. For the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency
2. When the Board has been determined, pursuant to Item #1 above, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

The Board may hold a meeting by teleconference during a proclaimed state of emergency without: (Government

Code 54953):

1. Including the location of the Board members in the agenda
2. Making the locations of Board members open and accessible to the public
3. Posting the agenda at the locations of Board members

For the Board to hold such meeting, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The public is able to access the meeting via a call-in service or an internet-based platform or service, with real-time public comment being allowed via the platform or service

If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the Eden Area ROP.

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

For any public comment period with a time limit, the Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed. For any other public comment period, the Board shall allow a reasonable amount of time to allow members of the public to provide public comment and to register to do so. (Government Code 54953)

The Board may continue to conduct all meetings by teleconference throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953)

Bylaw 9320.1: Remote Meetings and Attendance

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes the need, when permitted by law, to hold Board meetings in which the Board members meet remotely or in which individual Board members attend and participate remotely.

Definitions

Local emergency means either of the following that impacts persons under the jurisdiction of the Eden Area Regional Occupational Program (Eden Area ROP) or property within the boundaries of the Eden Area ROP: (Government Code 54953.8.2)

1. A condition of extreme peril proclaimed by a city, county, or city and county pursuant to Government Code 8630
2. A local health emergency proclaimed pursuant to Health and Safety Code 101080

Remote means not being physically present at the primary in-person location of a Board meeting, and includes the terms "teleconference" and "virtual."

Remote attendance and participation means the ability to attend and participate in a Board meeting by electronic means, through either audio or visual technology, or both.

Remote Board Member means a Board member, not physically present at the Board meeting, who nonetheless seeks to attend and participating in a Board meeting.

State of Emergency means state of emergency proclaimed pursuant to Government Code 8625.

Traditional Method of Remote Attendance

A remote Board member may attend and participate in a Board meeting so long as all of the following conditions are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board
3. The physical location of the remote Board member is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the remote Board member; may hear, listen to, or watch the meeting to the same extent as the remote Board member; and may make public comment during the same portion of the agenda as other members of the public from the same location as the remote Board member
4. The location from which the remote Board member will attend the meeting is noted in the agenda and the agenda is posted at that location in advance of the meeting as statutorily required based on the type of meeting
5. At least a quorum of the Board is within Eden Area ROP boundaries

Remote Attendance as an Accommodation

A Board member with a qualifying disability under the Americans with Disabilities Act that precludes the Board member from attending a Board meeting in person or from attending and participating remotely in a Board meeting using the method specified in "Traditional Method of Remote Attendance" above may request to attend and participate remotely as a reasonable accommodation for the Board member's disability.

If the request is granted based on the Eden Area ROP's process for reviewing reasonable accommodations, the remote Board member shall be permitted to attend and participate in the Board meeting as long as the following requirements are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall

2. The remote Board member utilizes both audio and visual technology to participate in the meeting, except no visual technology shall be required if a physical condition related to their disability results in a need to participate off camera
3. The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual

In this circumstance, the following conditions are not required: (Government Code 54953)

1. Including the location of the remote Board member in the agenda
2. Making the location of the remote Board member open and accessible to the public
3. Posting the agenda at the location of the remote Board member

Additionally, in this circumstance, the remote Board member shall be considered to be attending in-person at the physical meeting location for all purposes, including any requirement that a quorum participate from any particular location. (Government Code 54953)

These requirements and conditions may be modified as required by law or the Eden Area ROP may offer another reasonable accommodation as appropriate.

Remote Attendance Due to Just Cause

Beginning July 1, 2026, a remote Board member may attend and participate in a Board meeting based on any of the following "just cause" reasons: (Government Code 54953.8.3)

1. A childcare or caregiving need of a Board member's child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires the Board member to attend and participate remotely
2. A contagious illness that prevents a Board member from attending in person
3. A need related to a Board member's physical or mental condition not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency
5. An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of a Board member requires the Board member to attend and participate remotely
6. A physical or family medical emergency prevents a Board member from attending in person
7. Military service obligations that result in a Board member being unable to attend in person because the Board member is serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the Board member to be at least 50 miles outside the boundaries of the Eden Area ROP

The remote Board member shall notify the Board at the earliest possible opportunity, including at the start of a Board meeting, of the need to attend and participate remotely for just cause, including the general circumstances of the Board member's need to attend and participate remotely. The remote Board member need not disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law. The minutes for the Board meeting shall identify the specific provision that is the basis for the just cause. (Government Code 54953, 54953.8.3)

Additionally, when a remote Board member attends and participates in a Board meeting based on just cause, all of the following conditions shall be met: (Government Code 54953, 54953.8, 54953.8.3)

1. All votes taken during the meeting are by rollcall
2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board

3. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments as long as the platform or service is not controlled by the Eden Area ROP.

4. The agenda for the meeting includes information describing how members of the public can access the platform or service and how members of the public can offer public comment
5. The minutes of the Board meeting state that the remote Board member attended and participated remotely
6. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda and which is within Eden Area ROP boundaries and is open to the public
7. The remote Board member utilizes both audio and visual technology to participate in the meeting
8. The remote Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual

In this circumstance, the agenda need not include the location of the remote Board member or be posted at that location, and the location of the remote Board member need not be open and accessible to the public. (Government Code 54953, 54953.8)

The Board shall give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. (Government Code 54953.8)

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the Board meeting may continue but the Board may not take action on any agenda item until public access to the meeting is restored. (Government Code 54953.8)

A remote Board member may attend and participate in no more than two Board meetings per year for just cause. (Government Code 54953.8.3)

A remote Board member's attendance and participation in multiple Board meetings that begin on the same calendar day shall only count as one Board meeting for purposes of this limit.

Remote Board Meetings During a Proclaimed State of Emergency

The Board may conduct a remote Board meeting during a proclaimed state of emergency or local emergency in either of the following circumstances: (Government Code 54953.8.2)

1. For the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency
2. When the Board, pursuant to Item #1 above, has determined that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

In either such circumstance, the Board may hold a remote Board meeting without: (Government Code 54953.8, 54953.8.2)

1. Including the location of Board members in the agenda
2. Making the locations of Board members open and accessible to the public
3. Posting the agenda at the locations of Board members
4. Having at least a quorum of the Board members within the Eden Area ROP boundaries

When the Board holds such a meeting, all of the following shall be followed: (Government Code 54953.8, 54953.8.2)

1. All votes taken during the meeting are by rollcall
2. The public is able to access the meeting via a call-in or audiovisual platform or service, with real-time observation of the meeting and public comment being allowed via the platform or service

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the Eden Area ROP.

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

The Board may continue to conduct all Board meetings remotely throughout one or more 45-day periods as long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the proclaimed state of emergency or local emergency and determined that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953.8.2)

Bylaw 9322: Agenda/Meeting Materials

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 09/07/2023 | Last Reviewed Date: 09/07/2023

Agenda Content

Governing Board meeting agendas shall reflect the Eden Area Regional Occupational Program's (Eden Area ROP) vision and goals and the Board's focus on student learning and well-being.

Each agenda shall state the meeting time and location(s) and shall briefly describe each item to be transacted or discussed listed in the agenda, including items to be discussed in closed session in accordance with Board Bylaw 9321 - Closed Session. (Government Code 54954.2)

For a regular meeting, the Board may consider an item not included in the posted agenda in accordance with Board Bylaw 9323.2 - Actions by the Board.

Public Comment

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item, including items. The agenda for a regular meeting shall also provide members of the public an opportunity to address the be considered in closed session in accordance with Board regarding matters within the subject matter jurisdiction of the Board which are not Bylaw 9321 - Closed Session and items listed on the consent agenda. (Education Code 35145.5; Government Code 54954.3)

Before any other open session agenda item, there shall be one public comment item on every meeting agenda to give members of the public the opportunity to address the Board on any item on the open session agenda. The public comment period shall last no longer than 3 minutes unless extended in accordance with Board Bylaw 9323 - Meeting Conduct. No member of the public may be permitted to speak more than once during this item.

The agenda does not need to not provide an opportunity for public comment on an item that has previously been considered at an open meeting by a committee comprised exclusively of Board members, provided that members all of the following conditions were met: (Government Code 54954.3)

1. Members of the public were afforded an opportunity to comment on the item before or during the committee's consideration of the item, and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)
2. The item has not been substantially changed since the committee considered it
3. A quorum of the committee attended and participated in the committee meeting at which the item was considered from a singular physical location that was clearly identified on the agenda, open to the public, and situated within the boundaries of the Eden Area ROP
4. Any other applicable provisions of Government Code 54954.3

Additionally, the agenda for a regular meeting shall provide members of the public with an opportunity to address the Board regarding matters within the subject matter jurisdiction of the Board which are not on the agenda. (Education Code 35145.5; Government Code 54954.3)

The notice and agenda shall describe the means available for the public to access the meeting and provide public comment in-person and, if a Board member is appearing remotely due to an emergency circumstance or for just cause pursuant to Government Code 54953, through an internet-based service or call-in option. (Government Code 54953)

The notice and agenda shall include information describing how members of the public can access the platform or service and how members of the public can offer public comment if required pursuant to Board Bylaw 9320.1 - Remote Meeting and Attendance.

Disability-Related Accommodations or Modifications

The agenda shall include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires

accommodations or modifications in order to participate in the Board meeting, as well as the procedure for receiving and resolving such requests as required by law. (Government Code 54953.8, 54954.2, 54953)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item, or for records of a statement threatening litigation against the district Eden Area ROP to be discussed in closed session, when such documents have been distributed to the Board less than 72 hours before the meeting. (Government Code 54956.9, 54957.5)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. Additionally, the agenda shall also state that the request must be made in writing to the secretary or clerk of the Board. (Education Code 49073.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting, including whether an item requires Board action and whether an item shall be considered in open or closed session.

Any Board member or member of the public, or an individual Board member acting in that Board member's capacity as a member of the public, may request that a matter within the subject matter jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information. (Education Code 35145.5)

The Board president and Superintendent shall decide whether such a request from a member of the public is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may shall not be placed on the agenda. In addition, before placing the item on the agenda, the Board president and Superintendent shall determine if that the item request is merely a request for information, and if so, respond accordingly then the request shall not be placed on the agenda.

A Board member may request in writing, at a meeting as part of a related open session item, or at a meeting as part of an open session item intended for this purpose that a specific matter within the subject matter jurisdiction of the Board be placed on an upcoming Board agenda. Within thirty (30) days of receiving the request, the Board member shall be informed by the Board president if the request has been approved or denied by the Board president and Superintendent.

If the request is approved, the Board president and Superintendent shall inform the Board member of the general timeframe that the matter will be placed on an agenda, on which part of the agenda the item will appear, and whether the item requires action by the Board. If the request is denied, the Board president and Superintendent fail to provide a response to the request, or the requesting Board member disagrees with the timeframe that the matter will be placed on an agenda, on which part of the agenda the item will appear, or whether the item requires action by the Board, then the Board member may appeal the response to the request to the Board. The Board president and Superintendent shall place the appeal on the next upcoming regular meeting agenda for Board action, but only as to whether, when, and how to agendaize the requested matter. If a majority of the Board agrees with the appeal, the item will be considered in accordance with the decision of the majority of the Board.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda, except as required by law. Consent items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a separate agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item unless such item has been previously considered at an open meeting of a committee comprised exclusively of Board members. (Government Code 54954.3)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Agenda Dissemination to Board Members

At least 72 hours before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including all related materials such as the Superintendent or designee's report; minutes to be

approved; copies of communications; reports from committees, staff, and others; and other available supporting documents pertinent to the meeting. Additionally, the Superintendent or designee may distribute to the Board additional materials related to agenda items less than 72 hours before each regular meeting, as permitted by law.

When a special meetings are meeting is called, Board members shall receive, the agenda and all related materials at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

Board members shall review the agenda and all related materials before each regular or special meeting. Individual Board members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. Responses to agenda item requests from individual board members will be provided to all board members. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means, discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

Regular Meeting Agenda Dissemination to Members of the Public

Agenda The agenda and all related materials distributed to the Board related to a regular meeting shall be made available to the public upon request without delay. However, only those documents which are disclosable public records under the California Public Records Act (CPRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting or which contain a claim or written threat of litigation which will be discussed in closed session shall be made available to the public. (Government Code 54956.9, 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition Additionally, the Superintendent or designee shall post the agenda on the homepage of the Eden Area ROP website. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the Eden Area ROP's agenda management platform in accordance with Government Code 54954.2. When the Eden Area ROP utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the website with the Eden Area ROP's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a writing which relates to an open session agenda item or which contains a claim or written threat of litigation which will be discussed in closed session during a regular Board meeting is distributed to the Board less than 72 hours prior to a the meeting, the Superintendent or designee shall make the writing available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the Eden Area ROP or Board and distributed during a publican open meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the CPRA. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Special Meeting Agenda Dissemination to Members of the Public

The requirements for the dissemination of regular meeting agendas and related materials and writings to members of the public found in "Regular Meeting Agenda Dissemination to Members of the Public" shall be applicable to the dissemination of special meeting agendas and related materials and writings to members of the public except that

the 24-hour requirement shall apply rather than the 72-hour requirement.

Bylaw 9323: Meeting Conduct

Status: DRAFT

Original Adopted Date: 06/05/2020 | Last Revised Date: 03/02/2023 | Last Reviewed Date: 03/02/2023

Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

~~The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.~~ The Board chair, who is either the Board president or the Board member chairing the meeting at the time if the Board president is absent, shall conduct Board meetings in accordance with Robert's Rules of Order to enable the Board to efficiently consider issues and carry out the will of the majority.

The Board believes that late night meetings can deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned by 10:30:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and, if necessary, may subsequently be adjourned to a later date.

Quorum and Abstentions

~~The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)~~

~~The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them.~~

When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a separate agenda item. The Board chair shall determine where on the agenda the former consent item is placed.

Quorum and Abstentions

Except as required by law, the Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

Except when prohibited by law, the Board expects its members to vote on all issues before them.

When a member abstains, the abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, ~~persons~~ members of the public attending a Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting, except that if the meeting is conducted using remote public participation or with a Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide desires to observe the meeting or make public comment through the use of a third party internet website or online platform may be required to register as required by the third party provider.

To facilitate public comment, the Board may request that members of the public who wish to give public comment provide their names or other identifying information to determine speaking order.

In order to conduct Eden Area Regional Occupational Program (Eden Area ROP) business in an orderly and efficient manner, the Board requires that public presentations to the Board comply public comment shall occur in accordance with Board Bylaw 9322 - Agenda Meeting/Materials and in compliance with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)

3. Without taking action, Board members or Eden Area ROP staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board members or staff member may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

In general, individual speakers will be allowed three minutes to address the Board on each agenda or nonagenda item, the Board will limit the total time for public input on each item to 20 minutes. However, in exceptional circumstances when necessary to ensure full opportunity for public input, the Board president may, with Board consent, adjust the amount of time allowed for public input, and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. The president may also ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:

a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.

b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

c. The Board shall not prohibit public criticism of Eden Area ROP employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

7. The Board president shall not permit actual disruption of Board meetings. Actual disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board and remove the individual from the meeting.

1. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law (Education Code 35145.5; Government Code 54954.2)

2. Board members or Eden Area ROP staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda (Government Code 54954.2)

Additionally, on their own initiative or in response to questions posed by the public, Board members or staff members may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

In addition, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

3. A member of the public wishing to be heard by the Board shall first be recognized by the Board chair

An individual speaker shall be allowed a maximum of 3 minutes to address the Board. However, the Board chair, or a majority of the Board, may adjust the amount of time allowed for public input and/or the time allotted for each speaker. Any such adjustment shall be done equitably so as to allow a diversity of viewpoints. Additionally, the Board chair may ask members of the public with the same viewpoint to select a few individuals to address the Board on behalf of that viewpoint.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

4. An individual speaker may give some or all of the speaker's time to another speaker, provided that no individual speaker is permitted to speak more than the maximum time permitted per individual speaker pursuant to Board Bylaw 9322 - Agenda/Meeting Materials
5. For any public comment period with a time limit when a remote Board member is attending and participating based on just cause pursuant to Board Bylaw 9320.1 - Remote Meetings and Attendance, the Board may not close that public comment period or the opportunity to register to provide public comment via the two-way audiovisual platform or two-way audio service until the full time for public comment has elapsed (Government Code 54953.8)

For any other public comment period when a remote Board member is attending and participating based on just cause pursuant to Board Bylaw 9320.1 - Remote Meetings and Attendance, the Board shall allow a reasonable amount of time to permit members of the public to provide public comment and to register to do so via the two-way audiovisual platform or two-way audio service. (Government Code 54953.8)

6. The Board chair shall determine whether an individual's public comment is within the scope of the public comment period, subject to the following conditions:
 - a. If the public comment is within the scope of a different public comment period, the Board chair shall so indicate
 - b. Public criticism of the Board, individual Board members, the Eden Area ROP, its policies, procedures, programs, services, acts, or omissions shall not be prohibited (Government Code 54954.3)
 - c. Public criticism of Eden Area ROP employees shall not be prohibited

However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board chair shall inform the complainant of the appropriate complaint procedure.

Disruptions

The Board President or designee may remove chair shall not permit an individual for to actually disrupting the disrupt a Board meeting. Actual disruption by an individual or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the Board chair to terminate the privilege of addressing the Board for that meeting and remove the individual from the meeting. (Government Code 54957.95)

Prior to removal, the individual shall be warned that their the individual's behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Board president chair, or designee, may then remove the individual from the meeting. (Government Code 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a Board meeting without a warning. (Government Code 54957.95)

Disrupting means engaging in behavior during a Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (Government Code 54957.95)

True threat of force means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat. (Government Code 54957.95)

Additionally, the Board may order the room cleared ~~if necessary~~ when a group or groups of persons willfully interrupts so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to such a group disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

~~When disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The Board may direct the Superintendent or designee to contact local law enforcement as necessary.~~

When such group disruptive conduct occurs, the Board may decide to recess the meeting to help restore order, remove the disruptive individual(s), or clear the room. Additionally, the Board may adjourn the meeting to another time and location specified in an order of adjournment. The Board chair may direct the Superintendent or designee to contact local law enforcement as necessary. (Government Code 54955, 54957.9, 54957.95, 54957.96)

Recording by the Public

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

ACTION ITEMS



DATE: April 9, 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, 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 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, and exhibit listed below have been updated based on the feedback and discussion at the February 5, 2026 Governing Board meeting.

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

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

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

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 training on the CSSP 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)

Additionally, the Superintendent or designee shall 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, law enforcement, 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 system 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 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 that are exempt from public disclosure pursuant to the California Public Records Act 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 7922.000)

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 religious beliefs, practices, or affiliation shall not be disclosed. (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, 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, 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)

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.

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 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 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 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 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

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 an 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 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 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 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. 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 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 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 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 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)

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 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 make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log 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 have received written 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. Eden Area ROP officials and employees who have a legitimate educational interest

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. 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 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

Additionally, the annual 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 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, including to 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 requested that 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. Additionally, the notification shall 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)

In addition, the annual 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 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. 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

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. 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.



DATE: April 9, 2026
TO: ROP Governing Board
FROM: Blaine Torpey, Superintendent
SUBJECT: Request the Governing Board approve the Strategic Planning Consultant Proposal

BACKGROUND

The Eden Area Regional Occupational Program has remained nimble and responsive to student need, partner district priorities and to a constantly changing fiscal landscape. Since the enactment of the Local Control Funding Formula (LCFF) in 2013, which eliminated direct and consistent funding for ROPs, EAROP has had to focus heavily on securing funding to meet student need and student demand.

CURRENT SITUATION

Per our Board-approved Annual Goals and Implementation Plan, Goal 1 is to strengthen the Eden Area ROP climate, culture and communication. The first priority of this goal is continue to refine a comprehensive strategic plan that is guided by the Vision Statement, Mission Statement, Eden Area ROP Core Values, Student Learning Outcomes, Governing Board, and stakeholder input to allow for priority-driven and balance-informed decision making.

It is recommended that the Governing Board consider the proposal to recruit and retain a Strategic Planning Consultant for an amount not to exceed \$20,000 to develop a five year Strategic Plan during the 2026-2027 school year.

RECOMMENDATION

It is recommended that the Governing Board approve the Strategic Planning Consultant proposal.

The Eden Area Regional Occupational Program (EAROP) has remained nimble and responsive to student need, partner district priorities and to a constantly changing fiscal landscape. Since the enactment of the Local Control Funding Formula (LCFF) in 2013, which eliminated direct and consistent funding for ROPs, EAROP has had to focus heavily on securing funding to meet student needs and student demand.

Per our Board-approved Annual Goals and Implementation Plan, Goal 1 is to strengthen EAROP climate, culture and communication. The first priority of this goal is to 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.

The goal of developing a Strategic Plan has been a priority for the last four years. Before embarking on the process of developing such a plan, EAROP needed to complete key strategic actions.

Below is a synopsis of this multi-year effort:

Academic Year	What's in Place	Completed/In Progress
2022 2023	<ul style="list-style-type: none"> • Mission Statement • WASC SLOs • Annual Goals 	<ul style="list-style-type: none"> • Annual Goals Implementation Plan • Information Technology (IT) 3-Year Plan
2023 2024	<ul style="list-style-type: none"> • Mission Statement • WASC SLOs • Annual Goals • Annual Goals Implementation Plan • IT 3-Year Plan 	<ul style="list-style-type: none"> • Core Values
2024 2025	<ul style="list-style-type: none"> • Mission Statement • WASC SLOs • Annual Goals • Annual Goals Implementation Plan • IT 3-Year Plan • Core Values 	<ul style="list-style-type: none"> • Vision Statement
2025 2026	<ul style="list-style-type: none"> • Mission Statement • WASC SLOs • Annual Goals • Annual Goals Implementation Plan • IT 3-Year Plan 	<ul style="list-style-type: none"> • 5 Year Facilities Master Plan • Student Governance

Academic Year	What's in Place	Completed/In Progress
	<ul style="list-style-type: none"> Core Values Vision Statement Hazard Communication Plan (Haz Com Plan) Workplace Violence Prevention Plan (WVPP) 	
2026 2027	<ul style="list-style-type: none"> Mission Statement WASC SLOs Annual Goals Annual Goals Implementation Plan IT 3 Year Plan Core Values Vision Statement Haz Com Plan WVPP 5 Year Facilities Master Plan Student Governance 	<ul style="list-style-type: none"> 5 Year Strategic Plan

EAROP has been growing at a rapid pace, challenging our capacity. EAROP needs to strategically manage the impact of growth to ensure that there are appropriate resources to support students, programs, and staff. We want to ensure that our facilities are safe and modern and that every student is offered guaranteed and viable CTE programming. Without dedicated funding for all services provided to students and partner districts, sustainability is a specific challenge. If EAROP is going to continue to grow, we must do so in a way that sustains these services at each inflection point.

The table below summarizes the growth in the last five years:

Metric	2021 2022	2025 2026	Difference
On Site Students	499	745	36% increase
Off Site Students	787	1050	25% increase
On Site Sections	24	31	23% increase
Articulation Credit	1791	1937 (2025)	8% increase
Dual Enrollment	0	6	100% increase
Active Grants	19	21	10% increase
Grant Funding	\$5,414K	\$9,280K	42% increase

The table below shows staffing level in different EAROP Departments:

Metric	2021 2022	2025 2026	Difference
Business Office	3	3	0%
Human Resources	1	1	0%
Adult Programs	3	3	0%
Supt's Office	2	2	0%
Work Based Learning	3	2	33% decrease

In the Educational Services Department that serves our high school programs, any staff support that has been added has been directly funded and assigned to grant projects. Programs such as STEP, HB4EL and pre-apprenticeships have added services but not staff to address the growth of our standard services.

EAROP needs to approach these challenges thoughtfully and with the input of all stakeholders as we do not have ongoing funding to provide ongoing services.

EAROP will benefit greatly from building and implementing a Five-Year Strategic Plan that incorporates student need and outcomes, stakeholder priorities and available resources. The Strategic Plan will assist the Governance Team and EAROP Leadership in establishing priorities and making decisions that align with where we see ourselves as a community in the next five years.

Proposal:

Recruit and retain a Strategic Planning consultant for an amount not to exceed \$20,000.00 to develop a 5 Year Strategic Plan during the 2026 2027 school year.



DATE: April 9, 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 the Ann Kennedy Group, Inc. for Consultation Services to Comply with the Uniform Public Construction Cost Accounting Act (CUPCCAA) Guidelines from March 1, 2026 through December 31, 2026

BACKGROUND

Business Services has a need for consultation services to assist Eden Area ROP to transition from traditional public works bid threshold, as per Public Contract Code 20111(b)(1), to an agency subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA) guidelines, as per Public Contract Code 22032.

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

The attached agreement is the working agreement with Ann Kennedy Group, Inc. from March 1, 2026 through December 31, 2026, to provide consultation services in the transition from traditional public works bid threshold to an agency subject to the CUPCCAA guidelines.

RECOMMENDATION

It is recommended that the Governing Board approve the agreement with the Ann Kennedy Group, Inc. for consultation services to comply with the Uniform Public Construction Cost Accounting Act (CUPCCAA) guidelines from March 1, 2026 through December 31, 2026.

AGREEMENT FOR SERVICE 2025-2026

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 Ann Kennedy Group, Inc. (the "Service Provider") between March 1, 2026 through December 31, 2026.

Background:

- A. The Customer is of the opinion that the Service Provider has the necessary qualifications, experience and abilities to provide services to the Customer.
- B. The Service Provider is agreeable to providing such services to the Customer on the terms and conditions set out in this Agreement.
- C. Ann Kennedy Group, Inc. has a background in bond management and California Uniform Public Construction Cost Accounting Act (CUPCCAA) compliance and shall be providing such 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, the attached Proposal of Services and Hourly Fee Schedule.

Term of Agreement

2. The term of this Agreement shall be from March 1, 2026 and shall remain in full force and effect until December 31, 2026, and not to exceed \$10,000.00 in consulting costs, subject to earlier termination as provided in this Agreement, with the said term being capable of extension by mutual written agreement of the parties.

Performance

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

Compensation

4. Eden Area ROP shall pay a fee to Ann Kennedy Group, Inc. for the Services based on the attached Hourly Fee Schedule with a not to exceed of \$10,000.00. This fee shall be payable monthly, at Net 30, upon invoicing of services.
5. Service Provider must submit an itemized invoice to Business Services which includes: dates, time and type of worked accomplished.

Confidentiality

6. The Service Provider agrees that they shall 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 shall survive indefinitely upon termination of this Agreement.

Non-Competition

7. Other than with the express written consent of the Customer, which shall not be unreasonably withheld, the Service Provider shall 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

8. All materials developed, produced, or in the process of being so under this Agreement shall be the property of the Customer. The use of the mentioned materials by the Customer shall not be restricted in any manner.
9. The Service Provider may retain use of the said materials and shall 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 shall return to the Customer any property, documentation, records, or confidential information which is the property of the Customer.

Assignment

11. The Service Provider shall 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 shall 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 shall 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 shall 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 shall 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 shall 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. The Service Provider agrees to hold harmless and indemnify Eden Area ROP and its Governing Board, officers, agents, and employees from any and all claims and losses accruing or resulting against the Customer by any other party, arising directly or indirectly out of the provision of the Services by the Service Provider.

Inurement

20. This Agreement shall 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 shall 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 shall 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) shall issue a 1099 at the end of the year, if applicable.

Ann Kennedy Group, Inc.
Candace Ellis

Date

Anthony Oum, Eden Area ROP
Fiscal Services Administrator

Date



DATE: April 9, 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 CBG Consulting for Consultation Services for Procurement from March 1, 2026 through December 31, 2026

BACKGROUND

Business Services has a need for procurement consultation services to facilitate a multitude of formal bids, RFPs, purchasing, piggyback and other cooperative purchasing agreement contracts 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

The attached agreement is the working agreement with Cynthia Giesing of CBG Consulting, from March 1, 2026 through December 31, 2026, to provide procurement consultation services.

RECOMMENDATION

It is recommended that the Governing Board approve the agreement with CBG Consulting for consultation services for procurement from March 1, 2026 through December 31, 2026.

AGREEMENT FOR SERVICE 2025-2026

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 CBG Consulting (the "Service Provider") between March 1, 2026 through December 31, 2026.

Background:

- A. The Customer is of the opinion that the Service Provider has the necessary qualifications, experience and abilities to provide services to the Customer.
- B. The Service Provider is agreeable to providing such services to the Customer on the terms and conditions set out in this Agreement.
- C. CBG Consulting has a background in procurement and contract administration and shall be providing such 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, the following:
 - Conduct formal bids and RFPs as assigned, from initiation to completion
 - Prepare board items, as necessary, announcing result of award of formal bids and RFPs.
 - Assist in CUPCCAA compliance with vendors
 - Assist in research of piggybacks and other cooperative purchasing agreements
 - DIR compliance as necessary

Term of Agreement

2. The term of this Agreement shall be from March 1, 2026 and shall remain in full force and effect until December 31, 2026, and not to exceed 250 total hours, subject to earlier termination as provided in this Agreement, with the said term being capable of extension by mutual written agreement of the parties.

Performance

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

Compensation

4. Eden Area ROP shall pay a fee to CBG Consulting for the Services based on \$110.00 per hour with a not to exceed of \$27,500.00. This fee shall be payable monthly, at Net 30, upon invoicing of services.
5. Service Provider must submit an itemized invoice to Business Services which includes: dates, time and type of worked accomplished.

Confidentiality

6. The Service Provider agrees that they shall 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 shall survive indefinitely upon termination of this Agreement.

Non-Competition

7. Other than with the express written consent of the Customer, which shall not be unreasonably withheld, the Service Provider shall 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

8. All materials developed, produced, or in the process of being so under this Agreement shall be the property of the Customer. The use of the mentioned materials by the Customer shall not be restricted in any manner.
9. The Service Provider may retain use of the said materials and shall 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 shall return to the Customer any property, documentation, records, or confidential information which is the property of the Customer.

Assignment

11. The Service Provider shall 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 shall 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 shall 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 shall 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 shall 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 shall 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. The Service Provider agrees to hold harmless and indemnify Eden Area ROP and its Governing Board, officers, agents, and employees from any and all claims and losses accruing or resulting against the Customer by any other party, arising directly or indirectly out of the provision of the Services by the Service Provider.

Inurement

20. This Agreement shall 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 shall 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 shall 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) shall issue a 1099 at the end of the year.

Cynthia Giesing, CBG Consulting
Service Provider

Date

Anthony Oum, Eden Area ROP
Fiscal Services Administrator

Date